

# RE-ENVISIONING ISLAMIC SCHOLARSHIP MAQASID METHODOLOGY AS A NEW APPROACH

JASSER AUDA

*Re-envisioning Islamic Scholarship* is a pioneering and timely contribution that deserves wide readership. Jasser Auda masterfully focalises the Quran and Sunnah in a work that integrates scholarship across time and disciplines to demonstrate the connectivity of human thought and action within a purposeful universe of infinite possibilities.

Through a five-step holistic methodology, he urges scholars and practitioners in all fields of knowledge and endeavour to seek revelational guidance by performing continuous cycles of reflection on the revelation that reveal this connectivity.

Here, the maqasid or objectives of revelational guidance manifest through a process of emergence that is premised on deep understandings of the concepts, objectives, values, commands, universal laws, groups and proofs that implicitly or explicitly shape our understandings and help re-envision research agendas, educational institutes and organisational strategies.

In a world that has become accustomed to individualism, inequality, fragmentation and loss of meaning this book is a paradigm shift, a beacon of light and a very welcome guide to a better future for humanity.



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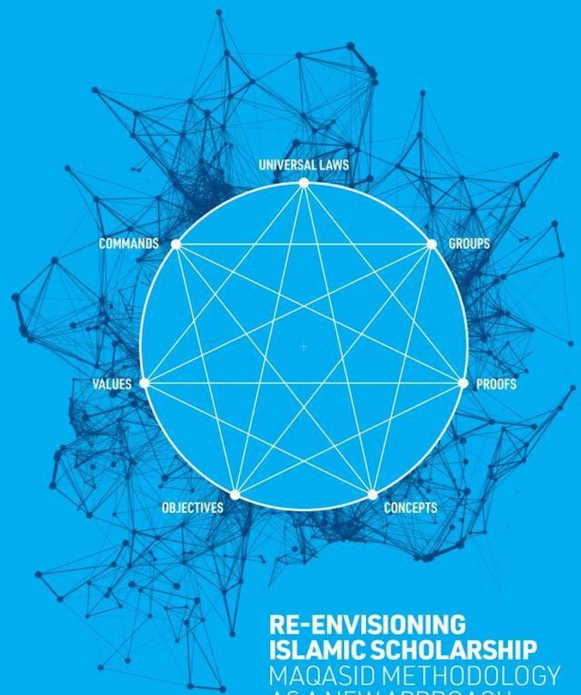
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By Jasser Auda**

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## PREFACE

There is a difference between Islam and Muslims. The difference is between a divine, eternal and perfect message, and the human, temporal and imperfect manifestations of this message. Islam is the way of life (*din*) that Allah gifted humanity with since the beginning of time. The source of this knowledge is the Revelation (*wahy*); the Book of Allah and the Sunnah of His Messenger ﷺ. However, Islam manifests in various forms and degrees in the lives of Muslims in every place and time. Muslims are not the criteria by which we judge Islam. It is the other way around.

*Fiqh* is one of the most central concepts in Islam. According to the Revelation, *fiqh* is: (1) a deep understanding of Islam as a *din*, i.e. way of life and a worldview, (2) a deep understanding of the proofs/signs (*ayat*) of Allah, (3) a high capacity for sound judgement and leadership, and (4) the ability to teach knowledge and (5) realise knowledge for the benefit of Muslims and humanity in this life and the next.

Allah says: “There should go forth from every party of the believers a group to obtain deep understanding (*fiqh*) in the religion/way of life (*din*)” (9:122), “Look how We explain the verses/signs (*ayat*) that they may have understanding (*fiqh*)” (6:65), and “We will soon show them Our signs (*ayat*) in the Universe and in their own souls, until it will become quite clear to them that it is the truth” (41:53). And the Prophet (s) explained what “*fiqh* in the *din*” means by this simile: “The knowledge that Allah sent me with is like rain that fell on two pieces of land. The first piece is fertile. Some parts of it absorbed the water and produced lots of vegetation, and other parts stored the water for

others to benefit from, drink and use elsewhere for other plantations. The second piece is sand that neither holds water nor allows plants to grow. This is the example of the person who gained *fiqh* in the *din* of Allah, and therefore learned beneficial knowledge and taught it, versus another person who rejected the message of guidance that I brought and did not act upon it” (Bukhari 79).

And when Ali Ibn Abi Talib ؓ<sup>1</sup> asked the Prophet (s) about what to do if they cannot make a decision about something, he said: “Consult the *fuqaha* (carriers of *fiqh*)” (Haithami 1/183). And Ibn Masud ؓ and Ali ؓ narrated: “*Fuqaha* are leaders” (Haithami 2/192, Bayhaqi 1 441).<sup>2</sup> The rest of the verses and narrations related to *fiqh* confirm this definition of true *fiqh* and thus the comprehensive role of the *fuqaha* (scholars/leaders), as explained above.

However, the concept of *fiqh* and the role of the *fuqaha*, in Muslim history and until today, manifested in ways that varied depending on the common conceptualization of *din*, which is the subject of *fiqh*, and *ayat*, which is the scope of *fiqh*. At the time of the Prophet ﷺ, the concept of *din* was much wider than what we call “religion” in English/Latin.<sup>3</sup> It was a project for humanity; a vision that a community of sincere believers in One God carried to the world as a new and impressive way of life. And the concept of *ayat* was much wider than “verses”. They included the knowledge (*ilm*) of signs/proofs in “the horizons and the souls”, and exploring those *ayat* developed into one of the greatest civilisations humanity ever knew. Consequently, the concept of *fiqh* within the community of the Prophet ﷺ was much wider than “law”, and *fuqaha* were not only “jurists” but included scholars of deep understanding from an Islamic point of view in every realm — from faith, government and organisation, to science, trade and defence. *Ulama* were not only jurists either but included experts from all faiths and backgrounds in every branch of knowledge as well.<sup>4</sup>

After the Prophet ﷺ, the Muslim civilisation’s highest points were when *fiqh*, *fuqaha*, *ilm*, *ulama*, *din*, and *ayat* were understood in their comprehensive Quranic and prophetic conceptualizations.<sup>5</sup> Thus, *fiqh* was a deep understanding in every branch of knowledge (*ilm*) that Muslims developed, *fuqaha* were the experts in these branches,

*ayat* were what they explored in nature and societies, and *din* was the new way of life that manifested in the Islamic civilisation. The *fuqaha* who studied law, politics, sociology, medicine, biology, chemistry, mathematics, astronomy, optics, architecture, urban planning, etc., did not make a separation between their sciences and the concepts of “*ilm*” or “*fiqh*”, and they considered their books to be reflections upon the *ayat* of Allah in the horizons and the souls. The following are a few notable examples:

(1) Scholars of the House of Wisdom (*Bayt Al-Hikmah*) in Baghdad were in the hundreds. Some were purely translators (*mutarjimun*), scribes (*katabah*) or technicians (*sunna*) in one science or the other.<sup>6</sup> However, the most notable scholars of the House of Wisdom were the encyclopedic “*fuqaha*” who seamlessly merged their knowledge of the Quran with the topics they addressed, as well as the inheritance of knowledge from other nations and languages. Amongst the notable names were: Al-Jahiz (d. 254H/868CE) who was the first scholar to study the thematic patterns (*nazm*) of the Quran, and who also wrote about numerous other topics including his famous book on Animals (*Al-Hayawan*), which he considered to be “a book of attaining *fiqh*” (*tafaqquh*);<sup>7</sup> Al-Kindi (d. 256H/871CE) who studied and linked philosophy, mathematics, astronomy, politics, medicine, geography, music, natural history, and meteorology;<sup>8</sup> Al-Tayyib Al-Sarakhsi (d. 286H/899) who wrote on chemistry, history and geography from the perspective of “reflecting on Allah’s marvellous creation”;<sup>9</sup> and other similarly significant scholars such as Al-Khawarizmi (d. 232H/847CE), Al-Dinuri (d. 282H/895CE), Thabit Ibn Qurra (d. 288H/901CE), Abu Bakr Al-Razi (d. 311H/923CE), Al-Batani/Albateg (d. 315H/929CE), Ibn Al-Haytham (d. 430H/1040CE), and many others.<sup>10</sup>

(2) Many of the medical doctors in the endowed hospitals (*bi-maristanat*) that were built over the centuries were “*fuqaha*”, who considered medicine to be part of the knowledge of Fiqh that they practiced and taught. Notable examples were: Yahya Ibn Omar (d. 289H/902CE), Muhammad Ibn Faraj (d. 303H/915CE), Nasr Ibn Fath (d. 306H/918CE), and Zaid Ibn Khalfoun (d. 308H/920CE), to name a few from Kairouan.<sup>11</sup> Ibn Rushd/Averroes (d. 594H/1198CE) is an-

other renowned Andalusian encyclopedic *faqih*, who was a scholar of medicine, philosophy, jurisprudence, astronomy, zoology, nutrition, grammar, and linguistics.<sup>12</sup> Andalusia, and the rest of Southern Europe, eventually developed a system of endowed libraries and hospitals similar to Baghdad's at the peak of the Islamic civilisation.

