



**THE PRINCIPLES OF MAQÂQSHID AL-SHARÎ'AH IN ADDRESSING
CONTEMPORARY ENVIRONMENTAL DILEMMAS: A STUDY OF THE THOUGHT
OF ABU ISHAQ AL-SHATIBI IN AL-MUWÂFAQÂT**

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Abstract

This study analyzes the principles of maqâshid al-sharî'ah in addressing contemporary environmental dilemmas through an examination of the thought of Abu Ishaq al-Shatibi in Al-Muwâfaqât. Modern environmental challenges often reflect tensions between economic interests and environmental protection, particularly in global trade practices that may generate ecological consequences. One example is the export of used vehicles to developing countries, which can provide economic benefits and employment opportunities while also increasing air pollution due to weak emission control systems. This research employs a qualitative library-based approach focusing on the conceptual analysis of al-Shatibi's ideas regarding mashlahah (public interest) and mafsadah (harm). Data were collected from relevant primary and secondary sources and analyzed using a descriptive-analytical method to identify normative principles applicable to contemporary environmental issues. The findings reveal that al-Shatibi's thought offers important guidance for resolving environmental dilemmas. In the case of used-vehicle exports, the study proposes nine policy solutions to mitigate environmental risks while preserving economic benefits. Furthermore, six conceptual principles are formulated: limiting sources of harm, ensuring responsibility for environmental impacts, balancing benefits and harms, improving means and methods, implementing gradual transitions, and considering long-term consequences. These findings demonstrate that the maqâshid al-sharî'ah approach remains highly relevant as an ethical and policy framework for addressing global environmental challenges and promoting sustainable development.

Keywords: maqâshid al-sharî'ah, al-Shatibi's thought, environmental dilemmas, environmental policy, public interest and harm

INTRODUCTION

Environmental pollution has become one of the most pressing global challenges in the modern era, intensifying alongside industrial development, population growth, urbanization, and increasing human activities. Pollution affects various environmental components, including air, water, and soil, and has emerged as a major threat to ecological sustainability and human well-being. Human activities such as industrial waste disposal, excessive use of hazardous chemicals, motor vehicle emissions, and inadequate waste management are among the primary contributors to environmental degradation (United Nations Environment Programme, 2021).



According to The Lancet Commission on Pollution and Health, pollution is currently the largest environmental cause of disease and premature death worldwide, contributing to approximately nine million deaths annually and disproportionately affecting developing countries (Landrigan et al., 2018). Environmental pollution not only damages ecosystems but also threatens public health, disrupts ecological balance, and reduces the quality of life of communities (Fuller et al., 2022).

In recent years, numerous cases of environmental pollution have continued to emerge across different regions of the world. Industrial waste contamination in rivers, increasing urban air pollution caused by transportation emissions, plastic waste accumulation, and transboundary environmental degradation have become recurring environmental concerns (United Nations Environment Programme, 2021). One issue that has attracted growing international attention is the export of used vehicles from developed countries to developing countries. Although this trade may provide affordable transportation and economic opportunities, it also contributes to increased greenhouse gas emissions, air pollution, and automotive waste due to weak emission-control regulations and inadequate environmental infrastructure in recipient countries (United Nations Environment Programme, 2020). Reports from international organizations indicate that many exported vehicles fail to meet modern environmental standards and therefore create long-term environmental risks for developing regions (News Wire Ngr, 2023; The Guardian, 2020).

Table 1 presents several recent cases of environmental pollution reported by international media and environmental organizations.

Table 1. Environmental Pollution Cases Reported in International Media

No.	News Title	Year	Source
1	Imported with EU Standards but Rejected Overseas: West Africa's Problems with Foreign Used Cars and Spare Parts	2023	News Wire Ngr
2	Old and Unsafe Cars Exported to Developing Countries Fuel Air Pollution	2020	The Guardian (2020)
3	Used Vehicles Get a Second Life in Africa – But at What Cost?	2020	United Nations Environment Programme
4	Environmental Disaster in the Oder River Ecosystem	2022	European Environment Agency
5	Sewage Spills Pollute UK Rivers	2023	BBC News
6	Air Pollution Deaths Remain High in Europe	2023	European Environment Agency
7	Microplastics Detected in Major European Rivers	2023	The Guardian
8	Plastic Waste Threatens Coastal Ecosystems in Spain	2023	Euronews
9	Toxic Algae Kills Tons of Fish in the Oder River	2024	Reuters
10	Europe Facing Growing Waste Management Crisis	2024	The Guardian



