

THE GREATEST GOOD FOR THE GREATEST NUMBER OF PEOPLE: AN ISLAMIC PHILOSOPHICAL ANALYSIS

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ABSTRACT

The western ethical philosophy provides that if any decision brings the greatest good for the greatest number of people, then the decision is acceptable although a small number of people might be affected by the decision. This is also known as democratic rule of making decision based on majority opinions. There are similar principles in Islam known as '*al-maslahah al-mursalah*' which means 'for public interest'. It means that if any decision is taken by a business leader or by an authority for the interest of employees or the public then that decision is acceptable in Islamic jurisprudence. Islam accepts a decision if it is beneficial for the society. There is another principle in Islam which is known as '*Istihsan*' which means 'judicial preference'. Muslim scholars use this concept to prefer one decision over another on public interest ground. However, it is noteworthy that as mankind, we are the vicegrants (*Khalifa*) of Allah (*Subhanahu Wa Ta'ala*) on earth as well as representatives of the general masses of the society. So, whatever decision which is formulated, it should be for the benefit of people and at the same time for the satisfaction and contentment of Allah (*Subhanahu Wa Ta'ala*). The objective of this paper is to critically analyze the possibility of harmonizing the western philosophy 'the greatest good for the greatest number of people' with the Islamic jurisprudential principles '*al-maslahah al-mursalah*' and '*al-Istihsan*'. Qualitative research approach was employed in this study to critically analyze the above mentioned jurisprudential principles.

Keywords: Utilitarianism, the greatest good philosophy, *maslahah* philosophy, *istihsan* philosophy, harmonization mechanism.

INTRODUCTION

The western philosophy 'the greatest good for the greatest number of people' is really a nice philosophy for social science and it is a part of a philosophical principle known as 'utilitarianism'. Under this principle if any decision whether it is political decision or business decision may produce the greatest good for the greatest number of people then it is a good and ethical decision. We know that no theory or principle is perfect. Every principle or theory has some shortcomings or exceptions. Similarly, in the case of 'the greatest good principle' has some criticisms (Desjardins, 2009, Ghani & Adam, 2011).

The person who first propagated 'utilitarianism' philosophy is John Stuart Mill. In his classical book 'Utilitarianism' Mill has explained 'the greatest good for the greatest number of people.' This book was first published in 1863. In his theory 'utilitarianism', focus was directed towards utility of an action done or decision made. By 'utility' he meant pleasure, happiness, good etc. So, Mill emphasized on the consequence of an action whether it produces the greatest good or happiness for the greatest number of people (Ghani & Adam, 2011). Mill in his classical book argued that cultural, intellectual, and spiritual pleasures are of greater value than mere physical pleasure (Ghani & Adam, 2011). The utility principle has been explained by Mill in his 1965 edition book at page 281 stating that:

“Actions are right in proportion as they tend to promote happiness, wrong as they tend to produce the reverse of happiness. By happiness pleasure is intended, and the absence of pain; by unhappiness, pain or the privation of pleasure.”

Ghani and Adam (2011) were commenting on ‘the greatest good principle’ and stated that:

“The practical implication of this greatest happiness principle is that whenever we are in moral doubt, we should merely calculate which of our alternatives for action would result in the greatest amount of happiness of the greatest number of people. The option that promises to produce the most happiness and the least pain for the greatest number of people affected by our decision should be regarded as the most morally worthy course of action.”

There is another typical principle in Islamic religion is known as ‘*al-maslahah al-mursalah*’ principle which means for public interest. In Islamic philosophy any decision taken by the government or by a business organization must be for public interest or for the benefit of people; then such a decision is good and ethical decision in Islamic philosophy (Mustafa, M.J., 2012; Khan, M.M., 2011).

‘The greatest good for the greatest number of people’ is also an acceptable approach to normative ethics or deontological ethics (rights and duties based ethics) which produces the best deeds (Desjardines, 2009). Generally, the greatest good for the greatest numbers of people is a foundation of ethics and legislation (Bentham, 1789). It is deeply associated with utilitarianism that has moral worth (Anderson, 2013) in actions like *al-maslahah al-mursalah* (public welfare) and *al-istihsan* (juristic preference). The ethical philosophy and virtue is based on the utility principle which has a goal of producing the greatest good for the greatest number of people.