(3) Imam Abu Hanifa (d. 150H/767CE) was an encyclopaedic scholar in his own right and an expert in a number of knowledge disciplines.<sup>13</sup> Imam Jafar Al-Sadiq (d. 148H/765CE) was one of his notable students, and his "*fiqh*" that was narrated after him included medicine, anatomy, chemistry, and astronomy. Imam Jafar's own students became notable personalities in the history of science, such as Ibrahim Al-Fazari (d. 160H/777CE) who invented the Astrolabe, and Jabir Ibn Hayyan (d. 200H/815CE) who became known as "the father of chemistry".<sup>14</sup>

(4) Socio-political studies (*Al-Siyasah*, *Al-Ijtima*, *Al-Imran*) were chapters of *fiqh*, and were not viewed as separate realms. Notable examples were the works of Al-Mawardi (d. 450H/1058CE), Abu Yala Al-Fara (d. 458H/1066), Al-Juwayni (d. 478H/1085CE), Ibn Al-Jawzi (d. 597H/1201CE), Ibn Abdus-Salam (d. 660H/1262CE), Ibn Taymiyyah (d. 728H/1328CE), and Ibn Khaldun (d. 808H/1406CE), to name a few.

(5) Similarly, economic, taxation and financial studies (*Al-Amwal*, *Al-Kharaj*) were also seamless chapters of *fiqh*. Notable examples were the works of Abu Yusuf (d. 182H/798CE), Yahya Ibn Adam (d. 203H/818CE), Al-Qasim Ibn Sallam (d. 224/838CE), Abdul-Malik Al-Asmai (d. 216H/831CE), and so forth.

Then, the Muslim civilisation began to decline from the middle of the fourth century Hijri (late 10<sup>th</sup> century CE), and eventually entered an era of colonisation of every Muslim-majority region - in various times - from the middle of the seventh century Hijri (mid 13<sup>th</sup> century CE). It is a complex subject that is beyond the scope of this book, but the impact of this on the concept of *fiqh* is important to point out. In the eras of declination and colonisation, *fiqh* was diminished to a few "schools of jurisprudence", which focused on memorising texts rather than understanding them. Students of knowledge memorised and imitated their Imams' texts that merely explained the basic acts

of worship and some basic domestic laws.<sup>15</sup> The *fuqaha* eventually became “jurists” who were divided into a number of competing and conflicting factions,<sup>16</sup> and were further divided into some who worked for the sultans and kings to legitimise them, and some who worked with the masses and tried to defend the basic tenets of Islam from the corrupt political authorities, especially under the colonisers.

Colonisers and post-colonial powers of all types made sure to destroy the system of endowments (*awqaf*), which used to fully sponsor schools and colleges, study circles of Quran, Hadith and Arabic, mosques, relief centres, institutes of research or “houses of wisdom”, hospitals or “houses of healing”, libraries or “houses of books”, and numerous other civil activities.<sup>17</sup> In the Islamic civilisation, *awqaf* represented the majority of all economic activities, and thus sustained for centuries the most vital services and guaranteed the independence of *fiqh*, *fuqaha* and *din*, in the true sense, and the independence of the whole civil society from both governments and businesses alike.<sup>18</sup>

The Maqasid Methodology is a project that aims to revive the original concepts of *fiqh*, *fuqaha*, *din*, *ayat* and the rest of the Islamic approach/framework/worldview in today’s context. The ultimate goal/dream is for this framework to eventually transform into networks of individuals and educational, research and advocacy institutions that revive Islam in today’s world and contribute to today’s civilisation. The methodology consists of five overlapping and interconnected steps, namely: purpose, Cycles of Reflection, critical studies of literature and reality, framework, and formative theories and principles.

The Methodology’s entry point is to set a purpose inspired by one of the objectives of Islam. Then, the Cycles of Reflection on the Revelation is key to develop a critique of written and lived perspectives of reality, as well as a framework for perception and analysis. Finally, formative theories and principles emerge and guide the outcome of the inquiry, i.e. rulings or judgements of benefit and harm. The framework is comprised of a network of Seven Elements, namely: Concepts, Objectives, Values, Commands, Universal Laws, Groups and Proofs. These elements themselves were inferred from countless Cycles of Reflection on the Revelation, guided by a purpose to deal with

current methodological challenges and opportunities. The outcome is a wholistic and dynamic *fiqh*, in the wide sense of the word, which addresses contemporary research questions and practical concerns in all fields of knowledge. Disciplines are therefore re-classified into: Usuli Studies, Disciplinary Studies, Phenomena Studies and Strategic Studies. This is how this book/project re-envisioning the Islamic scholarship in a nutshell.

The story of this book has to do with my personal journey with Islam. Throughout that journey, I was always busy with the questions of why and how, i.e. questions of objective, rationale and meaning, and questions of method, process and approach. The philosophical legacy of Muslim thinkers and Sufi Imams guided me to *Maqasid Al-Shariah* (Objectives of Islamic Jurisprudence) as a possible answer for the questions of ‘why’.<sup>19</sup> I eventually found it necessary to move from the tradition of *Maqasid Al-Shariah* to the much more comprehensive and authentic paradigm of *Maqasid Al-Quran* (Quranic Objectives). This book explains the difference as it points out how the traditional approaches to Maqasid Studies today suffer, in various ways and degrees, from the same limitations that mainstream disciplines suffer from, namely: imitation, partialism, apologism, contradiction and deconstruction.

As for the questions of ‘how’, the traditional *usul al-fiqh* (juridical fundamental theories) was my default answer several decades ago. However, it eventually became clear to me that *usul al-fiqh*’s classical logic and legalistic scope are narrower than what is needed for comprehensive and relevant disciplines, or even Islamic legislation, today. Then, systems philosophy, which I had studied formally,<sup>20</sup> offered some methodological ideas, which helped in a previous attempt of renewal in the traditional *usul al-fiqh* (juridical fundamental theories).<sup>21</sup> I utilised a “*maqasid* approach” to the *usul* theories in researching a number of current issues, especially related to the role of the Shariah in legislation and social movements.<sup>22</sup> Eventually, I found that the Quranic fundamentals (*usul, ummahat*), which could be inferred based on the Quranic objectives, are more apt to deal with today’s much-needed re-envisioning and re-construction of Islamic scholarship. The outcome of this research is the Maqasid Methodology presented in this book.



## **ASSESSING LIVED REALITY**

A truthful understanding of history provides a seamless connection to the present with all of its new forms and diverse manifestations. It is a deep conviction in the Islamic worldview - as expressed in the Revelation - to liberate the human mind from false perceptions of reality that are constructed through unfounded criteria, approaches, pre-assumptions and terminologies. False perceptions of reality emerge when conceptualisations are based on human standards and principles without guidance from the authority of the Revelation. As a result, they are severed from the highest objectives for humanity, which is to serve Allah ﷻ in all of the forms that are explained in the relation web of heart and physical actions.

Similar to the approach to history, the Maqasid Methodology applies to studying lived reality through integrating concepts, objectives, values, commands, universal laws, groups and proofs in order to generate a worldview that shifts the perception of present reality in a paradigmatic way. This allows scholarship in all of its forms to be based on an assessment of reality that is coherent with the web of composite frameworks and therefore to introduce creative ways of rectifying disciplines, sciences, systems and phenomena of our current historical moment.

Today, the dire need - and golden opportunity - for deep change on all fronts is obvious to any observant conscience. Allah states: "Corruption has arisen on land and sea due to what the hands of people have earned; so that they may taste some of what they did, perchance to return" (30:41). Whether we consider disbelief, promiscuity, poverty, environmental degradation, pandemics, greed, tyranny, corruption, oligopoly, etc., or the counter-movements towards faith, family values, charity, social justice, environmental awareness, equity, etc., the Maqasid Methodology demonstrates that all phenomena are interrelated and complex. It directs us to reconsider how we determine objectives, define concepts, prioritise values, respect universal laws, contextualise commands, classify parties and understand proofs.

Not only so, but in studying these elements we must see the relationships among them, the guidance to which they give rise and the

applicability to our present context. We cannot continue to perceive reality in fragmented ways as if imbalance and injustice in one realm has no impact on the whole of which it is necessarily a part. Whether we are engaged in the rectification of the *Usuli* Studies, Phenomena Studies, Disciplinary Studies or Strategic Studies (Chapter 6), the Maqasid Methodology insists that we embed our efforts within interconnected and expansive webs of meaning that include all dimensions of the lived reality.

Today, our lived reality is far from the path of achieving the higher objectives of the *ummah* and humanity more broadly. Even a cursory consideration of current affairs – wars, white supremacy movements, natural disasters, pandemics, unhindered markets, domestic violence, environmental degradation, occupation, ethnic cleansing, false media and information, hunger, fear, illiteracy, etc., – demonstrates how far humanity has deviated from divine objectives. These deviations are fertile ground for the application of the Maqasid Methodology and will be the subject of proposed research.

## **ENVISIONING THE FUTURE**

The awareness of history and present realities through the lens and guidance of Revelation offers important lessons for future visions and paths. Generally, disciplines that include or suggest a future vision suffer from deep methodological errors since they emerge from uncritical perceptions of success, either in the past or present. For example, perceptions of the success of an ‘Islamic state’ are often based on the right-of-kings during the middle ages or even state formations that emerged in the post-colonial era and have erroneously influenced Islamic political thought as it plans for future political scenarios. These perceptions are based on specific interests, that upon closer scrutiny, may be contrary to true Islamic objectives of governance (*hukm*) as expressed in the Revelation, even if they call themselves ‘Islamic’.