As shown in Table 1, environmental pollution manifests in multiple forms, including air pollution, water contamination, plastic waste accumulation, industrial pollution, and environmental damage associated with international trade activities. These cases indicate that environmental challenges frequently involve a complex tension between economic interests and environmental sustainability. The export of used vehicles provides a particularly significant example because it simultaneously generates economic benefits while potentially increasing environmental harm. Such dilemmas require not only technological and regulatory solutions but also ethical and normative frameworks capable of balancing public welfare with environmental protection.

Among Muslim scholars, Abu Ishaq al-Shatibi is widely recognized as one of the most influential figures in the development of Islamic legal theory (*uṣūl al-fiqh*) and the theory of *maqāṣid al-sharīʿah*. His full name was Ibrahim ibn Musa ibn Muhammad al-Lakhmi al-Gharnati al-Shatibi, a fourteenth-century Andalusian scholar associated with the Maliki school of law. Al-Shatibi lived during a period of significant political and social transformation in Islamic Spain, which influenced his efforts to strengthen the methodological foundations of Islamic law. His scholarly contributions played a crucial role in systematizing the concept of *maqāṣid al-sharīʿah* as a comprehensive framework for understanding the objectives and wisdom underlying Islamic legal rulings (Opwis, 2010).

One of al-Shatibi's most influential works is *Al-Muwāfaqāt*, a monumental contribution to Islamic legal theory that systematically elaborates the objectives of Islamic law. In this work, al-Shatibi argues that all legal rulings ultimately aim to realize human welfare (*maṣlaḥah*) and prevent harm (*mafsadah*) (al-Shatibi, 2021). Unlike earlier works of legal theory that focused primarily on methods of legal derivation, *Al-Muwāfaqāt* emphasizes the relationship between legal rulings and their broader social objectives. Through this approach, Islamic law is understood not merely as a collection of legal commands but as a coherent system designed to preserve religion, life, intellect, lineage, and property while promoting social well-being (Kamali, 2008).

Furthermore, al-Shatibi places particular emphasis on the principles of *maṣlaḥah* and *dar' al-mafāsid* (the prevention of harm), which serve as essential foundations for addressing issues not explicitly discussed in classical legal texts. These principles provide a flexible framework for analyzing contemporary challenges, including environmental degradation and ecological crises. From the perspective of *maqāṣid al-sharīʿah*, environmental pollution may be understood as a form of *mafsadah* because it threatens human welfare, damages natural resources, and undermines the sustainability of future generations (Auda, 2008). Consequently, environmental protection can be viewed as consistent with the broader objectives of Islamic law, particularly the preservation of life and public welfare.

Previous studies have discussed environmental sustainability from the perspective of Islamic environmental ethics (Foltz et al., 2003), ecological responsibility in Islam (Ozdemir, 2003), and the application of *maqāṣid al-sharīʿah* to contemporary social issues (Auda, 2008; Opwis, 2010). Other studies have examined environmental pollution through scientific, legal, and policy perspectives (Landrigan et al., 2018; United Nations Environment Programme, 2021).



However, limited attention has been given to the application of al-Shatibi's framework of *maṣlaḥah* and *mafsadah* in addressing environmental dilemmas arising from the international trade of used vehicles. Existing studies generally discuss environmental protection in Islam in broad normative terms without providing a systematic analysis based on al-Shatibi's theory of *maqāṣid al-sharī'ah*.

Therefore, this study seeks to fill this gap by examining how al-Shatibi's thought can provide normative guidance for addressing contemporary environmental challenges. Specifically, this study aims to analyze the principles of *maqāṣid al-sharī'ah* in responding to environmental dilemmas through an examination of al-Shatibi's thought in *Al-Muwāfaqāt*, with particular attention to the case of used-vehicle exports to developing countries as an example of the tension between economic interests and environmental sustainability.

