

THE EVOLUTION OF THE *MAQASID AL-SYARI'AH* PARADIGM: FROM A CONCEPT IN *USHUL AL-FIQH* TO A METHODOLOGICAL APPROACH IN ISLAMIC LAW

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ABSTRACT

Maqasid al-Syari'ah has not only been understood as a normative concept within *ushul al-fiqh*, but has also undergone a paradigmatic evolution into a methodological approach for addressing contemporary legal and social issues. This article aims to examine the evolution of the *Maqasid al-Syari'ah* paradigm from both historical and systematic perspectives, beginning with its conceptual roots in the classical tradition of *ushul al-fiqh*, its emergence as an independent scholarly discipline, and its subsequent transformation into a methodological framework in the development of modern Islamic law. This study employed a qualitative method using a library research approach, drawing upon primary and secondary sources from both classical and contemporary literature. Data analysis was conducted through descriptive-analytical, historical, and conceptual methods. The findings indicate that *Maqasid al-Syari'ah* has developed gradually, reaching its peak of systematic formulation in the thought of Imam al-Shatibi, and later expanding significantly in the modern era through the contributions of contemporary scholars. The paradigmatic evolution of *Maqasid al-Syari'ah* has proceeded through four principal stages: its implicit presence in scriptural texts (*nusus*) and in the understanding of the early Muslim generations (*al-salaf*); its integration into the studies of *fiqh* and *ushul al-fiqh*; its establishment as an independent scholarly discipline; and its application as an approach to addressing various contemporary issues. The conclusion of this article affirms that the transformation of *Maqasid al-Syari'ah* from a concept within *ushul al-fiqh* into a methodological approach strengthens its relevance as an instrument for the renewal of Islamic law, making it responsive to contemporary challenges.

Keywords: *Maqasid al-Syari'ah*, *Paradigm Evolution*, *Ushul al-Fiqh*, *Methodological Approach*, *Contemporary Islamic Law*.

ABSTRAK

Maqasid al-Syari'ah tidak hanya dipahami sebagai konsep normatif dalam ushul fikih, tetapi mengalami evolusi paradigma menjadi pendekatan metodologis dalam merespons problematika hukum dan sosial kontemporer. Artikel ini bertujuan mengkaji evolusi paradigma *Maqasid al-Syari'ah* secara historis dan sistematis, mulai dari akar konseptualnya dalam tradisi klasik ushul fikih, proses kemunculannya sebagai disiplin ilmu tersendiri, hingga pergeserannya menjadi pendekatan metodologis dalam pengembangan hukum Islam modern. Penelitian ini menggunakan metode kualitatif dengan pendekatan studi kepustakaan, memanfaatkan sumber-sumber primer dan sekunder dari literatur klasik dan kontemporer. Analisis data dilakukan melalui metode deskriptif-analitis, historis, dan konseptual. Hasil kajian menunjukkan bahwa *Maqasid al-Syari'ah* mengalami perkembangan secara gradual, yang mencapai puncak sistematisasinya pada pemikiran Imam al-Syatibi, kemudian berkembang secara signifikan pada era modern melalui kontribusi para cendekiawan kontemporer. Evolusi paradigma *Maqasid al-Syari'ah* berlangsung melalui empat tahapan utama, yaitu: keberadaan *Maqasid al-Syari'ah* secara implisit dalam teks-teks nash dan pemahaman para salaf; integrasinya dalam kajian fikih dan ushul fikih; pembentukannya sebagai disiplin ilmu yang mandiri; serta penerapannya sebagai pendekatan untuk menjawab berbagai problematika kontemporer. Simpulan artikel ini menegaskan bahwa transformasi *Maqasid al-Syari'ah* dari konsep dalam ushul fikih menuju pendekatan metodologis memperkuat relevansinya sebagai instrumen pembaruan hukum Islam yang responsif terhadap tantangan zaman.

Kata Kunci: *Maqasid al-Syari'ah*, *Evolusi Paradigma*, *Ushul Fikih*, *Pendekatan Metodologis*, *Hukum Islam Kontemporer*.

INTRODUCTION

Maqasid al-Syari'ah represents one of the fundamental concepts in the corpus of Islamic law, functioning to explain the objectives, wisdom, underlying rationale, and foundational values of legal enactment (Al-Yubi, 1430, p. 37). Initially, *Maqasid al-Syari'ah* appeared implicitly in the Qur'an, the Sunnah, and the practices of the early Muslim generations (*al-salaf*) (Al-Khadimy, 2021, pp. 53–55), and subsequently developed within the discourse of *ushul al-fiqh* as part of discussions on *maṣlahah* (public interest), legal causation (*'illah*), and *munāsabah* (correlation between legal rulings and their underlying purposes) (Al-Raisuni, 1995, p. 36). With the progression of time and the increasing complexity of societal challenges, *Maqasid al-Syari'ah* is no longer understood merely as a theoretical concept within *ushul al-fiqh*, but has evolved into a methodological approach employed to address contemporary legal and social issues (Sahidin et al., 2025).

This development indicates the evolution of the *Maqasid al-Syari'ah* paradigm, from a normative concept dispersed throughout classical scholarly works into an independent discipline possessing a systematic conceptual framework, methodology, and application. This transformation reached a significant milestone during the era of Imam al-Shatibi through his work *al-Muwāfaqāt*, which later became the foundation for the development of *maqāṣid* in the modern and contemporary periods (Al-Yubi, 1430, p. 71). This evolution is indeed reflected in the intellectual contributions of modern and contemporary scholars such as Ibn 'Ashur (Ibnu Asyur, 2004), Allal Al-Fasi (Al-Fasi, 1993), Thaha Jabir al-Alwani (Al-Alwani, 2001), Jamaluddin Athiyyah (Athiyah, 2001), Yusuf al-Qardhawi (Al-Qardhawi, 2008), Abdullah bin Bayyah (Ibnu Bayyah, 2006), Abdul Majid al-Najjar (Al-Najjar, 2008), Ahmad al-Raisuni (Al-Raisuni, 2013), and Jasser Auda (Auda, 2012, 2021), each of whom introduced distinctive approaches and perspectives.

This paradigmatic evolution was further explicitly articulated by Ahmad Imam Mawardi in his dissertation entitled “*Fiqh al-Aqalliyāt and the Evolution of Maqasid al-Syari'ah from Concept to Approach*”, which demonstrates the shift of *maqāṣid* from a normative concept to a methodological approach in the development of minority jurisprudence (Mawardi, 2010). A similar assertion was presented by M. Amin Abdullah, who highlighted the transformation of *maqāṣid* thought from a traditional framework toward a systemic-contemporary approach in his work “*The New Construction of the Epistemology of Islamic Legal Studies in Responding to Globalization*” (Abdullah, 2012). Based on this background, this article

aims to examine the evolution of the *Maqasid al-Syari'ah* paradigm, beginning with its conceptual roots in *ushul al-fiqh*, its historical emergence as an independent scholarly discipline, and its transformation into a methodological approach in the development of contemporary Islamic law. This study is expected to provide a more comprehensive understanding of the strategic position of *Maqasid al-Syari'ah* within the dynamics of Islamic legal thought, while reaffirming its relevance in responding to modern challenges.

With regard to previous studies, several scholarly works are relevant to the theme of this article. *First*, studies that emphasize the shift of *Maqasid al-Syari'ah* from a conceptual framework toward a methodological approach, such as Ahmad Imam Mawardi's research on minority jurisprudence, which explicitly discusses the evolution of *maqāṣid* within an applicative framework (Mawardi, 2010, 2014). *Second*, studies that highlight the evolution of *maqāṣid* thought from traditional to contemporary systemic perspectives, such as M. Amin Abdullah's research on the development of *maqāṣid* through Jasser Auda's intellectual framework, emphasize the integration of historical and philosophical approaches. The historical approach examines changes in Islamic legal concepts and interpretations from the traditional, modern, and postmodern periods, while the philosophical approach employs systems theory with six principal characteristics: cognition, holism, openness, interconnectivity, multidimensionality, and purpose-oriented analysis (Abdullah, 2012, p. 316). Although these studies affirm the evolution of *Maqasid al-Syari'ah* from a conceptual notion toward a methodological approach, they have not systematically elaborated the historical dynamics of its development from its early emergence, conceptual formulation, and subsequent methodological application. Therefore, this article seeks to examine the evolution of *Maqasid al-Syari'ah* from historical, systematic, and comprehensive perspectives.