Projecting into the future demands an awareness of history’s underlying drivers, or the nature and role of diverse forces in affecting change. Revelation draws our attention to moral, material, natural

and divine forces which have shaped our past, continue to shape our present and will certainly influence the future. The Maqasid Methodology tells us that the manifestations of these forces, their timing and intensity, are associated with the interplay of the Seven Elements of perceptualisation and the extent to which their expression over time moves toward or away from the guidance of the Revelation. Allah ﷻ states: “Allah does not change the bounty with which He has graced a people, until they have changed what is in their own selves, He is the hearer the knower” (8:53). He ﷻ also states: “They have arrogance and evil intrigue in the land, but evil intrigue does not envelop except its own fraternity; so, do they then wait for the way of their predecessors? Because you will not find an exchange in Allah’s universal law and you will not find a circumvention in Allah’s universal law” (35:43). These universal laws and related objectives and values apply to all of humanity in every place and time including its future.

The rectification of an Islamic future cannot be separated from the rectification of the future of all humanity, if our vision is accurate and according to the Revelation. This is because the web of meanings around the objective of rectification of humanity and earth in the Revelation is based on both the original disposition (*fitrah*) and universal laws (*sunan*) and not only for Muslims. Moreover, the scope of rectification is not only concerned with the temporal needs of any one generation because the search for mercy, justice, equity, balance, etc., extends through time. Earthly life is only one dimension of the future vision that Islam and the Maqasid Methodology suggest. Success (*falah*), with all of its implications, as it emerges from the Revelation, applies as much to this life as it does to the next life, which is the more important part of our future.

### **3. Scholarship: scope, scholars and outcome**

The Maqasid Methodology aims to return Islamic scholarship (*ijtihad*) to its comprehensive role as defined in the Revelation. In order to accomplish this, it suggests that three shifts must occur in disciplines: scope, scholars and outcome. First, the concept and scope of scholarship itself must be reconsidered. Deep understanding, in-

tellec and leadership (*fiqh*) is not exclusively related to juristic matters - however important they are - but must extend to any area of inquiry that focalises Revelation and takes seriously the hegemonic character of its content. Second, and as a result, the concept and scope of a scholar must be reconstituted. Scholars with deep understanding and wise leadership (*fuqaha*) are not solely the class of Muslim jurists - despite their important role - but all those scholars in all fields of knowledge undertaking scholarship (*ijtihad*) to achieve a commendable understanding of their subject matter as just noted. Legitimacy is not the sole purview of jurists or those dedicated to the Islamic disciplines as they are currently defined, despite the importance of these disciplines - after restructuring them - within the area of *Usuli* (Foundational/Fundamental) Studies. Third, the outcome of the process of scholarship (*ijtihad*) carried out by a scholar (*mujtahid*) is composite frameworks, formative theories and principles that result from their construction, and then either rulings or judgements of benefits and harms in the wider sense - depending on the question at hand and the purpose pursued.

## SCOPE

*The Maqasid Methodology debunks the long-held misconception that Islamic scholarship (ijtihad) is limited to legal or ethical studies most often associated with the various schools of jurisprudence (madhahib). While such studies have made major contributions to the advancement of Islamic jurisprudence, they are not the only feature or topic of Islamic scholarship that falls under fiqh, as discussed earlier. The scope of fiqh is every field of knowledge and every type of human endeavour.*

Muslim scholars in the Islamic civilisation, as mentioned earlier, included all fields of inquiry in their times - medicine, mathematics, astronomy, biology, architecture, politics, trade, geography, etc. - as part of *fiqh*. This is the same comprehensive scope that the Maqasid Methodology aims to return to. *Ijtihad* as a terminology is the expending of effort (*juhd*) in a field of inquiry, i.e. it is not limited to a specific field. When the Prophet ﷺ sent Moadh ibn Jabal as a governor in

Yemen, he asked him: “How do you judge if you have to judge a public matter?” Moadh replied: “By the Book of Allah”. The Prophet ﷺ asked him: “If you cannot find what you are looking for in the Book of Allah, what would you do?” Moadh replied: “By the Sunnah of His Messenger”. The Prophet ﷺ asked him: “If you cannot find what you are looking for in the Sunnah of His Messenger, what would you do?” Moadh replied: “I exert all my effort to form an opinion (*ajtahidu ra’yi*)” (Abu Daud 3592, Bayhaqi1 10/114).

The Prophet ﷺ approved Moadh’s approach and his concept of *ijtihad* to form an opinion on public matters. This is how *ijtihad* is defined in the Maqasid Methodology, given the fact that the ‘opinion’ is going to be based on the Book of Allah and the Sunnah of His Messenger, albeit via an inferred step by step methodology. Moreover, the division of knowledge into Islamic and secular streams is a historical innovation that has no basis in Revelation. As discussed previously, knowledge in Islam is characterised by extensive webs of meaning that do not admit such a division.

Scholarship is a comprehensive notion in the Revelation that is shaped by the integrative, wholistic and dynamic interaction of concepts, objectives, values, commands, universal laws, groups and proofs and the webs of meaning to which they give rise. These webs are defined by faith, truth, clarity, the seen and unseen among other significant parameters. Thus, the rulings (*ahkam*) which constitute the common understanding of *fiqh* are only one aspect of knowledge. Even then, they cannot be extracted from Revelation in a way that strips them of the webs of meaning of which they are necessarily a part, and which ultimately legitimise their application to reality.

In seeking to explore, derive, apply and realise Islamic objectives to lived reality, the Islamic scholarship should go well beyond the confines of any of the traditional disciplinary classifications of disciplines. It also goes beyond Maqasid Studies that seeks only to deal with the history of the *maqasid* theories, as mentioned earlier. Instead, it subjects all theoretical and practical endeavours to the elements and associated webs of meanings. It does so to emphasise the dire need to understand connectivity and wholism, bringing all knowledge back to

its unified and divine source. The methodology, thus, aims at reconstructing systems of knowledge in research, education and action.

Islamic Studies can and must, therefore, include studies in all disciplines. Their value and utility are equally applicable to academia and research as it is to the arts and entertainment, business, government and civil society as well as to the hybrid arrangements that are combining the roles, resources and skills of these sectors. The study of phenomena in particular (Chapter 6), can offer great promise in coordinating human response to contemporary challenges on an unprecedented scale.

### **SCHOLARS/MUJTAHIDS**

The narrow and non-integrating disciplinisation of Islamic scholarship in our time has naturally reduced the definition of the Islamic scholar to an expert in one of the sciences labelled as Islamic or religious. This is in contrast to scholars of other disciplines who are labelled as professionals, worldly, materialistic or secular. This dichotomy between the scholars of religion (*din*) and the scholars of worldly realities (*dunya*) was a low point in the Islamic history that emerged from civilisational decline and colonisation of Muslim-majority societies, as mentioned earlier. It has served to limit the knowledge and expertise of both camps, as well as to promote a belief that sufficient understanding of complex questions can be achieved simply by encouraging the two to 'consult' with each other at a cursory level. In most situations, however, each group goes about their scholarship in isolation of the other. The comprehensive and pervasive nature of knowledge with its rootedness in the sacred makes the continuation of this dichotomy untenable and incompatible with the Islamic worldview.

*Islamic scholars (mujtahids) therefore include all seekers of knowledge, males and females, from all disciplinary backgrounds and at various levels and capacities, who are seeking to make theoretical and practical contributions to any subject matter based on a dedication to the Revelation as the driver of their thoughts and approaches. Backgrounds, specialisations and levels of expertise obviously dictate what each scholar is qualified to research, and how authoritative*

their opinions will be. At the highest level of Islamic scholarship, the Maqasid Methodology aims at developing multi-/trans-disciplinary and encyclopaedic scholars. At the most basic level of Islamic scholarship, scholars work on specific areas or tasks and therefore apply *ijtihad* in a limited way.

The Maqasid Methodology also demands that such approaches, whether of an individual scholar or group of scholars, include the construction or adoption of composite frameworks and associated formative theories and principles as related to their area of concern. The soundness of the frameworks is therefore an indispensable condition for *maqasid* scholars, irrespective of their specialisation, intellectual background and level of achievement.

The application of the Maqasid Methodology will govern the ways in which scholars from diverse backgrounds approach their fields. They shall realise that the methodology will expand the boundaries of their expertise, enabling them to recognise the integrative nature of all knowledge and their unique contribution. Not all *maqasid* scholars will deal with major current phenomena or have the capacity to make seminal contributions to the study of fundamentals of the Revelation or the construction of formative theories and principles.

## **OUTCOMES**

The comprehensiveness of knowledge and the diversity of *maqasidi* scholars determines the outcomes of *maqasidi* scholarship in a number of significant ways. Outcomes are distinguished by their broad area of concern. In the proposed re-classification of Islamic Studies, in Chapter 6, they are divided into: *Usuli* Studies, Disciplinary Studies, Phenomena Studies and Strategic Studies. All outcomes are determined by their level of sophistication, which ranges from the construction of composite frameworks and associated formative theories and principles at their height, to single applications in their simplest forms.