LITERATURE REVIEW

1. Environmental Pollution and Sustainability Challenges

Environmental pollution has become one of the most critical global issues affecting ecological systems, human health, and sustainable development. Rapid industrialization, urbanization, population growth, and excessive exploitation of natural resources have significantly increased environmental degradation in various forms, including air pollution, water contamination, soil degradation, and waste accumulation. According to Landrigan et al. (2018), pollution constitutes one of the largest environmental causes of disease and premature death worldwide, disproportionately affecting developing countries where environmental regulations and technological capacities remain limited. Environmental pollution not only threatens biodiversity and ecosystem stability but also generates long-term social and economic consequences that undermine sustainable development goals.

Recent studies have emphasized that environmental sustainability requires comprehensive approaches integrating legal, ethical, economic, and social dimensions rather than relying solely on technological solutions. United Nations Environment Programme (2021) argues that environmental degradation, climate change, and biodiversity loss are interconnected crises that require integrated policy responses and stronger environmental governance. Similarly, Fuller et al. (2022) highlight that pollution continues to pose significant risks to public health despite increasing environmental awareness and regulatory efforts. These findings suggest that environmental issues cannot be addressed solely through scientific and technical approaches but also require ethical frameworks capable of guiding human behavior and public policy.

2. Islamic Environmental Ethics and Ecological Responsibility

The relationship between Islam and environmental sustainability has received increasing scholarly attention in recent decades. Islamic environmental ethics is generally founded upon concepts such as *tawḥīd* (divine unity), *khilāfah* (stewardship), *amānah* (trust), and *mīzān* (balance), which collectively establish moral responsibilities toward environmental preservation. Foltz et al. (2003) argue that environmental protection in Islam is not merely a practical necessity but also a religious obligation rooted in humanity's role as God's steward on earth. Similarly,



Ozdemir (2003) explains that ecological responsibility is embedded within Qur'anic teachings that emphasize balance, moderation, and respect for creation.

Contemporary studies have expanded this discussion by examining the role of Islamic ethics in addressing environmental crises. Nasir et al. (2022) argue that Islamic legal principles emphasizing harm prevention can contribute significantly to environmental sustainability by encouraging environmentally responsible behavior and policy development. Likewise, Mohamad et al. (2023) demonstrate that Islamic teachings provide normative foundations for preventing environmental pollution and promoting sustainable resource management. These studies indicate that Islamic environmental ethics possesses substantial potential for addressing contemporary ecological challenges.

3. Maqāṣid al-Sharī'ah as a Framework for Environmental Protection

The theory of maqāṣid al-sharī'ah has increasingly been employed as a framework for understanding environmental sustainability within Islamic legal thought. The central premise of this theory is that Islamic law aims to achieve human welfare (maṣlaḥah) and prevent harm (mafsadah). Auda (2008) argues that maqāṣid al-sharī'ah should be understood as a dynamic system capable of responding to contemporary social challenges rather than merely a classical legal doctrine. Through this perspective, environmental protection can be interpreted as an essential component of preserving human welfare and social justice.

Several contemporary studies have explored the relationship between maqāṣid al-sharī'ah and environmental sustainability. Nurholis (2025) argues that environmental preservation is closely related to the objectives of protecting life (ḥifẓ al-nafs) and wealth (ḥifẓ al-māl), both of which are fundamental elements of maqāṣid al-sharī'ah. Similarly, Taha (2025) demonstrates that environmental preservation contributes directly to achieving the five essential objectives (al-ḍarūriyyāt al-khams) because environmental degradation threatens human life, health, property, and future generations. Hamdi et al. (2025) further show that the integration of maqāṣid al-sharī'ah, fiqh al-bi'ah, and Islamic ethics can support sustainable environmental governance, particularly in water-resource management.

Other recent studies have expanded the discussion by linking maqāṣid al-sharī'ah with ecotheology, climate justice, and sustainable resource governance. Arzam & Kusnadi (2025) propose that ecological preservation should be considered an important extension of the objectives of Islamic law through the concept of ḥifẓ al-bi'ah (environmental protection). Likewise, Susana (2025) argues that Islamic environmental ethics can provide a normative foundation for evaluating contemporary resource-governance policies and preventing exploitative environmental practices. These studies demonstrate the growing relevance of maqāṣid al-sharī'ah in contemporary environmental discourse.