Third, several other studies have also implemented *Maqasid al-Syari'ah* as an approach to addressing various contemporary issues. Among these studies is the dissertation of Ryan Arief Rahman, which aimed to apply Imam al-Shatibi's concept of *maṣlaḥah* in the process of the Islamization of technology (Rahman, 2019, p. 6). Within a similar framework, Nabila Zatadini and Syamsuri emphasized the contribution of *Maqasid al-Syari'ah* to fiscal policy (Zatani & Syamsuri, 2019), while M. Faishal Fadhli attempted to apply the *maqāṣid* concepts of al-Ghazali and al-Shatibi in contemporary Islamic legal inference (Fadhli, 2023). Furthermore, numerous modern studies have linked *Maqasid al-Syari'ah* to the fields of Islamic bioethics, biotechnology, and artificial intelligence, as demonstrated in the works of Muhammad Wildan Arif Amrulloh and Mehdar Badrus Zaman (Amrulloh & Zaman, 2024),

Zainal Habib (Habib, 2025, p. 105), Muhammad Syahmi Aqeel Shahridzuan (Shahridzuan, 2024, p. 42), and Abdul Halim Ibrahim et al. (Ibrahim et al., 2019, p. 333). These studies collectively demonstrate that *Maqasid al-Syari'ah* has developed beyond a purely normative theory, evolving into a methodological approach in the development of Islamic law.

Within the same context, the author, in several previous studies, has also examined the application of the *Maqasid al-Syari'ah* approach to various contemporary issues, including the legal ruling on women traveling without a mahram (Nazahah & Sahidin, 2021), the contextualization of *ijtihad* (Sahidin, 2023; Sahidin et al., 2025), the phenomenon of Islamic solidarity demonstrations (Rahman et al., 2021), the utilization of zakat and waqf (Sahidin, 2021a), the implementation of *Maqasid al-Syari'ah* in minority jurisprudence (Sahidin, 2022b; Sahidin & Rahmadi, 2021), the values of *Maqasid al-Syari'ah* in leadership concepts (Pramono & Sahidin, 2021; Sahidin, 2021b), *wasatiyyah*-based reasoning in relation to *Maqasid al-Syari'ah* (Sahidin, 2022a; Sahidin & Kamaluddin, 2024), and the development of science oriented toward *Maqasid al-Syari'ah* (Sahidin & Muslih, 2025). Nevertheless, these studies have not explicitly articulated the paradigmatic evolution of *Maqasid al-Syari'ah* from a conceptual framework into a methodological approach in Islamic legal theory. Therefore, this article seeks to strengthen and complement previous studies by focusing on the paradigmatic evolution of *Maqasid al-Syari'ah*, particularly its shift from a concept within *ushul al-fiqh* into a methodological approach in the development of Islamic law.

RESEARCH METHOD

This study employed a qualitative research design using a library research approach (Tavakoli, 2012, p. 573). The data were obtained from primary and secondary sources relevant to the study of *Maqasid al-Syari'ah*, encompassing both classical and contemporary literature. The primary sources included the works of prominent scholars of *ushul al-fiqh* and *Maqasid al-Syari'ah*, such as al-Juwayni, al-Ghazali, al-'Izz ibn 'Abd al-Salam, al-Shatibi, and Ibn 'Ashur, as well as the works of contemporary *maqāṣid scholars*. The secondary sources comprised books, journal articles, dissertations, and academic studies that discuss the development and application of *Maqasid al-Syari'ah*. Data analysis was conducted using descriptive-analytical, historical, and conceptual methods. The descriptive-analytical method was employed to elaborate the definitions, classifications, and conceptual frameworks of *Maqasid al-Syari'ah* as presented by classical and contemporary scholars, as discussed in the subsection on the paradigm of *Maqasid al-Syari'ah* (Al-Mahmudi, 1441, pp. 46–47). The

historical method was used to trace the phases of development of *Maqasid al-Syari'ah* until it emerged as an independent scholarly discipline, as elaborated in the subsection on *Maqasid al-Syari'ah* as a distinct field of study. Meanwhile, the conceptual approach was applied to analyze the transformation of *Maqasid al-Syari'ah* from a concept within *ushul al-fiqh* into a methodological approach in contemporary Islamic legal studies, as discussed in the final subsection preceding the conclusion. All data were analyzed critically and systematically to obtain a comprehensive understanding of the paradigmatic evolution of *Maqasid al-Syari'ah* (Afifuddin & Saebani, 2009, p. 145).

FINDINGS AND DISCUSSION

The Paradigm of *Maqasid al-Syari'ah*

Essentially, the definition of *Maqasid al-Syari'ah* involves two important aspects that must be explained proportionally: its meaning as a compound construct (*murakkab idāfi*) (Al-Mishri, 2000, p. 131) and its essence as a distinct field of knowledge (*'ilm mu'ayyan*). As a *murakkab idāfi*, *Maqasid al-Syari'ah* consists of two words: *maqāṣid* and *al-shari'ah*. Etymologically, *maqāṣid* is the plural form of *al-maqṣad*. It is a *maṣdar mimī* (Ibnu Hisyam, N.Y, p. 526), derived from the *fi'il* (verb) “*qaṣada*”, namely: *qaṣada-yaqṣidu-qaṣdan-maqṣadan* (Al-Razi, 1979, vol. 5, p. 95; Al-'Arabiyah, N.Y, vol. 2, p. 738; Al-Bashri, N.Y, vol. 5, p. 54). Thus, *al-maqṣad* and *al-qaṣd* share similar meanings, as explained by linguists. These meanings include: *first*, intention, purpose, direction, and objective; *second*, steadfastness on a path; *third*, moderation, justice, and balance; and *fourth*, fragmentation from various aspects (Al-Azdi, 1987, vol. 2, p. 656; Al-Yubi, 1430, pp. 27–30). Among these meanings, the most relevant to the discussion of *maqāṣid* is the *first*, namely intention and purpose (Al-Raisuni, 2010, p. 9). Nevertheless, the second and third meanings also fall within the scope of *maqāṣid*, as the *Shari'ah* emphasizes uprightness, the straight path, justice, and moderation. The fourth meaning, however, is not relevant in this context (Al-Yubi, 1430, p. 30).

Meanwhile, the term *al-shari'ah*, etymologically derived from *shara'a*, denotes a source of water, establishment, pathway, entry, and submission (Ibnu Manzur, 1414, vol. 8, p. 175; Al-Razi, 1999, p. 163). Terminologically, it carries two meanings. The first refers to the entirety of religion, encompassing creed (*'aqidah*), worship (*'ibadah*), etiquette (*adab*), morality (*akhlāq*), law, and social transactions (*mu'āmalāt*). In other words, *al-shari'ah* includes both foundational principles (*uṣūl*) and subsidiary rulings (*furu'*), belief and practice, as well as

theory and application. The second meaning refers specifically to the practical legal aspects of religion, such as acts of worship and social transactions, which govern both human interactions and the relationship between humans and God (Al-Qardhawi, 2008, p. 19). Of these two meanings, the first is more appropriate within the present discussion. In a more concise expression, Ahmad al-Raisuni defines *al-shari'ah* as the legal rulings contained in the Noble Qur'an and the Sunnah of the Prophet (Al-Raisuni, 2010, p. 9).

Furthermore, *Maqasid al-Syari'ah* as a distinct scholarly discipline requires a separate explanation. Initially, a comprehensive definition of *Maqasid al-Syari'ah* was not explicitly formulated by early scholars who demonstrated significant concern for this field (Al-Raisuni, 1995, p. 17; Al-Yubi, 1430, p. 38). Imam al-Juwaini, for instance, merely emphasized that one who fails to understand that divine commands and prohibitions contain various intended objectives (*maqasid*) lacks intellectual discernment in the application of the *Shari'ah* (Al-Juwaini, 1997, p. 101). Similarly, al-Ghazali referred to the preservation of five essential values within *Maqasid al-Syari'ah*, asserting that safeguarding them constitutes *maṣlaḥah* (public benefit), while neglecting them results in *mafsadah* (harm) (Al-Ghazali, 1993, p. 174). Meanwhile, al-Amidi, al-'Izz ibn 'Abd al-Salam, and Imam al-Shatibi emphasized that all legal enactments aim to promote benefit and prevent harm, both in this world and the hereafter (Abdussalam, 1991, vol. 2, p. 189; Al-Amidi, N.Y, vol. 3, p. 271; Al-Syatibi, 1997, vol. 2, p. 9).