Philosophically, when any decision is taken by one single consideration whether it will be in the best welfare of the greatest number of people is known as utilitarianism. There are different views illustrated by western philosophers that are related to utilitarianism, which is the overall good or happiness for the greatest number of people in the society. The concept of good and bad deeds in Islamic religion is very clear. A person who creates good things for the satisfaction of the Creator (Allah) and the people in the earth are acceptable in Islam.

In Islam, the understanding of good and bad deed is not a complicated issue. Humans are responsible for whatever they are doing, but for doing greatest good deeds, they will get good rewards from Allah (s.w.t.)¹ and similarly for doing bad deed, they will get punishment from Allah (s.w.t.) (Surah² Az-Zalzalah, verse 7). Allah (s.w.t.) has created good and bad things and He (Allah) has given cognitive power to human beings to know them (good and bad things) through successive disclosure. People are free to use any power of choice but they should be responsible for the choice to the Creator (Allah). Allah (s.w.t.) has said in the holy Quran:

“.....Allah showed (people) what is wrong and what is right. Indeed, he succeeds who purifies his self (i.e. by doing righteous good deeds). And indeed he fails who corrupts his self (i.e. by doing every kind of evil wicked deeds)”. Surah Ash-Shams (91: 7-10).

Indeed, Muslims should understand the characteristics of what are the greatest good things for human welfare and what are bad things for human misery according to their constitution which Allah (swt) has revealed to them in the holy Quran. In addition, Muslims

¹ The abbreviation (s.w.t.) of Allah are some praising words for the Creator of all worlds which stands for “subhanahu wa taala”. “Subhanu wa taala” means Allah is the greatest, the purest and the highest in all the worlds created by Him.

² *Surah* is Arabic word which means chapter in the Quran.

should also follow the *ahadith*³ of Prophet Muhammad (peace be upon him). These two sources (al-Qur'an and *ahadith*) are very important and primary sources of Islamic law and they are known as 'Shariah' (Islamic law or Islamic legal system) which shapes *al-masalah al-mursalah* (public interest) and *al-istihsan* (juristic preference) in this paper. In fact, *al-masalah al-mursalah* and *al-istihsan* have similar meaning that is for the public interest and any decision taken is valid and acceptable as long as they are not contradictory with the Quran and *ahadith*.

The main objective of this study is to investigate the root concept of "the greatest good for the greatest number of people" from an Islamic philosophical perspective. Islamic law has been established over the centuries and the principles of *al-istihsan* and *al-masalah al-mursalah* are also two ancient Islamic philosophical principles. The concept of *al-istihsan* has been embraced and used by many schools of thought in Islam including Imam Shafi (Kayadibi, 2010).

Al-istihsan principle can accommodate the challenges of the modern life and it can provide adequate solutions without violating the commands of Allah (the Creator of the universe) narrated in the Islamic religion Islam (Kayadibi, 2010). *Al-istihsan* is a form of *ijtihad* (reasoning or developing new solution) in which Islamic jurists use their individual discretions under the guidelines of Islamic law to establish the legal judgment. The best and acceptable solutions are given by the Islamic jurists to secure the actual benefit and welfare for the community. *Al-masalah al-mursalah* is a method which is based on benefit, fairness, welfare and avoiding harm. By applying '*al-masalah al-mursalah*' principle, Islamic jurists can take positive steps to offer social benefit or social welfare for the people as well as it can prevent corruption in the society; whereas *al-istihsan* is a legitimate basis for legislation by choosing one of the best and beneficial options available for people (Kayadibi, 2010).