4. Al-Shatibi's Theory of Maṣlaḥah and Mafsadah

Among classical Muslim scholars, Abu Ishaq al-Shatibi is widely recognized as the most influential figure in the systematic development of maqāṣid al-sharī'ah. Through his monumental



work *Al-Muwāfaqāt*, al-Shatibi established a comprehensive theory emphasizing that all legal rulings ultimately aim to realize human welfare (*maṣlaḥah*) and prevent harm (*mafsadah*) (al-Shatibi, 2021). Unlike earlier legal theorists who concentrated primarily on legal derivation methods, al-Shatibi focused on the broader objectives and wisdom underlying Islamic law.

Opwis (2010) notes that al-Shatibi transformed *maqāṣid al-sharīʿah* into a coherent methodological framework capable of addressing changing social realities. Kamali (2008) similarly argues that al-Shatibi's approach provides flexibility for applying Islamic legal principles to contemporary issues that were not explicitly addressed in classical legal texts. Through the concepts of *maṣlaḥah* and *dar' al-mafāsid*, al-Shatibi's framework enables the evaluation of social and environmental practices based on their consequences for public welfare and harm prevention.

In the context of environmental issues, pollution, ecological destruction, and unsustainable resource exploitation may be categorized as forms of *mafsadah* because they threaten human health, environmental balance, and intergenerational welfare. Consequently, al-Shatibi's framework offers a normative basis for assessing environmental policies and economic activities according to their capacity to promote public welfare while minimizing environmental harm.

METHODOLOGY

This study employs a qualitative research design using a library research approach. Library research is particularly suitable for examining concepts, theories, and normative frameworks through the systematic investigation of written sources and documentary materials (Zed, 2014). Since the present study seeks to explore al-Shatibi's conception of environmental preservation within the framework of *maqāṣid al-sharīʿah*, the research relies primarily on textual analysis rather than empirical field investigation.

The primary source of this study is Abu Ishaq al-Shatibi's *Al-Muwāfaqāt*, particularly the sections discussing *maqāṣid al-sharīʿah*, *maṣlaḥah* (public welfare), *mafsadah* (harm), and the objectives underlying Islamic legal rulings (al-Shatibi, 2021). As one of the most influential works in Islamic legal theory, *Al-Muwāfaqāt* provides the principal conceptual framework for understanding al-Shatibi's approach to balancing benefits and harms in social life. Secondary sources consist of scholarly books, peer-reviewed journal articles, and reports related to environmental pollution, environmental ethics, sustainability, and contemporary applications of *maqāṣid al-sharīʿah*. These materials are used to contextualize contemporary environmental challenges and to facilitate dialogue between classical Islamic legal thought and modern environmental discourse.

Data were collected through documentation techniques involving the identification, selection, classification, and examination of relevant literature. The collected sources were subsequently organized into thematic categories, including environmental pollution, environmental sustainability, *maqāṣid al-sharīʿah*, *maṣlaḥah*, and *mafsadah*. Such categorization enabled a systematic examination of the relationship between al-Shatibi's legal philosophy and contemporary environmental issues (Bowen, 2009).



The data were analyzed using a descriptive-analytical approach. The descriptive stage focused on explaining al-Shatibi's concepts of *maṣlaḥah*, *mafsadah*, and the objectives of Islamic law as presented in *Al-Muwāfaqāt*. The analytical stage then examined the relevance of these concepts to contemporary environmental challenges, particularly environmental pollution and ecological degradation. Through conceptual analysis, the study evaluated how al-Shatibi's framework may contribute to the development of normative principles for environmental protection and sustainable governance (Opwis, 2010).

This methodological approach allows the study to critically interpret classical Islamic legal thought while simultaneously assessing its relevance to contemporary environmental concerns. Consequently, the findings are expected to contribute to both Islamic legal studies and contemporary discussions on environmental sustainability.