Therefore, comprehensive definitions of *Maqasid al-Syari'ah* are primarily derived from later contemporary scholarship. Ibn 'Ashur stated that the general (*'amm*) *Maqasid al-Syari'ah* refers to the meanings and wisdom intended by the Lawgiver (al-Shāri', i.e., God), which are discerned through inductive observation of the overall or predominant patterns of legal enactment, rather than being confined to a particular category of legal rulings (Ibnu Asyur, 2004, vol. 3, p. 165). The specific (*khāṣ*) *Maqasid al-Syari'ah*, according to him, refers to the particular methods intended by the Lawgiver to realize beneficial human objectives or to preserve public welfare within specific human conduct (Ibnu Asyur, 2004, vol. 3, p. 302). Subsequently, Allal al-Fasi provided a more concise definition that encompasses both the general and specific objectives identified by Ibn 'Ashur. He defined *Maqasid al-Syari'ah* as the overall objectives of legal enactment and the underlying wisdom embedded within each individual legal ruling (Al-Fasi, 1993, p. 7).

Furthermore, al-Raisuni defined *Maqasid al-Syari'ah* as the meanings (values), objectives, implications, and outcomes associated with scriptural legal discourse (*al-ḥabīṭ al-*

shar'ī) and legal accountability (*al-taklīf al-shar'ī*), which are intended to be pursued and realized by every legally responsible individual (*mukallaḥ*) (Al-Raisuni, 2013, p. 90). In another work, al-Raisuni defined it as the objectives for which the *Shari'ah* was established to realize human welfare (Al-Raisuni, 1995, p. 19). This definition, in essence, aligns with that of *Allal al-Fasi* but places stronger emphasis on the ultimate purpose of *maqāṣid*, namely the realization of human welfare. Similarly, Wahbah al-Zuhayli offered a comprehensive definition that synthesizes the perspectives of earlier scholars. He defined *Maqasid al-Syari'ah* as the meanings and objectives considered in the entirety or the majority of legal rulings, or the purposes and underlying wisdom established by God in each of His legal enactments (Zuhaili, 1999, p. 217).

From the aforementioned definitions, it can be concluded that *Maqasid al-Syari'ah* refers to the objectives, meanings, wisdom, underlying rationales, and similar elements considered by the Lawgiver (*al-Shāri'*, i.e., God) in the enactment of legal rulings, whether general or specific, with the aim of realizing human welfare. To clarify this conclusion, Muhammad Sa'ad al-Yubi explained that the term “meanings” (*al-ma'ānī*) refers to legal causes (*'illah*) or meanings that are appropriate for the enactment of legal rulings. Meanwhile, “wisdoms” (*al-ḥikam*) refer to the outcomes produced by legal enactment in the form of the realization and enhancement of welfare (*maṣlaḥah*), or the prevention and reduction of harm (*mafsadah*). The expression “and similar elements” refers to notions such as aims, objectives, benefits, and outcomes intended by the Lawgiver. Then, the phrase “considered by the Lawgiver in the enactment of legal rulings” refers to what is taken into consideration, intended, and desired in the formulation of particular legal rulings. This also indicates that the legal rulings of God possess underlying legal causes (*'illah*), and that the welfare resulting from them constitutes the intended purpose of the Lawgiver (Al-Yubi, 1430, p. 38).

Moreover, the terms “general and specific” are intended to encompass both the general and particular dimensions of *maqāṣid*. General *maqāṣid* refer to the overarching considerations of the Lawgiver in the totality of *Shari'ah* rulings, including the wisdom and objectives derived from the entirety or the majority of legal evidence. Specific *maqāṣid*, on the other hand, refer to what the Lawgiver intends in particular legal rulings, including specific wisdoms and legal causes. Ultimately, the phrase “with the aim of realizing human welfare” represents an explicit attribute intended to clarify the essential purpose of *Shari'ah*. This is because the meanings (*al-ma'ānī*) considered by the Lawgiver in the enactment of

particular legal rulings ultimately serve no other purpose than the realization of human welfare, both in this world and in the hereafter (Al-Yubi, 1430, p. 39).

***Maqasid al-Syari'ah* as an Independent Scholarly Discipline**

Maqasid al-Syari'ah, similar to other fields of knowledge, did not emerge at a single point in time. Rather, it underwent several phases of development before becoming an independent scholarly discipline. These phases can be classified into three principal stages. **The first phase**, in substance, corresponds historically with the development of Islamic law itself. Muhammad Nuruddin al-Khadimi explained that *maqasid* initially existed alongside the revelation of divine texts, as *maqasid* values were embedded in the Qur'an, the Sunnah, and the understanding of the early Muslim generations (*al-salaf*) (Al-Khadimy, 2021, pp. 53–55). For instance, the Qur'an states in Surah al-Baqarah (2:185), “*Allah intends ease for you and does not intend hardship for you*”. This verse reflects a noble *maqṣad*, indicating that God intends facilitation for His servants. This is further supported by the Prophet's statement, “*Indeed, you have been sent to bring ease and not to bring hardship*” (Al-Bukhari, 1422, p. 54). Regarding the understanding of the early Muslim generations, Imam al-Shatibi emphasized that the Companions of the Prophet served as exemplary models in comprehending the *Shari'ah* and the *maqasid* embedded within it (Al-Syatibi, 1997, vol. 5, p. 76). Similarly, the *tabi'un* recognized the significance of *Maqasid al-Syari'ah* in every legal ruling established by God. Ibrahim al-Nakha'i, for instance, stated, “*Indeed, the rulings of God possess objectives, namely wisdoms and benefits that ultimately return to us*” (Al-Khadimy, 2021, p. 55). This first phase extended from the period of revelation until approximately the third century Hijri, during which *Maqasid al-Syari'ah* remained embedded in the Qur'an and the Sunnah and was understood by the early Muslim generations.

The second phase marks the emergence of the term *Maqasid al-Syari'ah* within classical Islamic scholarship (*turāth*), particularly in the fields of *fiqh* and *ushul al-fiqh*, from the third to the eighth century Hijri. According to Ahmad al-Raisuni, the term *maqasid* was first explicitly employed by Imam al-Tirmidhi (d. 279 AH) in several of his works, including *al-Ṣalāh wa Maqasiduhā*, *al-Ḥajj wa Asrāruh*, *al-'Ilal*, *'Ilal al-'Ubūdiyyah*, and *al-Furuq* (Al-Raisuni, 1995, pp. 26–36). Subsequently, the term appeared in the works of Abu Mansur al-Maturidi (d. 333 AH), particularly in *Ma'ākhidh al-Sharā'i'*. It was later developed by Abu Bakr al-Qaffal (d. 365 AH) through his works “*Uṣūl al-Fiqh* and *Maḥāsīn al-Sharī'ah*”. The discussion of *maqasid* was further elaborated by Abu Bakr al-Abbahari (d. 375 AH) in works such as *Kitāb*

al-Uṣūl, Ijā' Abl al-Madīnah, and Mas'alah al-Jawāb wa al-Dalā'il wa al-'Ilal. Similarly, Abu Bakr al-Baqillani (d. 403 AH) contributed to this discourse through his works *al-Taqrīb wa al-Irshād fī Tartīb Turuq al-Ijtihād, al-Muqni' fī Uṣūl al-Fiqh, and Kitāb al-Bayān 'an Farā'id al-Dīn wa Sharā'i' al-Islām* (Al-Raisuni, 1995, p. 36).