Al-masalah al-mursalah and *al-istihsan* principles are not contradictory with any salient principles of Islamic religion; rather both of them are acceptable in Islamic religion due to their social welfare objectives. Similarly, we find that the 'the greatest good principle' in the West is *prima facie* not contradictory with any valuable principles of Islam (the religion of peace). The purpose of this research paper is to see whether these two salient principles of public benefit can be reconciled; we mean whether the western philosophical principle 'the greatest good' is acceptable in Islamic philosophy that is the main objective of this paper by applying qualitative research methodology.

METHODOLOGY

Qualitative research approach has been employed in this paper. Information has been collected from secondary sources such as books, journal articles, online articles and primary sources through in-depth interviews with renowned academicians. The concepts, ideas and knowledge received from the secondary as well as the primary sources have been used to critically argue whether the two philosophical concepts could be reconciled.

Meaning and application of the philosophical principle "the greatest good for the greatest number of people."

The meaning of 'the greatest good for the greatest number of people' means that any decision made which produces the greatest good for the greatest number of people is good and ethical under western philosophical theory. According to Fraedrich (2013) "Utilitarians believe that they should make decisions that result in the greatest total utility, or the greatest benefit for all those affected by a decision". According to Fraedrich, an example of utilitarianism may be

³ *Ahadith* is Arabic word is plural of *hadith* which means whatever Prophet (s.a.w.s.) has said, did and approved.

the President Obama's 2009 economic stimulus package. The American administration probably weighed its costs to the American taxpayer against the greater costs of allowing the entire economy to fall into a depression (Fraedrich, 2013). According to Desjardins, "At its most basic, utilitarianism is a social philosophy, offering criteria by which the basic structure of social institutions, such as business and the economy, ought to be determined. Social institutions should be structured in whatever way will maximize the overall good for the greatest number of people" (Desjardins, 2009).

Philosophically, the greatest good is an idea that is useful or beneficial for the greatest number of people. The greatest idea or action can attempt to save the peoples' life, if it is ethical and equitable. Unethical or harmful idea and action cannot give welfare to people. The greatest good principle can be applied to the concept of war where one may assume that more than 1000 soldiers may die for revolution to turn back the good happiness for the entire country people and entire country will be safe and peaceful. By applying 'the greatest good principle', people would enjoy economic benefits. Furthermore, greatest good can be referred to the concept of the innovation of technology development or discovery of truth by which people can get opportunity enormously. By the study of different conventional and Islamic scholars, it is pondered that the greatest good principle is associated with *al-istihsan* (juristic preference) and *al-masalah al-mursalah* (public interest or welfare) principles in Islam. This is because; *al-istihsan* (juristic preference) considers something greatest good deeds, beautiful and preferable ethically. Similarly, *al-masalah al-mursalah* principle considers the concept of public interest for introducing a new decision. If such decision produces public benefit and not contradictory with the Quran and ahadith, the decision is good and acceptable in Islamic philosophical theory (Kamali, 2008). In addition, according to Islamic scholar Al-Ghazali, *al-masalah al-mursalah* principle is based on five forms such as holding religion, intellect, life, lineage and property (Hidayah, 2012).

Criticism to the philosophical principle of "the greatest good for the greatest number of people.

Some philosophers have criticized the "the greatest good for the greatest number of people" maxim. They say that this principle emphasizes on the consequences of a decision and does not look at whether it is violating any universal law or rights and duties of people (Fraedrich, 2013). We should not solely rely on the consequence principle to say that a particular act or decision is good as it produces the greatest good for the greatest number of people. Because, there are situations where it may happen that a decision brings the greatest good for the greatest number of people but it ignores established law, rights or norms. In such cases we may not accept the validity of the 'the greatest good principle. Some says 'the greatest good' principle ignores the benefit or interest of individuals at the cost of benefit of maximum people. This may cause unequal treatment of people (Desjardins, 2009).

Telling a lie in business may produce a great amount of profit which is beneficial for the business company and its employees. However, telling a lie in such a case is not acceptable in ethical philosophy as it will affect the rights and interest of consumers. Another example can be given is that if children are employed in business more profit can be generated as the employers do not need to pay house allowance and other benefits and children will work with low salaries. This will help to keep the production cost low and will increase more and more export resulting benefit for the whole country. However, such actions would not be acceptable in ethics as children should not work; they should concentrate on study to make the citizens learned people and in fact it is the right of children

that government should make their education free to acquire knowledge in formal schools and colleges (Desjardins, 2009).