RESULTS AND DISCUSSIONS

1. Environmental Dilemmas in the Export of Used Vehicles

One of the contemporary environmental issues that reflects the tension between economic interests and environmental sustainability is the export of used vehicles from developed countries to developing countries. In many European countries, increasingly stringent environmental regulations require vehicles to comply with advanced emission standards. Vehicles that fail to meet these standards are often removed from domestic markets and subsequently exported to developing regions, particularly African countries, where environmental regulations and technological capacities remain relatively limited (United Nations Environment Programme, 2020).

This practice presents a complex dilemma. From an economic perspective, imported used vehicles provide affordable transportation for lower-income populations, stimulate local automotive markets, and generate employment opportunities in vehicle repair and maintenance sectors. These benefits contribute directly to economic mobility and social welfare. However, many exported vehicles are older and less environmentally efficient, resulting in increased greenhouse gas emissions, deteriorating air quality, and greater environmental burdens for recipient countries (Fuller et al., 2022).

Table 2. Benefits and Environmental Risks of Used Vehicle Exports

Economic Benefits	Environmental Risks
Affordable transportation	Increased carbon emissions
Employment creation	Air pollution
Economic mobility	Respiratory diseases
Automotive sector growth	Waste accumulation
Improved accessibility	Environmental degradation

The environmental consequences of this trade extend beyond local pollution. Air pollution is widely recognized as one of the leading environmental health risks globally and contributes significantly to premature mortality and chronic respiratory diseases (World Health Organization, 2022).



Consequently, the export of used vehicles cannot be evaluated solely through economic indicators. Instead, it requires a broader assessment that considers both immediate economic gains and long-term environmental impacts.

This dilemma illustrates the need for a normative framework capable of balancing economic interests with environmental sustainability. In this regard, al-Shatibi's theory of *maqāṣid al-sharī'ah* provides an important analytical perspective because it evaluates human actions according to their contribution to public welfare (*maṣlaḥah*) and their potential to generate harm (*mafsadah*).

2. Al-Shatibi's Framework of *Maṣlaḥah* and *Mafsadah*

A central feature of al-Shatibi's legal theory is the principle that Islamic law seeks to realize human welfare and prevent harm. According to al-Shatibi, all legal rulings ultimately serve the objective of preserving the well-being of individuals and society while minimizing actions that generate social, economic, or moral damage (al-Shatibi, 2021).

An important aspect of this framework is the recognition that human actions rarely produce purely beneficial or purely harmful outcomes. Most actions generate both positive and negative consequences simultaneously. Therefore, legal and ethical judgments should be based on an assessment of which consequence is more dominant. If the benefits outweigh the harms, an action may be considered permissible or desirable. Conversely, if harm becomes predominant, restrictions may be justified in order to protect public welfare.

This perspective differs from simplistic approaches that evaluate actions solely on the basis of immediate outcomes. Instead, al-Shatibi emphasizes a comprehensive evaluation that considers broader social consequences and collective interests. Such an approach is particularly relevant to environmental issues because environmental degradation often results from activities that provide short-term economic benefits while generating long-term ecological costs.

Table 3. Core Principles of *Maṣlaḥah* and *Mafsadah* According to Al-Shatibi

Principle	Implication for Environmental Issues
Realization of welfare	Promote environmental sustainability
Prevention of harm	Reduce environmental degradation
Public interest priority	Protect collective well-being
Social responsibility	Avoid transferring harm to others
Balance of consequences	Evaluate benefits and risks together

The export of used vehicles provides a practical example of this framework. While economic benefits are evident, environmental harms must also be considered. Therefore, policy decisions should not focus exclusively on economic growth but should seek a balance that maximizes public welfare while minimizing environmental damage.



3. Maqāṣid al-Sharī'ah and Environmental Sustainability

Al-Shatibi's framework becomes more comprehensive when viewed through the broader theory of maqāṣid al-sharī'ah. According to this theory, Islamic law aims to preserve five essential interests: religion (ḥifẓ al-dīn), life (ḥifẓ al-nafs), intellect (ḥifẓ al-'aql), lineage (ḥifẓ al-nasl), and property (ḥifẓ al-māl) (Kamali, 2008).