As researched by al-Baqillani, Abu al-Ma'ali al-Juwayni (d. 478 AH) also made significant contributions through his work *al-Burhān fī Uṣūl al-Fiqh*, in which he initiated the classification of *Maqasid al-Syari'ah* into three hierarchical levels: *ḍarūriyyāt* (essentials), *ḥājīyyāt* (complementary needs), and *tahsīniyyāt* (embellishments) (Al-Juwaini, 1997, p. 101). In addition, al-Juwayni introduced several foundational principles of *maqāṣid* and identified the objectives underlying particular legal rulings, including the objectives of acts of worship, *qiṣaṣ* and *ḥudūd* punishments, *takbīr*, commercial transactions such as sales and leasing, and the objectives of *tayammum* (Al-Yubi, 1430, p. 51). The next prominent figure after al-Juwayni was his disciple, Abu Hamid al-Ghazali (d. 505 AH). Under al-Ghazali, the science of *maqāṣid* became more clearly articulated, particularly through his major works such as *Iḥyā' 'Ulūm al-Dīn, Shifā' al-Ghalīl, and al-Mustaṣfā*. His contributions can be summarized as follows. *First*, al-Ghazali maintained the tripartite classification of *Maqasid al-Syari'ah* introduced by his teacher, but elaborated upon it in greater detail (Al-Ghazali, 1971, p. 161, 1993, p. 174). *Second*, he identified the five essential necessities (*al-ḍarūriyyāt al-khams*) as the primary objectives of the *Shari'ah* (Al-Ghazali, 1993, p. 174). *Third*, he asserted that *maqāṣid* can be derived from the Qur'an, the Sunnah, and scholarly consensus (*ijmā'*) (Al-Ghazali, 1993, p. 179). *Fourth*, he formulated several legal maxims related to *Maqasid al-Syari'ah* (Al-Ghazali, 1971, p. 251). *Fifth*, he elaborated various dimensions of *maqāṣid*, including their wisdom, benefits, and objectives, which are extensively discussed in his work *Iḥyā' 'Ulūm al-Dīn* (Al-Ghazali, N.Y).

After al-Ghazali, further elaborations were provided by Fakhr al-Din al-Razi (d. 606 AH) and Abu al-Hasan al-Amidi (d. 631 AH). Both scholars reiterated al-Ghazali's framework of the three hierarchical levels of *Maqasid al-Syari'ah* and the five essential necessities, while introducing additional analytical refinements (Al-Amidi, N.Y, vol. 3, p. 274; Al-Razi, 1997, vol. 5, p. 160). Al-Razi, for instance, divided *tahsīniyyāt* into two categories: those that contradict established legal principles and those that do not (Al-Razi, 1997, vol. 5, p. 161). He also incorporated the concept of *maqāṣid* into the chapter of *tarjih* (legal preference between competing evidences), whereas it had previously been discussed

primarily within the context of *munāsabah* and *maṣlahah mursalah* (Al-Razi, 1997, vol. 5, p. 458). Meanwhile, al-Amidi elaborated extensively on the prioritization of the five essential necessities in the process of legal preference, providing detailed discussions on this matter (Al-Amidi, N.Y, vol. 4, p. 275).

Subsequently, a disciple of al-Āmidī, namely *al-ʿIzz ibn ʿAbd al-Salām* (d. 660 AH), emerged. During his time, the discussion of *maqāṣid al-sharīʿah* became broader and more profound through his work “*Qawāʿid al-Aḥkām fī Maṣāliḥ al-Anām*”. This book was rich in discussions of *maṣlahah* (public interest), which constituted the primary objective of *maqāṣid al-sharīʿah*. It encompassed discussions on the nature and classification of *maṣlahah* and *mafsadah* (harm), the regulation and prioritization of benefits and harms, the process of weighing one benefit against another or against harm, and various other aspects of *maṣlahah* that had not been systematically addressed by earlier scholars (Abdussalam, 1991). Therefore, al-Yūbī emphasized that the work of *al-ʿIzz ibn ʿAbd al-Salām* served as a pioneering contribution to the study of *maṣlahah*, making it a foundational reference in this field (Al-Yubi, 1430, p. 56).

In addition, Aḥmad ibn Idrīs al-Qarāfī (d. 684 AH), through his work *al-Furūq, al-Qarāfī* formulated several legal maxims related to *maqāṣid*, drawing upon the teachings of his teacher. These included the principles concerning *al-maqāṣid* (objectives) and *al-wasāʾil* (means) (Al-Qarafi, 1424, vol. 2, p. 32), as well as the legal maxim regarding *mashaqqab* (hardship), which distinguished between hardship that nullified religious obligations and hardship that did not (Al-Qarafi, 1424, p. 118). In another of his works, *Sharḥ Tanqīḥ al-Fuṣūl, al-Qarāfī* discussed the concept of *darūriyyāt*, the five essential objectives of the *Shariʿah*, and scholarly disagreements regarding the preservation of *al-ʿird* (honor) (Al-Qarafi, 1973, p. 391). Furthermore, his concern for *maqāṣid al-sharīʿah* was also reflected in his work *Nafāʾis al-Uṣūl fī Sharḥ al-Maḥṣūl*, in which he elaborated on various principles and insights related to the science of *maqāṣid* (Al-Qarafi, 1995, pp. 324–401). He also asserted that the *al-kulliyāt al-khams* (religion, life, intellect, lineage, and property) could not be subject to abrogation (*naskh*) (Al-Qarafi, 1995, vol. 4, p. 1932).

Following *al-Qarāfī*, another scholar who demonstrated significant attention to *maqāṣid al-sharīʿah*, particularly in relation to the concept of public interest, was *Najm al-Dīn al-Ṭūfī* (d. 716 AH). Al-Ṭūfī expanded the discussion of *maṣlahah* in his commentary on the thirty-second hadith of the Prophetic traditions. He introduced a view that provoked

considerable opposition (Al-Yubi, 1430, p. 67), namely, prioritizing *maṣlaḥah* over *naṣṣ* (scriptural text) and *ijmāʿ* (scholarly consensus) (Al-Thufi, 1998, p. 238). In evaluating this view, Yūsuf al-Qaraḍāwī explained that *al-Tūfī* intended to prioritize *qaṭʿī* (definitive and certain) *maṣlaḥah* over *ẓannī naṣṣ* (texts that allow probabilistic interpretation either in meaning or transmission), rather than over *qaṭʿī naṣṣ* (texts with definitive meaning and *mutawātir* transmission). Therefore, *al-Tūfī*'s position did not fundamentally contradict the views of other scholars (Al-Qardhawi, 2008, p. 110). Moreover, his attention to the concept of *maṣlaḥah* was also evident in his work *Sharḥ Mukhtaṣar al-Rawḍah*. After discussing matters categorized as necessities and the five primary objectives of the *Shariʿah*, he stated, “I have explained the reasons why these matters are considered primary necessities in detail in *al-Qawāʿid al-Ṣughrā*; thus, these are referred to as *maṣlaḥah ḍarūriyyah* (essential public interest)” (Al-Thufi, 1987, vol. 3, p. 209).

Subsequently, following these scholars, Imām Ibn Taymiyyah (d. 728 AH) and his disciple, Ibn Qayyim al-Jawziyyah (d. 751 AH) emerged. Imām Ibn Taymiyyah demonstrated significant attention to *maqāṣid al-shariʿah*, as reflected in the extensive discussions of *maqāṣid* throughout his works. *First*, he regarded the knowledge of *maqāṣid al-shariʿah* as a distinct component of religious understanding (*al-fiqh fī al-dīn*) (Ibnu Taimiyah, 1995, vol. 3, p. 354). *Second*, he discussed the five essential objectives commonly proposed by *uṣūl scholars* and provided additional observations on them (Ibnu Taimiyah, 1995, vol. 3, p. 343). *Third*, he examined several critical issues within *maqāṣid al-shariʿah*, including *ḥiyal* (legal stratagems), *sadd al-dharāʿi* (blocking the means to harm), and *taʿlīl al-aḥkām* (the identification of legal causation or rationale behind rulings) (Ibnu Taimiyah, 1995, vol. 8, p. 82). *Fourth*, he frequently employed the concept of *al-maṣlaḥah* (public interest) in his legal discussions and in formulating major legal principles related to it (Ibnu Taimiyah, 1403, vol. 2, p. 216). *Fifth*, he elaborated on several objectives behind the legislation of Islamic law and their underlying wisdom, such as the objectives of governance (*al-wilāyah*), the objective of distinguishing Muslims from polytheists, the objectives of *jihād*, and other profound legislative wisdoms (Ibnu Taimiyah, 1999, p. 204).