If the desired outcome of the study is an edict (*fatwa*), which belongs to the area of *Usuli* Studies, formative theories and principles have to be developed first. The scholar, therefore, will orient them-

selves to the research by defining the general purpose, examine the primary related texts of the Quran and Sunnah, build a framework that integrates the elements related to the topic and discuss their application to the lived reality, and also discuss alternative opinions in the literature. Out of this study emerges the formative theories and principles that will guide the development of the *fatwa*. Referring to previous opinions is not enough ‘proof’ (*hujjah, dalil*) unless they are integrated in the methodological steps described above. An edited or re-published manuscript (*makhtutah*) is not an appropriate outcome of research, unless the historical context of the script and the writer is analysed - based on the framework - and formative theories and principles concluded.

It is to be noted that *fatwa* related to the well-known and constant parts in the Islamic moral code are not part of this exercise of renewal. In these areas, *fatwa* is merely a way of disseminating basic information about Islam, rather than research that investigates new solutions. Keeping the constancy of the constant part of Islam is essential. They are the well-defined (*muhkamat*) or core (*ummahat*) matters that Allah ﷻ refers to: “It is He who has sent down the Book on you [Muhammad], in it are well defined (*muhkamat*) verses that are the core (*umm*) of the Book” (3:7).

In other *Usuli* Studies and other areas of research, the outcome is not a *fatwa*, but rather judgements of benefits (*masalih*) and harms (*mafasid*) that takes different forms, such as decisions, policies, plans, designs, laws, artistic expressions, strategies, etc. Composite frameworks derived using the Maqasid Methodology complement and overlap no matter what issue, phenomena, discipline or visioning exercise is under consideration. This complementarity and consistency allow researchers, scholars and practitioners to communicate with each other, check one another, keep understanding dynamics and expanding their web of connections, while creating a shared historical experience for those adopting this methodology. This is a web approach to knowledge generation (Chapter 6), where anyone working with the methodology can relate to, access, understand, utilise and build upon frameworks, theories, principles and various outcomes developed by others.



## CHAPTER 2

# Limitations of Contemporary Approaches in Islamic Scholarship

### IDENTIFICATION OF LIMITATIONS VERSUS SCHOOLS AND TRENDS

Islamic scholarship is a vast and diverse field that is rich with over fourteen centuries of contributions, schools and trends in all fields of human activity. Many classical works have adopted classifications of schools or streams, comparing similarities and differences, supporting some and discounting others. Examples include Sunni, Shia, Asharites, Mutazilites, Maturidis, Ibadis, in addition to classical schools of Islamic jurisprudence: Shafi, Maliki, Hanafi, Hanbali, Zaidi, Jafari, Zahiri, etc. Similarly, many new works have sought to classify contemporary scholars as belonging to such schools or streams, or in accordance with newly developed labels in conformance to political interests of the classifiers, as opposed to real scholarly distinctions in approaches or views. Examples include moderates, extremists, progressives, Salafis, Sufis, Islamists, fundamentalists, modernists, postmodernists, etc. Such classifications are not our concern.<sup>37</sup> Besides being a complex task that is beyond the demands of this book, such labelling exercises obscure the observation that different approaches may nevertheless share the same limitations.

That said, each of the following sections on limitations will con-

clude with a discussion where the limitation of concern will be illustrated as it applies to Maqasid Studies as a current trend/school. Elaboration on the limitations of contemporary Maqasid Studies is provided in the spirit of the historical continuity of this work and its drive to address these limitations in the new Maqasid Methodology. *The Maqasid Methodology seeks to address the limitations of contemporary approaches to Islamic thought, including contemporary Maqasid Studies, so that we can greatly enhance the process of reasoning or ijihad and its output of fiqh.* Thus, *fiqh* is not restricted to a narrow legal definition but rather encompasses all intelligent Islamic thought that is solidly grounded in the Quran and Sunnah, as explained earlier.

The following sections consider five specific limitations in contemporary Islamic *fiqh*, which have had a significant impact on thought and practice across different streams, schools and affiliations. These include: imitation (*taqlid*) of historical opinions versus referring to Revelation as a primary source of knowledge; partialism (*tajzi*) versus the wholism expressed and demanded by Revelation; apologism (*tabrir*) versus introspection and caution commanded by Revelation; contradiction (*tanaqud*) versus the consistency found in and encouraged by the Revelation; and deconstructionism (*tafkik*) versus the important differentiation between Revelation and cultural products.

### **IMITATION (TAQLID)**

The study of all streams and schools of inherited Islamic traditional knowledge is essential for a sound and well-grounded Islamic scholar. Traditional Islamic knowledge preserves the Islamic identity, confirms the cumulative nature of Islamic knowledge in all fields and acknowledges the commendable efforts that were exerted by Muslim scholars in all fields over the centuries, including jurisprudence, Sufism, philosophy, hadith and linguistics.

Generations of students in Islamic jurisprudence evolved thought, fundamentals and schools for education (*talim*), judgeship (*qada*), and juridical/ethical edicts (*fatwa*). Streams in the Sufi traditions contributed to the sustainability of the Islamic spirit in the body of the *ummah*

and focused on the *fiqh* of the heart. Traditional schools of philosophy of religion (*kalam*) have attempted to defend Islam with philosophical arguments and develop the philosophical foundations of the sciences of the Islamic civilisation. The streams of hadith contributed to the conveyance of the Prophet's Sunnah, each in their way of authentication. The streams of Arabic linguistics contributed to the preservation of the linguistic integrity of reading and understanding the Revelation, each according to specific emphases in their methodology between renewalists and conservatists. There is no doubt that this huge, diverse and magnificent body of inherited Islamic knowledge is a necessary background. This necessity, however, does not equate with infallibility, sacredness or even relevance.

Contemporary scholars who endorse or quote seminal historical works as “primary” references and evidence (*hujjah*), fall into the error of imitation. This is because the primary and hegemonic reference in Islam, in all fields of knowledge, is the Revelation and the Revelation alone. The Revelation also teaches that following forefathers and leaders blindly without using one's reason is a deviation from the straight path (2:170, 5:104, 7:28, 14:21, 34:33, 40:47, 43:22). The Prophet ﷺ taught: “None of you should be like the person with no character (*imma`ah*), if people do good, he does good, and if people are unjust, he is unjust. Accustom yourselves that if people do good you will do good, and that if they do evil you will avoid their evil” (Tirmidhi 2007).<sup>38</sup>

Unquestioning imitation (*taqlid*) of inherited streams of Islamic thought/jurisprudence has led to a number of challenges both within the scholarly community and in the lived reality of Muslims. Three consequences of imitation have been particularly damaging, namely: (1) a general absence of an ethics of disagreement, (2) the diminishing or neglecting of direct studies of Revelation, and (3) a lack of critical awareness of Islamic history.

(1) The general absence of an ethics of disagreement (*adab al-ikhtilaf*) and the objective of magnanimity (*samahah*) of the Islamic spirit between those adopting and adhering to these historically inherited divisions. We read in history about the lowest points that the Islamic civilisation reached when the followers of various juridical

schools fought in real wars that destroyed major cities, ex-communicated each other from Islam, and forbade marriage or even collective prayers across different schools.<sup>39</sup> We also read about how some tyrannical rulers used these social divisions for their political ends. Today, many Muslims still consider these schools as separate and sacred identities that are mutually exclusive and even conflictual. Muslim communities under the contemporary leadership of each stream or school are subject to divisions that only serve to further the personal, political and economic power of such leadership and interest parties - east and west - that benefit from these social divisions. False nationalist identities of Muslim-majority societies in the post-colonial era are sometimes propped up through alliance to one historical school or the other, as opposed to the identity of these nations as members of the Muslim *ummah*, and those who challenge these divisive alliances are accused of heresy (*zandaqah*), innovation (*bidah*) and are considered enemies of the state.

(2) Imitation diminishes or completely neglects direct studies of Revelation. Those that admit imitation of old opinions as a valid methodology and ultimate proof for truth tend to practically omit the Quran and Sunnah from their due place at the core of every Islamic position or argument. Current works in the disciplines of jurisprudence, hadith, Islamic history, philosophy, political theory, Arabic linguistics, etc., that are based on imitation, exhibit this unacceptable lacunae. Consequently, when contemporary jurists answer questions, the overwhelming evidences (*adillah*) that are recognised as credible are simply the opinions of scholars/schools from the past, rather than a genuine analysis of the primary sources, i.e. the Quran and Sunnah, as they relate to the reality under consideration. It is true that the opinions from the past were generally based on certain interpretations of the Quran and Sunnah, but the Quran and Sunnah are not usually recalled as criteria against which to assess the interpretations of the past, especially when they lead to very different conclusions, let alone the suitability of these conclusions today in light of changing circumstances.