Although classical scholars did not explicitly discuss environmental pollution in the modern sense, contemporary scholars have argued that environmental protection is closely connected to these objectives. Environmental degradation threatens human health, damages economic resources, undermines social stability, and creates risks for future generations. Consequently, environmental protection can be interpreted as a necessary condition for achieving the objectives of Islamic law (Auda, 2008).

Table 4. Environmental Protection within the Objectives of Islamic Law

Objective of Shariah	Environmental Relevance
Protection of Religion (ḥifẓ al-dīn)	Ethical stewardship of creation
Protection of Life (ḥifẓ al-nafs)	Prevention of pollution-related illnesses
Protection of Intellect (ḥifẓ al-'aql)	Healthy and safe living conditions
Protection of Lineage (ḥifẓ al-nasl)	Safeguarding future generations
Protection of Property (ḥifẓ al-māl)	Sustainable management of resources

From this perspective, environmental pollution represents more than a technical challenge. It constitutes a threat to several essential objectives of Islamic law simultaneously. Air pollution endangers human life and health, environmental degradation undermines economic resources, and unsustainable practices compromise the welfare of future generations. Therefore, environmental preservation should be regarded as an integral component of realizing maqāṣid al-sharī'ah in contemporary society.

Furthermore, Islamic environmental ethics emphasizes that humans act as stewards (khulafā') responsible for maintaining ecological balance and preventing environmental destruction (Foltz et al., 2003). This ethical responsibility reinforces al-Shatibi's argument that public welfare cannot be achieved through actions that generate widespread environmental harm.

CONCLUSION

This study examined contemporary environmental dilemmas through the perspective of Abu Ishaq al-Shatibi's theory of maqāṣid al-sharī'ah as articulated in Al-Muwāfaqāt. The findings demonstrate that environmental protection is consistent with the fundamental objectives of Islamic law, particularly the realization of human welfare (maṣlaḥah) and the prevention of harm (mafsadah). Although environmental issues in their modern form were not explicitly discussed by al-Shatibi, his methodological framework provides a relevant normative basis for evaluating contemporary environmental challenges and balancing competing interests between economic development and environmental sustainability.



The case of used-vehicle exports from developed countries to developing countries illustrates a complex environmental dilemma in which economic benefits coexist with significant environmental risks. On the one hand, such trade contributes to economic mobility, employment creation, and access to affordable transportation. On the other hand, it may increase air pollution, greenhouse gas emissions, and environmental degradation due to inadequate emission-control systems and environmental regulations. Through al-Shatibi's framework, this dilemma should not be evaluated solely in terms of economic gains but must also consider its broader consequences for public welfare, environmental quality, and future generations.

The analysis further shows that the principles of *maṣlaḥah*, *mafsadah*, and *i'tibār al-ma'ālāt* (consideration of consequences) provide important guidance for environmental policymaking. Based on these principles, the study proposes several practical policy measures, including the establishment of minimum emission standards, restrictions on the age of exported vehicles, technological cooperation between exporting and importing countries, stricter environmental regulations, vehicle-renewal programs, environmental accountability mechanisms, public awareness initiatives, and international cooperation in pollution control. These measures seek to preserve the economic benefits of used-vehicle trade while minimizing environmental harm.

The primary contribution of this study is the formulation of six *maqāsid*-based environmental principles derived from al-Shatibi's thought. These principles consist of: (1) limiting sources of harm, (2) responsibility for environmental impacts, (3) balancing benefits and harms, (4) improving means and methods, (5) gradual environmental transition, and (6) considering long-term consequences. Collectively, these principles provide a conceptual framework that can be applied not only to the issue of used-vehicle exports but also to a broader range of environmental challenges, including industrial pollution, waste management, natural-resource exploitation, and emerging environmental issues associated with technological development.

In conclusion, al-Shatibi's theory of *maqāsid al-sharī'ah* remains highly relevant for contemporary environmental governance. By emphasizing welfare, responsibility, harm prevention, and long-term sustainability, his framework offers a comprehensive ethical and policy-oriented approach for addressing environmental challenges in ways that are both socially beneficial and environmentally sustainable.

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