Hence, we can say that 'the greatest good' principle is beneficial for society but it should not be misused. It should not be used against universal ethical principles, rights and duties concept of people in the society. If this is done, then only 'the greatest good' principle is acceptable.

Acceptability of utilitarian principle in Islamic philosophy Al-masalah al-mursalah (for public interest)

Al-masalah means benefit, convenient, suitable or appropriate. Literally, it can be said that *masalah* is the removal of evil actions and harmful as well as it is the opposite of evil activities (Kayadibi, 2010). This philosophical principle means unrestricted and it removes the restriction and ignores the evil deeds. However, *al-maslahah al-mursalah* is concerned with the substance of human life as well as the acquisition of intellectual quality which is required for human beings for fairness and welfare in a particular life. *Al-maslahah al-mursalah* is allowed in *Maqasid al shariah* (goals and objectives of Islamic law). The Shariah is predicted on the greatest opportunity of the individual and its law is designed to protect the benefits and develop the facilities of human life (Kamali, 2008).

Al-maslahah al-mursalah principle originated when some problems found in the society and the solutions were available in the Quran and Sunnah⁴ clearly. Hence, to solve those problems Islamic scholars thought about public interest principle which in Arabic term is known as *al-maslahah al-mursalah*. As the main objective of *al-maslahah al-mursalah* principle is to ensure public benefit or public welfare, it is welcomed by the people in the society as well as by the Islamic scholars. However, the Islamic scholars put a condition for the validity of the *al-maslahah* principle that it must not contradict with any salient principles of Islam established by the Quran and Sunnah.

Al-maslahah al-mursalah is referred to the benefit of a general nature or basic needs of human beings and it must be a rational discussion. Benefit can be divided into five categories such as maintaining religion, nourish the soul, maintaining reasonableness, nurturing offspring and maintaining property (Hidayah, 2012). According to the scholars of *Usul-al-fiqh* pointed out that the content of benefit is related to the *Maslahah al-amma* that is the public good or public interest to many people. *Maslahah al-khashshah* (personal benefit) is not very much recognized and welcome by people as people think more about the benefit of society rather than personal benefit from any particular decision.

Some scholars said that benefit is based on the two forms, such as *Maslahah al-tsabitah* (fixed benefit) and *Masalah al-mutaghayyirah* (changed benefit). *Masalah al-tsabitah* is the benefit which is not changed but on the other hand *masalah al-mutaghayyirah* is referred to change of time, place and legal subjects. According to Hanafiyyah scholars *al-masalih al-mursalah* is the argument which is supported by the Islamic law. There are *ahadith*, Quranic verse and Ijma which have illustrated that the nature of the benefit is seen by the legal motivation. Indeed, *al-masalih al-mursalah* is the legal argument or an idea; argument in a legal setting even most scholars of *fiqh* demonstrated that there are three conditions of *al-masalih al-mursalah* such as firstly, the benefit is supported in general text in according to personality. Secondly, benefit can be rational, it actually produces benefit and

⁴ The practical life of Prophet Muhammad (s.a.w.s.) whether it is purely religious or societal is known as *sunnah*. *Sunnah* is what Prophet (s.a.w.s.) said about something, practiced it and approved it for the benefit of people in the society.

avoid harmful effects. Thirdly, the benefit must be involved with public interest; it should not be involved with a small group.

***Al-Istihsan* (Juristic preference)**

Generally *Istihsan* means to view as something preferable. In juristic sense, *Istihsan* is a method of practicing personal opinion where rigidity and unfairness or harmful things for human beings must be avoided by the Islamic *shariah* (Islamic law). In western sense, *Istihsan* is an idea or concept which is close to equity and ethics (Hannan, 2011). Equity is a western legal concept, idea of fairness and conscience which derives legitimacy from natural rights or natural law, but *Istihsan* is based on Islamic law (Kamali, 2007). *Istihsan* is integral part of Islamic *shariah*⁵ and it is validated by Imam Hanafi, Imam Hambali and Imam Maliki (Hannan, 2011).