It follows from this perspective, that today's questions related to

fields of knowledge other than jurisprudence are referred - for definite answers - to those scholars of the past who may have addressed similar questions, though never identical in context. Thus, today's political questions are often addressed from the 'Islamic' points of view by the likes of Al-Mawardi (d. 450H/1058CE) and Ibn Taymiyyah (d. 728H/1328CE), even though they lived in two different historical moments from ours, politically speaking.<sup>40</sup> Similarly, economic questions are referred to Abu Yusuf (d. 182H/798CE) or Ibn Khaldun (d. 808H/1406CE); psychological questions are referred to Al-Kindi (d. 256H/871CE) and Al-Balkhi (d. 322H/931CE); medical procedures of wet cupping and cauterisation are taken from Abu Bakr al-Razi (d. 311H/923CE) or Ibn Rushd (d. 595H/1198CE); astronomical calculations for prayers timings and new moons are referred to Al-Farabi (d. 339H/950CE) or Al-Biruni (d. 440H/1048CE), etc.

This is not to say that contemporary scholars should not study the great Islamic scholars of the past, but rather to say that it is important to critique the inherited knowledge as much as we critique contemporary theories and approaches. This critique should be against both our understanding of the Quran and Sunnah, and our assessment of how much these opinions appropriately address our lives today. As a result, imitation has added to the stagnation and marginalisation of Islamic scholarship in contemporary reality in many fields of knowledge, an undue rejection of many of the achievements of contemporary Islamic scholarship, and either an acquiescence to or acceptance of some odd and misguided ideas from the past because of an inability to critique in reference to the original primary sources, the Quran and Sunnah.

(3) Imitation demonstrates a lack of critical awareness of Islamic history. Rather than adopting a romanticised view of history and associated scholars from every stream, Islamic thought must display greater cognisance of the forces that impacted its roots whether political, economic or social. The reaction of scholars to these forces was not the same across the board. Some scholars put their livelihood, and sometimes their lives, on the line in order to defend the integrity and independence of Islamic scholarship. Some others gave

in to these forces or became beneficiaries, one way or the other. Critical studies are necessary in order to give different weights to different scholars - and narrators - versus the higher objectives of knowledge in the message of Islam. However, since the general decline of the Islamic civilisation, as mentioned earlier, critical and creative studies have been on the decline. Yet, those who adopt imitation as a valid approach quote literature from the very 'era of declination' as original evidence for truth. This is not something that true scholars of the past practiced, including the companions of the Prophet ﷺ themselves.<sup>41</sup> Instead, they used their confirmed knowledge of the Quran and Sunnah as the basis to critique people's unconfirmed narrations and opinions.

### **Imitation in Maqasid Studies**

Most of the current Maqasid Studies revolve around the history of the traditional theories of *Maqasid*. Some can be traced back to early theorists, others to schools of jurisprudence and yet, others to seminal works of contemporary scholars. When the early history of the *Maqasid* is researched or referenced, the focus tends to be on one or more of the following topics: the opinions of the companions related to public affairs during the time of the rightly guided Caliphs; and the emergence of *Maqasid* as a formal theory based on the positive corollaries of the commands associated with corporal punishments. Al-Hakim al-Tirmidhi (d. 255H/869CE) and Abu Zayd al-Balkhi (d. 322H/934CE) emphasised what is beneficial for the body and soul. Abul-Ma`ali al-Juwayni (d. 478H/1085CE) suggested that the Islamic Shariah was intended to protect the inviolability of faith, souls, minds, private parts, and the money of people. Based on Al-Juwayni's proposition, early scholars classified the *Maqasid* as essentials (*daruriyat*), needs (*hajiyat*) or embellishments (*tahsiniyat*) based on their urgency and clarity. Abu Hamid al-Ghazali (d. 505H/1111CE) ordered the objectives of his teacher, Al-Juwayni, and renamed them as the preservation of faith, soul, mind, offspring and wealth. Al-Izz Ibn Abdus-Salam (d. 660H/1262CE) placed a spotlight on the link between juridical rulings and their purposes. Shihabuddin al-Qarafi

(d. 684H/1285CE) reasoned that the preservation of honour needed to be added based on the positive corollary for the punishment for slander (*qadhf*) or breaching honour. He also clarified the differences between the prophetic intents, i.e., legislation, judgeship and leadership. Ibn Taymiyyah (d. 728H/1328CE) and his students Shamsuddin Ibn al-Qayyim (d. 751H/1350CE), Najmuddin al-Tufi (d. 716H/1316CE) and Ibn Kathir (d. 774H/1373CE) contributed to the *Maqasid* approach by providing a detailed critique of juridical circumventions (*hiyal*), studying public interest (*maslahah*) and included wider values such as justice, virtue, rights, and knowledge. Abu Ishaq al-Shatibi (d. 790H/1388CE) advanced the *Maqasid* in unprecedented ways in his *Muwafaqat* by treating the *Maqasid* as fundamentals of jurisprudence (*usul ul-fiqh*). Finally, the theories of Abu Bakr al-Qaffal al-Shashi (d. 365H/973CE), Ibn Babawayh al-Qummi (d. 381H/991CE) and Shah Waliullah Dehlawi (d. 1175H/1762CE) uncovered the wisdoms (*hikam*) behind the rulings of the shariah. All of these scholars, among many others who may have been lost in the annals of history, sought to overlay *fiqh* with the objectives of the shariah.<sup>42</sup>

Within the traditional schools of Islamic jurisprudence, there are further studies on *Maqasid al-Shariah*. For instance, the Malikis focused on interests (*maslahah*), the Hanbalis on the reason or principle behind the law (*al-illah*), Hanafis on juridical preference (*istihsan*), the Shafi's on the appropriateness (*munasabat*) of the analogy, Ja'faris, Zaydis and Ibadis on the use of reason (*imal-ul-aql*) or opinion (*ra'y*), and according to all schools contributed to scholarship on unrestricted interests (*al-masalih al-mursalah*) and opening and closing the means (*fath wa sadd al-dhara'i*).<sup>43</sup>

Finally, it is to be noted that there is a number of seminal contributions to the *Maqasid* Studies in contemporary scholarship.<sup>44</sup> Studying these contributions is part of overcoming the imitation limitation in *Maqasid* scholarship, since they all introduced new ideas, theories and applications. These include contributions by scholars: Mohammed Abduh, Rashid Rida, Muhammad Abu Zahra, Muhammad Abdullah Draz, Yusuf al-Qaradawi, Muhammad al-Ghazali, Al-Tahir Ibn Ashur, Allal El-Fasi, Taha Al-Alwani, Ahmed Raisuni, Mohamed Selim

El-Awa, Gamal Attia, among many others. Some of these scholars have presented new typologies all together, and their works have been invaluable in shifting *Maqasid* discourse out of the confines of jurisprudence and history into many other fields of scholarship.<sup>45</sup>

*Maqasid* students who research the contributions of these pioneers from past and present, however, tend to lack sufficient introspection and critique. In fact, most adopt descriptive or documentary approaches. The absence of direct reference to the Quran and Sunnah as the standard and basis of critique is common, although there is a number of contemporary scholars who used the Quranic concepts and objectives to critique blind imitation of the inherited theories of *Maqasid* and develop them in a way that helps the realisation of *Maqasid* in our time.<sup>46</sup>

However, it is common for scholars to generally overlook the impact of political, philosophical and scholastic environments of the past and present on the output of these forerunners. It is precisely in these blind spots that the keys to truth and knowledge needed for contemporary challenges may be found. This is not to question the scholars' sincerity or belittle their contribution, but rather to better understand them and build on them for the present and future. Those who shaped *Maqasid* Studies during its long and rich history broke the mould of imitation, suffered ridicule and loneliness, and left a legacy of standing with the truth however unpopular it is. Contemporary *Maqasid* scholarship must continue to honour this legacy by benefiting from and building on all their contributions while remaining critical and cognisant of contemporary needs in all fields of knowledge. It is in this spirit that the *Maqasid* Methodology is proposed.

### **PARTIALISM (TAJZI)**

A major and common limitation of contemporary Islamic thought - especially when dealing with the Quran and Sunnah - is that of partialism or unfounded divisions that distort wholistic meanings. Allah says: "We punished the partitioners; those who made the Quran into fragments" (15:89-91), and "Do you then believe in parts of the Book and reject other parts?" (2:85). The Prophet ﷺ said: "Those who were



before you were destroyed when they claimed that parts of the Book of Allah contradict other parts (*darabu kitab-Allahi ba`dahu biba`d*). The Book was revealed for each part to confirm the other parts (*yu-saddiqu ba`duhu ba`dan*). So do not make parts of it negate other parts (*la tukadhibu ba`dahu biba`d*)” (Ahmad 6845).<sup>47</sup>

Despite these clear warnings regarding the error of partial interpretations, many scholars and researchers may still base opinions on complex matters on one verse or one Prophetic narration, or even cite a part of a verse or a narration in a way that contradicts and negates the remainder of the verse(s) and/or narration(s), which necessarily complete the picture. Partialism in understanding and practicing Islam expanded beyond scholarly discourses into the popular Islamic culture. Partialistic evidence that is marshalled to support a particular view, decision or approach, often leads to unintended outcomes and destroys the wholistic purposes (*maqasid*) that are desired, instead of contributing to their achievement.