Similarly, his disciple, Ibn Qayyim al-Jawziyyah, followed his teacher's intellectual trajectory in emphasizing the wisdom and objectives behind legal legislation (*maqāṣid*). This concern was reflected in several aspects. *First*, he paid considerable attention to formulating *maqāṣid al-shariʿah*, providing legal rationales for rulings, and explaining methodological

approaches for identifying legal causes (*'illab*) and understanding the wisdom underlying legal rulings (Al-Jauziyah, 1978, p. 205). This effort contributed new insights to the discipline of *maqāṣid*, facilitating and broadening scholarly understanding of the fundamental objectives of Islamic law. *Second*, he addressed various key issues in *maqāṣid*, including more extensive discussions on *ta'ḥlil and sadd al-dharā'i'* than those of his teacher, as these issues had significant implications for understanding *maqāṣid al-sharī'ah* (Al-Jauziyah, 1991b, 1991a). *Third*, Ibn Qayyim elaborated extensively on the wisdom underlying legal rulings and their objectives across numerous works, such as "*Zād al-Ma'ād*" (Al-Jauziyah, 1996), "*Syifā' al-'Alīl*", "*Miftāḥ Dār al-Sa'ādah*", "*Tabdīḥ al-Sunan*" (Al-Jauziyah, 2019), and others.

The third phase marks the emergence of *maqāṣid al-sharī'ah* as an independent academic discipline, which later developed into a contemporary multidimensional approach in Islamic studies. This phase began in the late eighth century of the Hijri era and continues to the present day. It was pioneered by Imām Abū Ishāq al-Shāṭibī (d. 790 AH), who devoted a distinct and comprehensive section of his work, *al-Muwāfaqāt* (Al-Syatibi, 1997), specifically to the study of *maqāṣid al-sharī'ah*. Scholars and academics who have examined his intellectual contributions through the lens of *maqāṣid al-sharī'ah* generally agree that *Imām al-Shāṭibī* made a profound contribution to the development of this discipline (Al-Raisuni, 1995; Al-Ubaidy, 1992). Al-Yubi emphasized that *al-Shāṭibī* not only popularized the concept of *maqāṣid* but also systematized it through well-defined principles, classifications, and legal frameworks. He even dedicated a special section of his work to discussing *maqāṣid*, which had previously appeared only implicitly within discussions of *qiyās* or *maṣlaḥah* among earlier scholars and was often difficult to discern except by those deeply versed in *uṣūl al-fiqh* (Al-Yubi, 1430, p. 68).

Hammadi al-Ubaidy further explained that when Imām al-Shāṭibī presented and articulated the concept of *maqāṣid al-sharī'ah* in such a systematic manner, scholars of *uṣūl al-fiqh* as well as those outside the discipline began to recognize and engage with it more clearly. Some even assumed that *al-Shāṭibī* had originated the discipline and introduced it independently (Al-Ubaidy, 1992, p. 131). This perception illustrates the magnitude of *al-Shāṭibī's* intellectual breakthrough, which simultaneously marked the beginning of a new phase in the development of *maqāṣid al-sharī'ah* as an independent field of study, whereas previously it had been dispersed implicitly throughout the works of earlier scholars (Al-Yubi, 1430, p. 68).

Among the notable additional contributions presented by Imām al-Shāṭibī in his work are the following. *First*, he organized and systematized *maqāṣid*, dividing them into two primary categories: those related to the objectives of the Lawgiver (*al-Sharīʿ*, i.e., Allah) and those related to the objectives of the legally accountable individual (*mukallaḥ*). The first category is further subdivided into four aspects: (1) the objective of the Lawgiver in establishing the *Shariʿah* from its very inception; (2) the objective of the Lawgiver in establishing it; thus, it may be properly understood; (3) the objective of the Lawgiver in establishing it based on the requirements of legal responsibility (*taklīf*); and (4) the objective of the Lawgiver in incorporating the *mukallaḥ* into the rulings of the *Shariʿah* (Al-Syatibi, 1997, vol. 2, pp. 7–8). Through this classification, *maqāṣid* became clearer, more systematically arranged, and more comprehensive than in earlier scholarly formulations.

Second, Imām al-Shāṭibī introduced several significant discussions within *maqāṣid al-shariʿah*, such as the objective of the Lawgiver in establishing the *Shariʿah* to ensure its intelligibility, as well as the relationship between *maqāṣid al-shariʿah* and the actions of the *mukallaḥ* (Al-Syatibi, 1997, vol. 2, p. 289). Although such ideas had appeared in the works of Ibn al-Qayyim and other scholars, *al-Shāṭibī* presented them in a more systematic and comprehensive manner (Al-Yubi, 1430, p. 70). Similarly, with regard to the methodology for identifying *maqāṣid*, Imām al-Shāṭibī proposed additional methods not mentioned by al-Ghazālī (Al-Ghazali, 1993, p. 179). These additions constituted valuable contributions to the further development of *maqāṣid al-shariʿah* studies (Al-Syatibi, 1997, vol. 3, pp. 134–165). *Third*, he expanded the discussion of *maqāṣid al-shariʿah* by elaborating on its various dimensions and classifications, thereby offering a clearer and more comprehensive conceptual framework (Al-Syatibi, 1997). *Fourth*, Imām al-Shāṭibī closely integrated *maqāṣid* with numerous issues in *ushul al-fiqh*. Although he devoted the second section of *al-Muwāfaqāt* specifically to *maqāṣid*, discussions of *maqāṣid* also appear throughout other sections of the work (Al-Yubi, 1430, p. 70). Indeed, it is rare to find a topic addressed by al-Shāṭibī without reference to *maqāṣid*, particularly in his discussions on *ijtihād* (Al-Syatibi, 1997).

***Maqāṣid al-Shariʿah* from the *Ushul al-Fiqh* Concept to a Methodological Approach**

Following Imām al-Shāṭibī, the development of *maqāṣid al-shariʿah* experienced a period of stagnation until the fourteenth century AH/twentieth century CE, marked by the emergence of Imām Ṭāhir Ibn ʿĀshūr (d. 1393 AH/1973 CE). Aḥmad al-Raysūnī explains that although Imām al-Shāṭibī composed *al-Muwāfaqāt* at the end of the eighth century AH,

the work did not gain immediate scholarly attention due to the broader intellectual and political decline experienced by the Muslim world at that time, including in Spain, al-Shāṭibī's homeland (Al-Raisuni, 2010, p. 91). The book was first printed in Tunisia in the early thirteenth century AH (1302 AH), which marked the revival of al-Shāṭibī's thought and the beginning of the resurgence of modern and contemporary *maqāṣid*-oriented scholarship. Following its publication, the work spread widely across both eastern and western regions of the Muslim world. In the eastern regions, for example, the text was taught by Shaykh Muḥammad 'Abduh, who visited Tunisia during that period, and later by his disciples, including Shaykh 'Abdullāh Darrāz in Egypt (Al-Raisuni, 2010, pp. 91–92). Consequently, it is unsurprising that subsequent scholars of *maqāṣid* emerged with a considerable chronological gap after Imām al-Shāṭibī.