Istihsan does not recognize the superiority of any natural law over the divine law. *Istihsan* is flexible and it can be used for a number of purposes. Literally, *Istihsan* approves something preferable which is fairness and welfare for people. *Istihsan* is a form or method which gives preference to the best of different solutions of a particular problem (Kayadibi, 2010). *Istihsan* may not support an oral testimony rather it supports the *shariah* which allows creating a new techniques and its main object is to improve and establish evidence, justice and discover the truth for fairness and welfare of human beings as the greatest good for greatest number of people (Hannan, 2011). In the Qur'an and *Sunnah*⁶, there is no definitive authority for *Istihsan* but the following Qur'anic verses are quoted in support of the *Istihsan*. Allah (swt) said:

“Those who listen to the words then follow the best of it; those are they whom Allah has guided, and those are the men of understanding” (Surah Az-Zumar (39):18).

This Qur'anic verse may be taken to mean adopting the best solution of a problem among the alternatives or options. From another Qur'anic verse mentioned below we may derive the principle of *al-Istihsan*. In this verse Allah (s.w.t) states that:

“And follow the best that has been revealed to you from your Lord before there comes to you the punishment all of a sudden while you do not even perceive.” [Surah Az-Zumar (39):55].

From the above verse we may make *ijtihad* (new decision) that when we face a problem and it has more than one solutions, we should follow the best option as the solution. According to the above Quranic verse, the greatest good deed, true evidence and discovery is preferable and essential for human beings and it is supported by *shariah* through *Istihsan*. Similarly, the following *hadith* can be quoted to support *al-Istihsan* that “No harm shall be inflicted in Islamic *shariah*”. Unfairness and harmful activities are not supported in *Istihsan*; *Istihsan* requires finding a better solution to mitigate unfairness and harmful activities. Therefore, *Istihsan* is closely related to the *Qiyas* (analogical deduction) and right opinion. Some Islamic scholars have opposed *Istihsan* saying that it is a method of arbitrary law making and pleasure seeking method; on the other hand some Islamic scholars say that *Istihsan* seeks the right solutions of different problems which are harmonious in the Islamic law (Kamali, 2003; Hanna, 2011).

⁵ Shariah is Arabic word which means Islamic legal system.

⁶ *Sunnah* and *hadith* are used interchangeably in Islamic jurisprudence.

DATA ANALYSIS

Opinions on the philosophical principles stated above have been collected by interviewing five scholars in business ethical field. The summary of the interview is written below after each question.

The acceptable meaning of the principle ‘The greatest good for the greatest number of people?’

The majority of the respondents say the acceptable meaning of the principle ‘the greatest good for the greatest number of people is that;

“If any decision is taken which is good and beneficial for the greatest number of people in the society, such decision is ethical and acceptable under Western philosophy”

Another interviewee responded saying that;

“Whatever provides benefits to the majority should be approved. The benefit is defined and approved by the leader, community or organization. A member of the community or organization is expected to accept the decision. In one situation, a member may lose, whereas in another situation, he/she may gain by operation of the principle. If the maxim is not associated with Islam then the benefit may not necessarily be in line with the spirit of the shariah. Shariah-compliant ‘greatest good’ principle may not necessarily be the same in spirit if the outcome of the principle is in accordance with the Western ethical philosophy”.

Thus, respondents seem to unanimously agree on the contention that “the greatest good for the greatest number of people” philosophy may be applicable in the Islamic arena provided it that “greatest good” does not contradict the Islamic *Shari’ah*.

‘The greatest good principle’ as beneficial and acceptable in contemporary era.