One of the leading contributors to partialistic thinking in Islam as well as human thought more broadly, is the imposition of strict and closed disciplinary boundaries in scholarship and academic educational institutions, and in professional and social life more broadly. Despite the complex and wholistic nature of any human challenge, strict and closed disciplinary thought applies a specialised lens, tools, histories, experts and goals to understand and deal with reality. It is true that multi-disciplinarity and even trans-disciplinarity is gaining ground. Yet, the dominant approach in disciplines is to judge that a certain question belongs to a particular discipline and to bring a ‘specialist’ to answer.

The recent crisis of the coronavirus pandemic, for example, cannot be approached - from an Islamic point of view - only through a purely medical and particularly pharmaceutical-based approach. It is not only an issue for epidemiologists to deal with, or a problem that a vaccine will simply solve. Public health and the way humanity consumes food is a major dimension of the pandemic problem. The economic crisis that came with the coronavirus hit some regions even harder than the pandemic. Corrupt politicians, and the eco-

nomics thereof, played a major role in saving or endangering human life during the pandemic. Many people lost their lives to the virus because of political and economic mismanagement more than any other reason. The psychological, social, marital, educational, environmental, etc. dimensions are all sides of the crisis and should be an integral part of any research, strategy, policy, *fatwa* or decision. Specialisation in one or the other of the branches of contemporary disciplines should not hinder Muslim scholars from seeking to research and comprehend the bigger picture, especially when they deal with the complex issues of our time.

Partialistic thinking has been greatly reinforced by a contemporary, digital culture that has perpetuated technological dependence, limited human expression, and isolated and decontextualised ideas. Social media platforms - including popular Islamic social media - effectively force people to express their thoughts and ideas in unnatural and unrepresentative ways, that are both fragmented and over-simplified. The breakdown of information in bits and bytes, a limited number of characters in tweets, short video clips, doctored images, etc., distorts human interactions, numbs intelligence, obscures real social activism, diminishes attention spans, and enables unprecedented forms of political, social, economic and cultural control. Too many of the youth are incapable or unwilling to read more than a line or two or watch anything lengthy with educational content. Most offerings must now include some form of entertainment to keep young people engaged; a trend that is dubbed 'edutainment'. Many, nevertheless, formulate ideas, even worldviews that are grossly misinformed based on this highly selective information feed. This is a dangerous environment for Islamic scholarship when it attempts to be comprehensive and therefore compounded by definition.

In this digital culture, every individual or group formulates their own 'truths' without regard or concern for an actual or even shared truth with others. Individuals draw on sources of information that suit their desires and prejudices, only identifying with or joining 'movements' of a virtual nature, that appear to share personal and subjective interests rather than an objective truth. Allah states: "And verily

this is your ummah, one ummah, and I am your Lord, so heed Me; so they fragmented their affair among themselves, each party rejoicing with what it possess. So leave them in their overwhelming confusion for a time” (23:52-54). This is indeed a fragmented state that leads to confusion, corruption and delusion as the Quran tells us. It leads to a loss of wholism and unity in thinking, not only in Islamic thought but in human thought in general.

### **Partialism in Maqasid Studies**

Contemporary Maqasid Studies often address new topics that are highly inter-related within the Quran and Sunnah. Such studies may focus on one or more universal laws especially in the natural sciences, or on concepts such as animals, insects, food, or on themes such as morality, justice or family. Most of these studies usually restrict themselves to one or a few Quranic chapters and one or a few objectives of certain chapters or even of the Quran as a whole. Although many of these studies have resulted in new and useful insights, they have not dealt adequately with the fundamental concerns of dis-connectivity and partialism, and the role of the *Maqasid* in addressing them. Thus, one might learn a great deal about morality or inheritance or knowledge or nature but not understand how these subjects necessarily interact with each other and as such, how they affect, influence and balance other dimensions of life.

The same can be observed regarding Maqasid Studies associated with the Sunnah of Prophet Muhammad ﷺ. These studies usually do not go beyond an analysis of his intents between legislation or non-legislation.<sup>48</sup> Again, while these studies are important, they are far from comprehensive or reflective of the wealth of information that is available in the sayings (*hadith*) and biography (*sirah*) of the Prophet ﷺ. It is also problematic that those who draw upon these sources exert little effort in relating the content of these sources to the Quran, which is the ultimate arbiter of truth and the bigger picture.

Perhaps the most disappointing use of the classical *Maqasid* framework of the preservation of faith, life, mind, progeny, wealth and dignity can be found in those works that consider each objective on

its own without any link or interaction among them. These studies consider each objective in isolation as if the preservation of life can be considered independently from faith, or mind from dignity, or progeny from wealth, and so on. Considering the *Maqasid* in such a partialistic way creates artificial divisions between the objectives, and often result in judgements that defy the Islamic fixed principles.

The Islamic scholarship has an important role to play in rectifying how current scientific disciplines approach solving problems in reality, and how misguided the ‘purposes’ of these researchers could be from an Islamic perspective. For example, the recent announcement that genetic engineers are altering the genetic code of mosquitoes to suppress their populations and reduce their susceptibility to infection and hence their ability to transmit disease, which may or may not eliminate malaria,<sup>49</sup> demonstrates the partialistic thinking of some members of the scientific community. It is an error in the very definition of nature to ‘geneticise’ biology, i.e. to deal with living beings as genetic machines, in isolation and disconnect from the rest of their body components and nature at large. Parasites, viruses and bacteria are part of Allah’s intricate web of creation (*khalq*) and signs (*ayat*) and must be examined through a connected and wholistic approach to all other signs. Allah states:

*Allah does not disdain from giving the example of a mosquito, and what is above it. As for those who believe they know it is the truth from their Lord and as for those who reject faith they question what Allah intended by this example, many are lost by it and many are guided, and none are lost except the dissolute (2:26)*

*Those who break Allah’s promise after agreeing to it, and sever what Allah has commanded to be joined and corrupt in the earth, those are the losers (2:27)*

Basically, the Quran is asking us to consider events through a wholistic lens, and the simile here happens to be via a mosquito. It urges

humanity to reconsider its behaviours including moral failures such as breaking promises and violating the relationships upon which nature, justice, mercy and balance are based, as well as reckless corruption of the earth. When the gnat, flea or mosquito (and what is carried on them) cause human suffering, they act as an example (*mathal*) and a warning (*nadhir*) that something is amiss. One important objective of such a system is to urge a reconsideration of connectivity and wholism. To strive to alter their nature is to alter this system and ultimately compromise human security, not achieve it.

Finally, partialistic views that do not consider wholistic objectives result in false dichotomies. When studying the textual sources, Quran and Sunnah, false dichotomies may lead to illusory contradictions, negations and abrogations between two or more revealed texts, contrary to what the Prophet ﷺ warned against in the hadith mentioned earlier.<sup>50</sup> This will not be the case when a wholistic approach is applied and a higher level of objectives is considered.

Partialistic views could also lead to other illusory contradictions between thoughts, visions, theories and trends, which may actually have common objectives and exhibit synergy if a more wholistic picture is envisioned. These contradictions may lead to greater and greater conflicts as people formulate their worldviews in virtual bubbles of conformity and agreement, while decreasingly exposed to differences of opinion and ways of dealing with disagreement. That is why there is a concerted effort backed by powerful interests within Muslim scholarship and especially juridical studies, to deny the limits of partialistic thinking and the damage it has caused.

### **APOLOGISM (TABRIR)**

Apologism is a limitation whereby the objectives, concepts and values of other paradigms are adopted, as well as the institutions in which they are manifested. This adoption is further supported by referring to the revealed objectives, concepts and values in an out-of-context approach. Allah warns us from following the way of those who, “pervert [revealed] words from their contexts, saying to people: accept these words only as we told you, otherwise beware!” (5:41). Interpretation

## CHAPTER 4

# The Methodology

### DISCOVERING METHODOLOGY FROM THE REVELATION

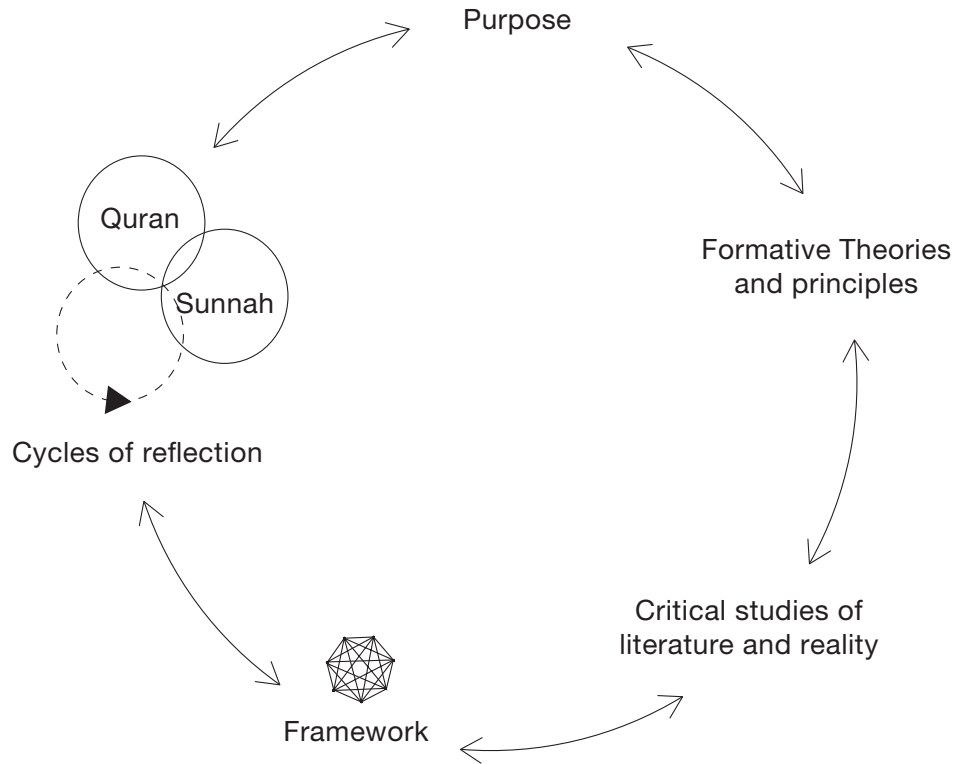
This chapter is concerned with the phases/steps of the new Maqasid Methodology proposed in this book, which is the process through which a re-envisioning of Islamic scholarship is possible. It starts with an outline of the journey of developing the methodology itself, then explains each of the steps in some detail, while addressing some basic questions and concerns related to the journey of the scholar/researcher/*mujtahid* throughout these steps.