Al-Yūbī notes that he did not observe the emergence of an independent *maqāṣid* scholar following Imām al-Shāṭibī until the appearance of Imām Ibn 'Āshūr, particularly through his work *Maqāṣid al-Sharī'ah al-Islāmiyyah* (Al-Yubi, 1430, p. 71). This view is reinforced by Aḥmad al-Raysūnī, who regarded Ibn 'Āshūr as the foremost *maqāṣid* scholar after Imām al-Shāṭibī, even describing him as the “*second al-Shāṭibī*” due to his role in advancing and complementing *al-Shāṭibī's* intellectual legacy (Al-Raisuni, 2010, pp. 94–98). Among the novel contributions found in Ibn 'Āshūr's work is his elaboration on *maqāṣid 'āmmah* (general objectives), under which he included *maqāṣid kullīyyah* (universal objectives of the *Sharī'ah*) (Ibnu Asyur, 2004, vol. 3, p. 165). He also introduced *maqāṣid kbāṣṣah* (specific objectives), encompassing objectives related to particular areas of jurisprudence, such as the objectives of family law, the objectives underlying charitable giving and endowments, the objectives of judicial procedures, the objectives of expediting the transfer of rights to their rightful owners, and the objectives underlying legal punishments (Ibnu Asyur, 2004, vol. 3, pp. 397–549). Therefore, *al-Yūbī* emphasized that Ibn 'Āshūr's work contains numerous original principles and discussions and should not be regarded merely as a summary of *al-Muwāfaqāt*, as has sometimes been alleged, since it reflects a distinctive methodological approach to presenting *maqāṣid*-related issues (Al-Yubi, 1430, p. 72).

In addition to Ibn 'Āshūr, another scholar from the same generation who wrote on *maqāṣid al-sharī'ah* was 'Allāl al-Fāsī (d. 1394 AH/1974 CE) through his work *Maqāṣid al-Sharī'ah al-Islāmiyyah wa Makārimuhā* (Al-Fasī, 1993). Although the title of the work explicitly focuses on *maqāṣid al-sharī'ah*, much of its content does not directly examine the theoretical

structure of *maqāṣid*. Instead, the primary discussions revolve around contemporary issues, such as comparisons between Islamic law and modern legal systems as well as Western intellectual thought (Al-Raisuni, 2010, p. 106). This orientation positions the work more as a defense of the superiority and ethical excellence of Islamic law rather than as a systematic and in-depth study of the theory and application of *maqāṣid al-sharī‘ah* (Al-Yubi, 1430, p. 72). Consequently, the book is more closely aligned with discussions concerning the virtues and moral excellence of the *Sharī‘ah* than with a comprehensive theoretical investigation of *maqāṣid al-sharī‘ah*.

Following the period of Ibn ‘Āshūr and ‘Allāl al-Fāsī, several prominent scholars of *maqāṣid al-sharī‘ah* emerged in the contemporary era, each contributing distinctive approaches and methodological orientations. Among these scholars are Ṭābā Jabir al-‘Alwānī (d. 1437 AH/2016 CE), Jamāl al-Dīn ‘Aṭīyyah (d. 1438 AH/2017 CE), Yūsuf al-Qaraḍāwī (d. 1444 AH/2022 CE), ‘Abdullāh bin Bayyah, ‘Abd al-Majīd al-Najjār, Aḥmad al-Raysūnī, and Jasser Auda. These figures represent key contemporary contributors to the study and development of *maqāṣid al-sharī‘ah*. Ṭābā Jabir al-‘Alwānī, for instance, is widely recognized for advocating the integration of religious sciences and modern disciplines, as well as for emphasizing the role of *maqāṣid*-based reasoning as a foundation for the renewal of Islamic legal thought (Al-Alwani, 2001). Meanwhile, Jamāl al-Dīn ‘Aṭīyyah emphasized that *maqāṣid* should not merely function as a tool of *istinbāṭ* (legal derivation), but also as a comprehensive value framework guiding Islamic civilization as a whole (Athiyah, 2001).

Similarly, Yūsuf al-Qaraḍāwī expanded the application of *maqāṣid* across various dimensions of contemporary life, including economics, politics, and international relations. He also promoted the concept of *wasatiyyah* (moderation) as a methodological approach to understanding *maqāṣid* in response to global challenges (Al-Qardhawi, 2008). In addition, ‘Abdullāh bin Bayyah and ‘Abd al-Majīd al-Najjār developed the institutional and social dimensions of *maqāṣid*. Bin Bayyah particularly focused on themes of reconciliation and peacebuilding (Ibnu Bayyah, 2006), whereas *al-Najjār* expanded the scope of *maqāṣid* by proposing eight principal objectives, including environmental preservation and the maintenance of social existence (Al-Najjar, 2008). Furthermore, Aḥmad al-Raysūnī emphasized the importance of positioning *maqāṣid* as the primary methodology in contemporary *ijtihād* and integrating it comprehensively within the framework of Islamic law (Al-Raisuni, 1995, 2010, 2013). Jasser Auda, on the other hand, introduced a systemic

approach through systems theory, emphasizing flexibility, interconnectivity, and global realities in understanding *maqāṣid* (Auda, 2011, 2012, 2013). Through the contributions of these scholars, *maqāṣid al-sharī'ah* has undergone significant development and has become increasingly relevant in addressing the challenges faced by Muslim societies in the modern era.

Beyond these prominent scholars, contemporary intellectuals have also contributed significantly to enriching and expanding the study of *maqāṣid al-sharī'ah*. For instance, al-Yūbī, in his dissertation entitled *Maqāṣid al-Sharī'ah al-Islāmiyyah wa 'Alāqatuhā bi al-Adillah al-Sharī'yyah*, examined the relationship between *maqāṣid al-sharī'ah* and the sources of Islamic legal evidence (*al-adillah al-sharī'yyah*), including the Qur'an, *Sunnah*, *ijmā'*, *qiyās*, *al-maṣāliḥ al-mursalah*, *istiḥsān*, *sadd al-dharā'i'*, *fath al-dharā'i'*, *qawl al-ṣaḥābī*, *'urf*, *shar' man qablana*, and *istiḥāb*. His study demonstrates the close and intrinsic relationship between *maqāṣid al-sharī'ah* and the foundational evidences of Islamic law itself (Al-Yubi, 1430). Similarly, Aḥmad Imām Mawardī, in his dissertation entitled “*Fiqh Minorities: Fiqh al-Aqallīyyāt and the Evolution of Maqāṣid al-Sharī'ah from Concept to Approach*”, identified a transformation of *maqāṣid al-sharī'ah* from a purely theoretical construct into a methodological approach, as reflected in the development of contemporary minority jurisprudence (*fiqh al-aqallīyyāt*) (Mawardi, 2010).

Meanwhile, Ryan Arif Rahman, in his dissertation “*Naẓariyyat al-Maṣlahah 'Inda al-Imām al-Shāṭibī wa Taṭbiqātuhā fī Aslamah al-Tiknūlūjiyyā al-Ḥadīthah*”, employed *al-Shāṭibī's* theory of *maṣlahah* as an analytical framework for the Islamization of knowledge, particularly in relation to modern technology (Rahman, 2019). Likewise, Ḥusāmuddīn MZ, in his dissertation “*Reconstruction of Maqāṣid al-Sharī'ah in Modern Social Needs: A Study of al-Kullīyyāt al-Khamsah*”, highlighted the central importance of *maqāṣid al-sharī'ah*, particularly the five universal essentials (*al-kullīyyāt al-khamsah*), in the process of *ijtihād* addressing contemporary social challenges (Husamuddin MZ, 2023). Accordingly, the historical development of *maqāṣid al-sharī'ah* continues to evolve dynamically, reflecting ongoing scholarly efforts to establish it as a comprehensive framework for addressing contemporary issues. This evolution of *maqāṣid al-sharī'ah* into a methodological approach further affirms its relevance as a crucial instrument in the reform and renewal of Islamic law.

CONCLUSION

This study demonstrates that *maqāṣid al-sharīʿah* has developed gradually and dynamically alongside the development of Islamic law. In its early phase, *maqāṣid al-sharīʿah* existed substantively within the Qurʿan, Sunnah, and the understanding of the early Muslim generations (*al-salaf*), although it had not yet been formulated as an independent scholarly discipline. In the subsequent phase, the concept of *maqāṣid* began to be systematically articulated in the works of classical *ushul al-fiqh* scholars, particularly through discussions on *maṣlaḥah*, legal causation (*ʿillah*), and the classification of human needs. A significant milestone in the development of *maqāṣid al-sharīʿah* occurred during the time of Imām al-Shāṭibī, who successfully systematized *maqāṣid al-sharīʿah* as a comprehensive conceptual framework and established it as a fundamental basis for *ijtihād*. This development continued into the modern and contemporary periods, during which *maqāṣid al-sharīʿah* came to be understood not merely as a normative concept but also as a flexible and applicable methodological approach for responding to social, legal, and civilizational challenges of the modern era. Accordingly, the evolution of *maqāṣid al-sharīʿah* from a concept within *ushul al-fiqh* into a methodological approach affirms its relevance as a primary instrument in the renewal of Islamic law. The *maqāṣid*-based approach enables Islamic law to remain rooted in scriptural sources while simultaneously responding to social realities and human needs, thereby fulfilling the ultimate objective of the *Sharīʿah*—namely, the realization of human welfare in both this world and the hereafter.