According to one respondent;

“The ‘greatest good principle’ is beneficial and acceptable at modern times as it produces benefit for the majority people although the minority people may be affected. This principle has some defects in the sense that lying in the business may generate maximum profit and it can contribute to the GDP growth of a country and can increase the salary or benefit of the employees. So, lying in business can bring greatest benefit for the greatest number of people in the country but it will affect the right and interest of consumers. Here, the national and universal ethical issue is involved. So, decision based on the philosophy ‘the greatest good for the greatest number of people’ may not be right and acceptable in all cases”.

Similarly, another respondent mentioned that;

“Irrespective of time, an individual or organization has to make a decision based on some principles. The ‘greatest good principle’ is only one of the principles. The position of the ‘greatest good principle’ will be understood when it is paired with other principles applicable to a particular situation or context”

In a similar fashion, another respondent opined that;

“‘The greatest good principle’ is relative depending on the subject matter. But in Islam when something is fixed by shariah (the Islamic law) as a principle it must be followed no matter it brings good for majority people or not”.

Contentions by respondents leads us to the belief that “the greatest good principle” may have inherent goodness in it, however, when it comes to Islam, caution must be taken. This is because of the fact that some rules in the Islamic *Shari’ah* are fixed, for which matter such a maxim like “greatest good for the greatest number” may not necessarily be applicable in such instances.

The understanding of the principle ‘al-maslahah al-mursalah’

According to a respondent;

“Al-maslahah is an Islamic philosophical principle which means ‘public interest or benefit’. In other words, it means if any decision is taken which has no reference in the Quran and Sunnah is acceptable in Islamic philosophy as it brings benefit for the people in the society provided that it is not contradictory with any principles of Islam”.

Another respondent mentioned that;

“Mazhab Maliki fully supports al-maslahah al-mursalah principle. It is in line with maqasid al-shariah and it brings justice to people in society. Five main objectives of shariah (maqasid al-shariah) which are i) hifzu al-din (protection of religion); ii) hifzu al-nafs (protection of life); iii) hifzu al-mal (protection of wealth); iv) hifzu al-aql (protection of intellect); and v) hifzu al-nasl (protection of progeny). By protecting these five maqasid it leads to serve the public interest as against individual interest. Again by protection of the maqasid it would lead to mutual and peaceful coexistence in the society. However, not protecting it, will lead to chaos in the society.”

The above contentions by respondents captures salient meanings ascribed to the ‘*al-maslahah al-mursalah*’ principle. Respondents unanimously agreed that it is about protecting the public interest, which is inherent in the protection of the five main objectives of *shari’ah* (*maqasid al-shariah*) which are (1) *hifzu al-din* (protection of religion); (2) *hifzu al-nafs* (protection of life); (3) *hifzu al-mal* (protection of wealth); (4) *hifzu al-aql* (protection of intellect); and (5) *hifzu al-nasl* (protection of progeny)

The possible nexus between ‘the greatest good principle’ and ‘al-maslahah principle’

The majority of the respondents mentioned that ‘the greatest good principle’ can be reconciled with ‘*al-maslahah al-mursalah*’ principle as long as the western philosophical principle is not contradictory with the salient principles of Islam such as doing injustice, doing unethical things etc.

A respondent has the following to say;

“‘The greatest good principle’ that does not contradict maqasidal-shariah (Objectives of shariah) is acceptable. Maqasid should be used as the criteria to evaluate whether ‘the greatest good principle’ or others are acceptable or not.”

Another respondent, however, disagreed and said that;

“‘The greatest good principle’ cannot be reconciled with al-maslahah al-mursalah principle, based two reasons: (1) al-maslahah al-mursalah is based on the Quran and Sunnah from where Muslims derive their theories to guide their practices. Therefore, whatever behavior goes contrary to shariah (Quran and Sunnah) is absolutely rejected even if the majority people supported that; (2) In Islam Muslims’ practices follow their theories (Quran and Sunnah) which is opposite in secularism where their theories follow their practices. Therefore, although we may follow the majority decision it is only acceptable in civil

transactions (muamalat) which also must be in line with shariah. For ibadat aspects it is absolute and rigid and stands the test of time, i.e., it will never change even if the majority people goes against it.”