It is not a circular argument to mention that the Maqasid Methodology is the methodology that was followed to develop the Maqasid Methodology. This is because the process did not start with the full picture, but rather with an initial step, i.e. defining the purpose. Following the purpose, other steps emerged logically and iteratively, including: reflection, dialogue, and a search for guiding principles. As the journey of reflection was repeated in what was eventually called 'Cycles of Reflection', the other steps became clearer, and more details were added including overlaps and interconnections between various steps.

Eventually, the five overlapping and interconnected Maqasid Methodology steps emerged (Chart 2), namely” (1) Purpose, (2) Cycles of Reflection, (3) Framework, (4) Critical studies of literature and reality, (5) Formative theories and principles.

The first step in any Islamic endeavour should normally be to set one's intent (*niyyah*). Allah says: “So direct your face/intent toward the correct way (*din*), inclining to truth. Adhere to the original dis-

position (*fitrah*) of Allah upon which He has created all people. No change should there be in the creation of Allah. That is the precious way (*din*)” (30:30). The Prophet ﷺ said: “Deeds are according to intents” (Bukhari 1).



**CHART 2** FIVE STEPS OF THE MAQASID METHODOLOGY

To direct one’s attention and develop an intent is basically to set a purpose (*qasd/maqsid*) that one decides in one’s heart. Given the belief in Allah and His Messenger ﷺ and the Divine gift represented in the Book of Allah and the Sunnah of His Messenger, the purpose of all purposes is to worship Allah. In scholarly projects, worship takes the form of producing beneficial knowledge and introducing a useful Islamic contribution to thought and action. Given the Islamic worldview and a lack of realising it in many existing institutions, another subsequent purpose is to describe the components of this worldview in a comprehensive way and attempt to integrate them in a systemat-

ic framework related to the scope of the study. And given the truth of the Revelation and the current methodological limitations in Islamic scholarship, another purpose is to attempt to overcome these limitations via the Revelation itself through what it teaches about methodology. Therefore, the general purposes are set to worship Allah, explore the Revelation - Quran and Sunnah, and upon the Revelational instructions, to continue to reflect upon the signs of Allah.

‘Cycles of Reflection’ emerged as a second step after the purpose was set. The search for a number of basic meanings/elements that describe the Islamic worldview led to developing the Maqasid Framework as a third step. More details on this journey can be found in the next chapter. Then, based on the many dialogues that the Revelation contained, within the community of believers and between them and others, critical dialogues/studies emerged as a necessary fourth step. The Revelation also teaches to alternate between the details of events and the bigger picture of principles and maxims, hence, to interact with new realities via these principles and maxims. A fifth step of developing formative theories and principles emerged. More details can be seen in Chart 2.

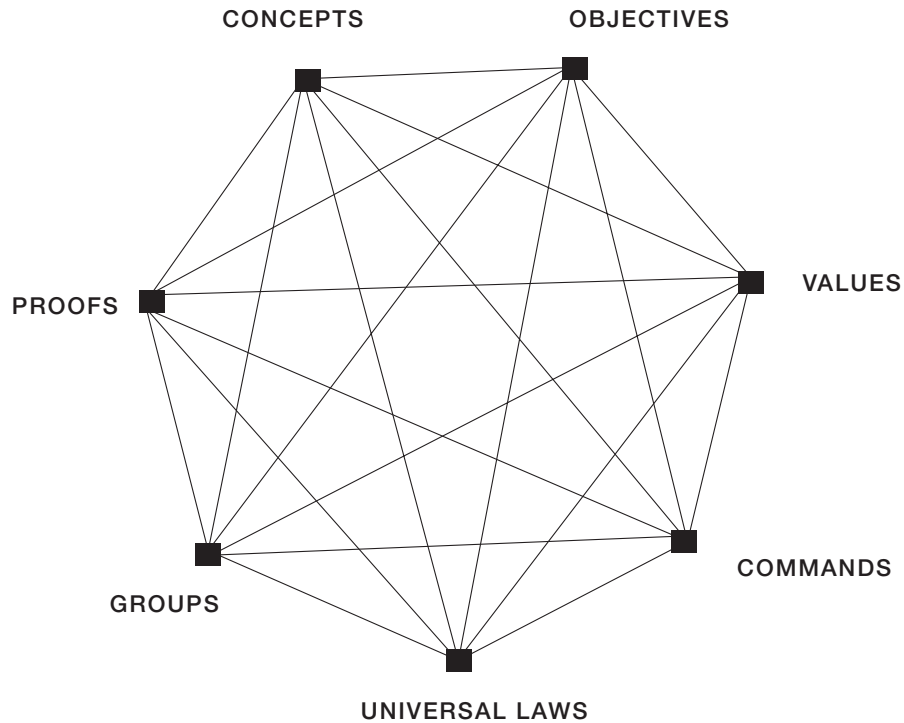
## **DIFFERENCE BETWEEN METHODOLOGY AND FRAMEWORK**

The methodology encompasses all the logical steps that guide a scholar (*mujtahid*) or group of scholars in their individual or collective research. It offers an understanding of how the Revelation and reality, as inseparable dimensions of human life, can be systematically approached and understood. The framework, which is a significant part of the methodology and will be dealt with in detail in the next chapter, is a conceptual structure or frame that attempts to capture the elements of the Islamic worldview that pertain to the purpose or question at hand. Any such framework is in fact part of a much bigger framework that represents the whole Islamic worldview.

It is not unlike the branches of a tree. Allah ﷻ states: “Do you not see how Allah gives the example of a good word like a good tree, its roots are secure and its branches in the sky?” (14:24). Just



like the roots of trees, which communicate through webs, so too do the contents of the Maqasid Methodology framework, addressing a plethora of subjects derived from the Revelation. More on this in the next chapter as well.



**CHART 3** THE SEVEN ELEMENTS OF THE MAQASID FRAMEWORK

In itself, the methodology will not address the researcher’s specific inquiry. Instead, it will direct the scholar to the most suitable steps, content, meanings, emphases, connections and references that must be considered given their purpose or question. The methodology guides the researcher’s analysis of particulars and generalities, and how the Revelation shifts seamlessly between the two.

*The one indispensable feature of the methodology that cannot be replaced or compromised is the Cycles of Reflection (dawraat al-tadabbur) upon the Quran and Sunnah. This is the Maqasid Methodology’s very core step that no scholar or researcher in Islamic Stud-*

*ies can do without.* The outcome of the Cycles of Reflection is the composite framework, which will be the main tool to interact with the frameworks that describe the reality, and to generate theories and principles. The framework describes the reality in any of its forms via the seven elements of the Maqasid Framework, namely: concepts, objectives, values, commands, universal laws, groups, and proofs (Chart 3). More details on the development of each of these elements are presented in Chapter 5.

The five steps/phases of the Maqasid Methodology (Chart 2) do not constitute a rigid process that must be followed in sequence, but rather depends on the research question, the qualification of the researcher, and the available resources and commitment. The more encompassing the researcher is of these phases, the stronger and more valuable their research will be. These phases, along with the capacity of the scholar/*mujtahid* who goes through them, are described in some detail in the following sections.

## **ENHANCING THE RESEARCH CAPACITY OF THE SCHOLAR/MUJTAHID**

The level and outcome of *ijtihad* will depend on the research capacity of the *mujtahid*. However, this is a capacity, with Allah's Mercy, that could very well be developed and nurtured. Allah says: "My Lord! Increase me in knowledge" (20:114), and the Prophet ﷺ said: "You gain knowledge by seeking knowledge" (Bukhari 66). Seeking knowledge is a continuous journey and any knowledge whatsoever is useful, as long as the *mujtahid* has the right intent in studying it. The ultimate station is to be a man or woman of the Lord or godly (*rabbani*) and the ultimate way is to learn, know and teach the Book. "Be godly, for you have learned/taught/known the Book and you have studied it earnestly" (3:79).<sup>63</sup>

However, this type of knowledge (*ilm*) that leads to *rabbaniyyah* in the Islamic worldview is not a mere rational exercise. In order for the knowledge to produce a fruit of *fiqh*, as the Prophetic simile went,<sup>64</sup> the heart has to be purified and its capacity expanded, as mentioned earlier. At the beginning of the message, after the Prophet ﷺ was

commanded to “Read” (96:1), he was commanded to “stand” twice; at night and during the day. At night, “O you wrapped up in your garment. Stand (*qum*) to prayer by night” (73:1-2), and during the day, “O you wrapped up in your cloak. Stand (*qum*) to deliver the warning” (74:1-2). Both standings are necessary and integral in the journey of knowledge. Allah says: “And from part of the night, stand in prayers with it as additional worship for you; it is expected that your Lord will resurrect you to a praised station” (17:79), and “O believers, be persistently standing firm for Allah, witnesses in justice” (5:8).