As a recommendation for future research, studies on *maqāṣid al-sharīʿah* should be directed toward its development as a methodological approach within Islamic legal studies, rather than remaining limited to conceptual or historical analysis. Further research is necessary to formulate a more operational framework for *maqāṣid*-based methodology, including its principles, procedural stages, and limitations in contemporary *ijtihād*. This is particularly relevant in light of the growing complexity of modern legal issues—such as social justice, human rights, economics, and technology—which require an Islamic legal approach capable of systematically integrating scriptural sources with empirical realities. Through such development, *maqāṣid al-sharīʿah* is expected to function as an accountable scientific methodology that maintains a balance between fidelity to normative sources and responsiveness to the needs of modern society.

REFERENCES

- Abdullah, M. A. (2012). Bangunan Baru Epistemologi Keilmuan Studi Hukum Islam dalam Merespon Globalisasi. *Asy-Syir'ab: Jurnal Ilmu Syari'ah Dan Hukum*, 46(2). <https://doi.org/10.14421/ajish.v46i2.42>
- Abdussalam, I. bin. (1991). *Qawā'id al-Aḥkām fī Maṣālib al-Anām*. Dar al-Kutub al-'Ilmiyyah.
- Afifuddin, A., & Saebani, B. A. (2009). *Metodologi Penelitian Kualitatif*. Pustaka Setia.
- Al-Alwani, T. J. (2001). *Maqasid al-Syari'ah*. Dar al-Hadi.
- Al-Amidi, A. H. (N.Y). *Al-Iḥkām fī Uṣūl al-Aḥkām*. Al-Maktabah al-Islamy.
- Al-'Arabiyah, M. al-Lughah. (N.Y). *Al-Mu'jam al-Wasiṭ*. Dar al-Dakwah.
- Al-Azdi, M. bin H. (1987). *Jamharah al-Lughah*. Dar al-'Ilmi li al-Malayin.
- Al-Bashri, K. bin A. (N.Y). *Kitāb al-'Ain*. Maktabah al-Hilal.
- Al-Bukhari, M. bin I. (1422). *Ṣahih al-Bukhārī*. Dar Thuq al-Najah.
- Al-Fasi, A. (1993). *Maqasid al-Syari'ah al-Islāmiyyah wa Makārimuhā*. Dar al-Gharb al-Islamy.
- Al-Ghazali, A. H. (1971). *Syifā' al-Ghalīl*. Mathba'ah al-Irsyad.
- Al-Ghazali, A. H. (1993). *Al-Mustaṣfā*. Dar al-Kutub al-'Ilmiyyah.
- Al-Ghazali, A. H. (N.Y). *Ihyā' 'Ulūm al-Dīn*. Dar al-Ma'rifah.
- Al-Jauziyah, I. Q. (1978). *Syifā' al-'Alīl fī Masā'il al-Qaḍā' wa al-Qadar wa al-Hikmah wa al-Ta'līl*. Dar al-Ma'rifah.
- Al-Jauziyah, I. Q. (1991a). *I'lām al-Muwāqī'in 'An Rabb al-'Ālamīn*. Dar al-Kutub al-'Ilmiyyah.
- Al-Jauziyah, I. Q. (1991b). *Miftāḥ Dār al-Sa'ādah*. Dar al-Kutub al-'Ilmiyyah.
- Al-Jauziyah, I. Q. (1996). *Zād al-Ma'ād fī Hady Khair al-'Ibād*. Muassasah al-Risalah.
- Al-Jauziyah, I. Q. (2019). *Tabḍīḥ Sunan Abī Dāwūd wa Iḍāḥ 'Ilalīh wa Musykilātīh*. Dar Ibnu Hazm.
- Al-Juwaini, A. M. (1997). *Al-Burhān fī Uṣūl al-Fiqh*. Dar al-Kutub al-'Ilmiyyah.
- Al-Khadimy, M. N. (2021). *Ilm al-Maqāṣid al-Syar'iyyah*. Maktabah al-'Abikan.
- Al-Mahmudi, M. S. A. (1441). *Manābij al-Baḥs al-'Ilmī*. Dar al-Kutub.
- Al-Mishri, Z. (2000). *Syarḥ al-Taṣrīḥ 'alā al-Taḍīb*. Dar al-Kutub al-'Ilmiyyah.
- Al-Najjar, A. M. (2008). *Maqasid al-Syari'ah bi Ab'ād al-Jadīdah*. Dar al-Gharb al-Islamy.

- Al-Qarafi, S. (1424). *Al-Furūq*. Muassasah al-Risalah.
- Al-Qarafi, S. (1973). *Syarḥ Tanqīḥ al-Fuṣūl*. Syirkah al-Thaba'ah al-Faniyah al-Muttahidah.
- Al-Qarafi, S. (1995). *Nafāis al-Uṣūl fī Syarḥ al-Maḥs*. Maktabah Nizar Mushthafa al-Baz.
- Al-Qardhawi, Y. (2008). *Dirāsah fī Fiqh Maqāṣid al-Syari'ah*. Dar al-Syuruq.
- Al-Raisuni, A. (1995). *Naẓariyah al-Maqāṣid 'Inda al-Imām al-Syaṭibi*. Al-Ma'had al-Ali li al-Fikr al-Islamy.
- Al-Raisuni, A. (2010). *Mubāḍarāt fī Maqasid al-Syari'ah*. Dar al-Kalimah.
- Al-Raisuni, A. (2013). *Al-Madkhal ilā Maqāṣid al-Syari'ah*. Dar al-Kalimah.
- Al-Razi, A. bin F. (1979). *Mu'jam Maqāyīs al-Lughah*. Dar al-Fikr.
- Al-Razi, F. (1997). *Al-Maḥsūl*. Muassasah al-Risalah.
- Al-Razi, M. (1999). *Mukhtār al-Shibāh*. Dar an-Namudzajiyah.
- Al-Syatibi, A. I. (1997). *Al-Muwāfaqāt fī Uṣūl al-Syari'ah*. Dar Ibnu 'Affan.
- Al-Thufi, N. S. (1987). *Syarḥ Mukhtaṣar al-Rawḍah*. Muassasah al-Risalah.
- Al-Thufi, N. S. (1998). *Al-Ta'yīn fī Syarḥ al-Arba'in*. Muassasah al-Rayan.
- Al-Ubaidy, H. (1992). *Al-Syaṭibi wa Maqasid al-Syari'ah*. Dar Qutaibah.
- Al-Yubi, M. S. (1430). *Maqāṣid al-Syari'ah Al-Islāmiyyah Wa 'Alāqatuhā Bi al-Adillah al-Syar'iyyah*. Dar Ibnu Jauzi.
- Amrulloh, M. W. A., & Zaman, M. B. (2024). Kontribusi Maqāshid al-Syari'ah dalam Pengembangan Bioetika Islam. *Journal of Islamic and Occidental Studies*, 2(1), 22–46. <https://doi.org/10.21111/jios.v2i1.36>
- Athiyah, J. (2001). *Naḥw Taḥḍīr Maqasid al-Syari'ah*. Dar al-Fikr.
- Auda, J. (2011). *Maqasid al-Syari'ah Dalīl li al-Mubtadi'in*. Al-Ma'had al-'Aly li al-Fikr al-Islamy.
- Auda, J. (2012). *Maqasid al-Syari'ah ka Falsafah al-Tasyri' al-Islāmy, Ru'yah Manzūmah*. Trans: *Abdul Lathif al-Khayyath*. Al-Ma'had al-'Aly li al-Fikr al-Islamy.
- Auda, J. (2013). *Al-Ijtibād al-Maqāṣidi: Min al-Taṣawwur al-Uṣūli ilā Tanzīl al-'Amali*. Al-Syabakah al-'Arabiyah li al-Abhas wa al-Nasr.
- Auda, J. (2021). *Al-Minbajiyah al-Maqāṣidiyyah: Naḥw I'ādah Ṣiyāghah Mu'aṣirah li al-Ijtibād al-Islāmi*. Dar al-Maqashid.