Thus, some of the respondents supports the nexus between the two principles, yet, a respondent disagreed on the possible nexus of the two principles.

SUMMARY OF FINDINGS OF THE RESEARCH

There are similarities between the two principles ‘the greatest good’ and ‘*al-maslahah al-mursalah*’. Both principles are beneficial for the human society. The western philosophical principle ‘the greatest good for the greatest number of people’ is acceptable in Islam provided that it does not contravene the universal ethical and philosophical principles recognized in Islamic religion.

CONCLUSION

There are many ancient philosophical principles in both the West and in the Muslim world. These ancient philosophical principles are beneficial for the society. Now it is high time to compare and contrast between these two systems’ philosophical principles to find out what are the similarities and dissimilarities between them. If any western philosophical principle is proved be good and beneficial for the modern society, Islamic religion can generously accept those principles as being not contradictory with Islamic law principles provided in the holy Quran and *ahadith*. However, if any western philosophical principle after review and evaluation it is found that it contradicts with the salient principles of Islamic law, then that western philosophy would not be acceptable in Islamic religion.

In fact, Islam is a religion of peace. It recommends peaceful co-existence of different religious sects. That is the beauty of Islam. Islam teaches tolerance and freedom of religious practice. The holy Quran provides in one verse that ‘there is no compulsion in Islamic religion.’ Islamic religion ensures full freedom to non-Muslims to practice their own religions. Islam never allows forcing any religious group to embrace and practice Islamic religion. However, Islam cordially embraces any non-Muslim who willingly accepts Islamic religion after knowing its philosophy well. Hence, the objective of this paper as stated earlier is to find out whether the western philosophical principle ‘the greatest good for the greatest number of people’ can be accepted and adopted in Islamic religion based on *ijtihad* (reasoning) as there are two similar philosophical principle in Islam which have been explained earlier such as ‘*al-maslahah al-mursalah*’ and ‘*al-istihsan*’.

REFERENCES

- Anderson, K. (n.d.). *Utilitarianism: The Greatest Good for the Greatest Number*. Retrieved Apr 12th, 2013, from <http://www.probe.org/site/c.fdKEIMNsEoG/b.4224805/>.
- Bentham, J. (1789). *An Introduction to the Principles of Morals and Legislation*. *Batoche Books*, 14.
- Desjardins, Joseph. (2009). *An Introduction to Business Ethics*, Sydney: McGraw Hill.
- Fraedrich, J. Ferrell, L. and Ferrell, O.C. (2013). *Ethical Decision Making in Business: A Managerial Approach*, United States: South-Western Cengage Learning.
- Ghani, Abdullah Abdul and Adam, M. Zainol Abidin. (2011). *Business Ethics*. Malaysia: Oxford University Press.
- Hannan, A. (2011, October 07). *Al-Istihsan (Juristic preference)*. Retrieved 04 22, 2013, from http://www.wponline.org/vil/Books/SH_Usul/Istihsan_and_maslahah.htm.

- Hidayah. (2012, April 13). *Al-masalah al-mursalah*. Retrieved April 17th, 2013, from <http://hidayah-indonesia.blogspot.com/2012/04/al-maslahah-al-mursalah.html>.
- Kamali, M. H. (2007). *Principles of Islamic Jurisprudence*, Cambridge: The Islamic Texts Society.
- Kamali, M. H. (2008). *Maqasid al-Shari'ah Made Simple*. The International Institute of Islamic Thought.
- Kayadibi, S. (2010). *Istihsan: The Doctrine of Juristic Preference in Islamic Law*. Kuala Lumpur: Islamic Book Trust.
- Khan, M.M. (2011). *Jurisprudence under Islamci Law*. New Delhi: Discovery Publication House.
- Khan, L. Ali. (2011). *Ijtihad: Limits and Controversies*.
- Mill, John Stuart. (1863). *Utiliterainism*.
- Mustafa, M. Jamal. (2012). *Islamic Law and Jurisprudence*, Koros: Uxbridge.

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