- Fadhli, M. F. (2023). The Application of the Maqāshid al-Syarī'ah Concept according to Imam al-Ghazali and Imam al-Syathibi in Contemporary Islamic Law Inferences. *JIOS: Journal of Islamic and Occidental Studies*, 1(1), 63–91. <https://doi.org/10.21111/jios.v1i1.5>
- Habib, Z. (2025). Ethics of Artificial Intelligence in Maqāshid Al-Sharī'a's Perspective. *Karsa: Jurnal Sosial Dan Budaya Keislaman*, 33(1). <https://ejournal.uinmadura.ac.id/index.php/karsa/article/view/19617>
- Husamuddin MZ, H. M. (2023). *Rekonstruksi Maqāshid al-Syarī'ah dalam Kebutuhan Sosial Modern (Kajian Terhadap Al-Kulliyat Al-Khamsah)* [Disertasi]. UIN Ar-Raniry.
- Ibnu Asyur, M. T. (2004). *Maqasid al-Syarī'ah al-Islāmiyyah*. Wizarah al-Awqaf wa al-Syu'un al-Islamiyah.
- Ibnu Bayyah, A. (2006). *'Alāqab Maqāshid al-Syarī'ah bi Uṣūl al-Fiqh*. Muassasah al-Furqan li al-Turats al-Islamy.
- Ibnu Hisyam, J. (N.Y). *Syarb Syudzūr al-Dzāhab fī Ma'rifah Kalām al-'Arab*. Al-Syirkah al-Muttahidah.
- Ibnu Manzur, J. (1414). *Lisān al-'Arab*. Dar al-Shadir.
- Ibnu Taimiyah, T. (1403). *Al-Istiqāmah*. Universitas Imam Muhammad bin Sa'ud.
- Ibnu Taimiyah, T. (1995). *Majmū' al-Fatāwā*. Majma' al-Mulk Fahd li Thaba'ah.
- Ibnu Taimiyah, T. (1999). *Iqtidā' al-Ṣirāṭ al-Mustaqīm li Mukhālafah Aṣḥāb al-Jahīm*. Dar al-'Alam al-Kutub.
- Ibrahim, A. H., Rahman, N. N. A., Saifuddeen, S. M., & Baharuddin, M. (2019). Maqasid al-Shariah Based Islamic Bioethics: A Comprehensive Approach. *Journal of Bioethical Inquiry*, 16(3). <https://doi.org/10.1007/s11673-019-09902-8>
- Mawardi, A. I. (2010). *Fiqh Minoritas: Fiqh Al-Aqalliyāt dan Evolusi Maqāshid asy-Syarī'ah dari Konsep ke Pendekatan*. Lkis.
- Mawardi, A. I. (2014). Fiqh Aqalliyat: Pergeseran Makna Fiqh dan Usul Fiqh. *Ash-Syir'ah: Jurnal Ilmu Syari'ah Dan Hukum*, 48(2), 315–332. <https://doi.org/10.14421/ajish.v48i2.119>
- Nazahah, I., & Sahidin, A. (2021). Hukum Safar Wanita Tanpa Mahram Menurut Pandangan Para Ulama. *JPMA: Jurnal Penelitian Medan Agama*, 12(2), 82–89. <http://dx.doi.org/10.58836/jpma.v12i2.11240>
- Pramono, M. F., & Sahidin, A. (2021). Maqāshid al-Sharī'ah Values in al-Māwardī's Concept of the Caliphate. *Al-Ahkam*, 31(2), 203–222. <https://doi.org/10.21580/ahkam.2021.31.2.8612>

- Rahman, R. A. (2019). *Nazariyyah al-Maṣlahah Inda al-Imām al-Syaṭibi wa Taṭbīqātuhā fī Aslamah al-Tiknūlijīyah al-Hadītsab* [Disertasi]. Universitas Darussalam Gontor.
- Rahman, R. A., Sahidin, A., & Nazahah, I. (2021). Aksi Unjuk Rasa Bela Islam di Indonesia Pada Kasus Ahok Dalam Perspektif Maqashid al-Syari'ah. *Istinbath*, 20(2), 349–371. <https://doi.org/10.20414/ijhi.v20i2.391>
- Sahidin, A. (2021a). Pendayagunaan Zakat dan Wakaf untuk Mencapai Maqashid Al-Syari'ah. *Al-Awqaf: Jurnal Wakaf Dan Ekonomi Islam*, 14(2), 97–106. <https://doi.org/10.47411/al-awqaf.v14i2.148>
- Sahidin, A. (2021b). Telaah Atas Konsep Khilafah Al-Mawardi (Studi Deskriptif Analisis). *JPMA: Jurnal Penelitian Medan Agama*, 12(2), 72–81. <http://dx.doi.org/10.58836/jpma.v12i2.11112>
- Sahidin, A. (2022a). Framework Studi Maqashid Al-Syari'ah; Antara Penalaran Tekstual Dan Kontekstual. *Al-Jabiri: Jurnal Ilmiah Studi Islam*, 1(2), 87–110.
- Sahidin, A. (2022b). Telaah Atas Fiqh Al-Aqalliyat Syekh Yusuf Al-Qardhawi. *An-Natiq: Jurnal Kajian Islam Interdisipliner*, 2(2). <https://doi.org/10.33474/an-natiq.v2i2.15774>
- Sahidin, A. (2023). Telaah Atas Ijtihad Umar Bin Khaṭṭab Perspektif Maqāṣid Al-Syari'ah. *Jurnal Penelitian Medan Agama*, 14(1), 25–34. <http://dx.doi.org/10.58836/jpma.v14i1.16553>
- Sahidin, A., & Kamaluddin, I. (2024). An Examination of Maqashid al-Shari'ah between Textual and Contextual Reasoning (Descriptive Analysis Study). *Istinbath: Jurnal Hukum*, 20(2), 1–25. <https://doi.org/10.32332/istinbath.v20i02.4830>
- Sahidin, A., & Muslih, M. (2025). Pengembangan Sains Berorientasi Maqashid Syariah. *Prosiding Integrasi Interkoneksi Islam Dan Sains*, 6, 223–231. <https://ejournal.uin-suka.ac.id/saintek/kiis/article/view/4786>
- Sahidin, A., Muslih, M., Lahuri, S. bin, Fata, Z., & Sandisi, Z. R. binte M. (2025). The Contextual Ijtihād of Umar ibn Khattāb: Between Legal Reform and Local Wisdom in Early Islamic Society. *Madania: Jurnal Kajian Keislaman*, 29(2), 217–228. <http://dx.doi.org/10.29300/madania.v29i2.9141>
- Sahidin, A., & Rahmadi, M. A. (2021). The Implementation of Maqasid Al-Shari'ah in Shaykh Yusuf Al-Qardhawi's Fiqh Al-Aqalliyat. *Jurnal Hukum Islam*, 19(2). <https://doi.org/10.28918/jhi.v19i2.4724>
- Shahridzuan, M. S. A. (2024). CRISPR-Cas9 Gene Editing According to Maqasid al-Shariah: Ethical Concerns and Applications. *Al-Maqasid: The International Journal of Maqasid Studies and Advanced Islamic Research*, 5(1). <https://doi.org/10.55265/al-maqasid.v5i1.129>
- Tavakoli, H. (2012). *A Dictionary of Research Methodology and Statistics in Applied Linguistics*. Rahma Press.

Zatani, N., & Syamsuri, S. (2019). Konsep Maqashid Syariah Menurut Al-Syatibi Dan Kontribusinya Dalam Kebijakan Fiskal. *Jurnal Masharif Al-Syariah: Jurnal Ekonomi Dan Perbankan Syariah*, 4(1), 1–14. <https://doi.org/10.30651/jms.v4i1.2111>

Zuhaili, W. (1999). *Al-Wajiz fi Uṣūl al-Fiqh*. Dar al-Fikr al-Mu'ashir.