*Therefore, the pure heart is not only standing in prayers but also standing for truth and justice.* The purpose of the purification of the heart that can do that is one of the primary purposes of the message of the Prophet ﷺ and is always mentioned in association with reciting the verses and teaching the Book and wisdom. “It is He who has sent among the common people a Messenger from themselves reciting to them His verses, purifying them and teaching them the Book and wisdom” (62:2). Hence, a journey to Allah and with Allah, in the *fiqh*-of-the-heart sense, is a necessary condition and an essential step for the researcher’s intellectual capacity to develop.

## **QURAN AND SUNNAH**

Every Muslim, let alone every *mujtahid*/scholar, is required to be familiar with the whole Quran and at least the main highlights of the Sunnah. While reference to secondary sources and the knowledge of intermediaries is important, they cannot form the core of genuine Islamic research or represent an authentic Islamic worldview. Instead, the research’s framework must be shaped by direct knowledge of the Revelation.

Today, there is a growing movement to revive the central position of the Quran and authentic Sunnah in all facets of life. However, we still see Muslims, sometimes even ‘Islamic scholars’ reluctant to read the Quran for themselves and draw their own reflections and conclusions. This is despite the repeated command in the Quran and Sunnah for humanity, and especially believers, to read this Book (2:23, 3:79, 4:82, 5:101, 7:204, 10:38, 17:9, 17:41, 17:78, 17:82, 23:68,

25:23, 25:32, 27:82, 33:44, 39:28, 47:24, 54:17, 73:4, 73:20, 96:1, etc., and Bukhari 5054, Muslim 796, 1159, Abu Daud 1338, Ahmad 11/91, Nasai 5456, Ibn Hibban 796, etc.). This barrier of fear from reading the Book of Islam is alien to Islam and has to be overcome.

A number of complex reasons are behind this phenomenon of Muslims not reading their own Book, including a stratum of 'priesthood' that some Muslim cultures invented contrary to the Islamic teachings. The Quran clearly calls priesthood an invention in the faith (*bidah*) (57:27), and Prophet Muhammad stated clearly: "There is no such thing as priesthood in Islam" (Abu Dawud 287, also Ibn Hibban 9). Another related reason for this problem is the failure of some official and public Islamic institutions and personalities to relent, what they perceive as power, over to the masses and stand for the Islamic ideal of teaching Muslims to read their own Book, think for themselves and take responsibility for their own actions. Thus, it is encouraging to see a growing number of individuals and organisations seeking guidance directly from the pristine source: the Quran and Sunnah.

*The Maqasid Methodology brings back the Revelation to the core of the Islamic scholarship. Every mujtahid must have a reasonable familiarity with the entirety of the Quran and relevant aspects of the Sunnah, even through translation. They must also be willing to deepen their knowledge through routine Cycles of Reflection, that take them through the entirety of the text and lesser repetitions when focus is required. Capacity can only be developed if the mujtahid approaches the texts with an open and inquisitive mind, in addition to a healthy and sincere heart. This means the rejection of fear of applying one's mind and heart to the Revelation and the rejection of dogma that is not based on the well-defined, fixed dimensions (*thawabit, muhkamat*) of Islam.*

In other words, the reader has to examine and possibly question knowledge that is not directly sourced from the Quran and authenticated through the life of Prophet Muhammad ﷺ. However, the narrations of the Sunnah - not the Sunnah itself obviously but *how* it is narrated - requires a special group of skills to study and may present greater challenges for the *mujtahid*. More details on this later. In all

cases, and whatever the area of inquiry is, the *mujtahid* must know that the authentic narrations of hadith are not and cannot be in contradiction with the Quranic framework, i.e. the concepts, objectives, values, commands, universal laws, groups, and proofs.

## THE ARABIC LANGUAGE

It is encouraging to see a resurgence in learning Arabic worldwide, as well as growing local social movements to defend the Islamic regional languages that were influenced by the Arabic language and Quranic concepts in various degrees. Examples of these languages are: Urdu, Bahasa, Turkish, Farsi, Swahili, Azeri, Bosnian, Tamil, Bengali, Amharic, Kurdish, Albanian, Sicilian, Tajik, Uzbek, Tatar, Chadian, Javanese, Khorasani, Andalusian, Macedonian, Uyghur, Berber, and many others. The challenges that these languages face are threefold: (1) script, (2) vocabulary, and (3) usage. In terms of (1) script, the re-writing of some of these languages in the Latin or Cyrillic characters -instead of Arabic- challenges the Arabic sounds and eventually the meanings of the words, and subjects the language to a foreign vocabulary invasion. The challenge of (2) vocabulary is more serious, since the invasion of foreign concepts threatens the worldview/framework that the Arabic/Quranic concepts present. As for (3) usage, some of these languages are diminishing and some are now considered extinct. There are two opposing movements in the context of each of these languages, one trying to return to the original language and the Arabic/Islamic scripts and terminologies, and another trying to depart to a foreign language (usually of a former, colonising nation). Non-Islamic languages bring their own non-Islamic conceptual frameworks.<sup>65</sup>

In terms of Arabic, promoting the Arabic language is an integral component to the many efforts needed for the revival of the Quran and Sunnah and the Islamic worldview in public life everywhere in the world. The importance of learning Arabic, the language of the Quran, cannot be overstated. This exhortation is not only directed at those whose mother tongue is not Arabic but also many of those who originate from predominantly Arabic-speaking societies, whose colloquial Arabic has deviated significantly from the high (*fossha*) Arabic of the

Quran. The latter maybe considered to speak colloquial Arabic well, but they have considerable difficulty comprehending the Quranic message, especially given the influences of foreign languages on the colloquial Arabic dialects since the era of colonisation and throughout the post-colonial period until today. The Quran was revealed in Arabic for a number of important purposes. Allah states:

*Verily, We have sent it down as an Arabic Quran that you may comprehend (12:2)*

*And as such We have sent it down an Arabic authority (13:37)*

*And We know indeed that they think [that] verily he is taught by a human; the tongue of the one they incline to is foreign, and this is a clear Arabic tongue (16:103)*

*An Arabic Quran, without any incongruities that they may be heedful (39:28)*

From these verses alone, we can see the purposefulness of the Arabic tongue: that its recipients may comprehend, that it may be an authoritative judge, that it is immune to forgery and disposed to clarity, and that it is internally consistent and perfected to capture hearts and minds. The Arabic authority (*hukm*) referred to is not associated with a people or a race, but is rather a tongue (*lisan*), a logic (*mantiq*) and a proof (*hujjah*). Nowhere in the Quran is Arabic a race, and nations outside the Arabian Peninsula who adopted the Arabic language after they became Muslim also became 'Arab' nations. Arabism, according to the Quran, is to speak Arabic.

A few related narrations exist, although disputed from a hadith perspective, most prominent of which is the narration at the authority of Abu Salamah Ibn Abdur-Rahman Ibn Awf رضي الله عنه: "Arabic does not become you through a paternal or maternal relation, but rather it is a tongue. So, whoever speaks Arabic is Arab".<sup>66</sup> The Arabic language enables graceful and fluid oscillation between Allah's written word and experiential world over time and geography.

## CHAPTER 5

# The Composite Framework

### CYCLES OF REFLECTION TO DISCOVER THE FRAMEWORK

Countless Cycles of Reflection, after setting the purpose of discovering the elements of the Islamic worldview, were key to discovering the elements of the composite framework. Based on the universal law (*sunnah*) that the Revelation is valid for every time and place, and the understanding that the Quran is a “living” document, there must be a framework embedded within the Revelation itself through which guidance could be continuously solicited on an infinite number of issues. Allah ﷻ states:

*Muhammad is not the father of any one of your men, but rather the Messenger of Allah and the closure of the prophets; and Allah is of things knowing (33:40).*

*We have not sent you [Muhammad] but as a mercy to the worlds (21:107).*

*Today I have completed for you your religion and assured My blessing on you and approved for you Islam as religion (5:3).*

Prophet Muhammad ﷺ was the last of the messengers sent to humanity with the final message of mercy. Therefore, the Quran must carry all the fundamental elements to deal with all realms of life until the end of time. These truths point to the necessity of developing the capability to read the Revelation in a way that makes possible the extraction of relevant knowledge to properly understand the past as well as to address prevailing and future conditions.

Perceptualisation (*tasawwur*), or the conscious understanding and correct cognition of something, is an established step in the sciences of Islamic fundamentals (*usu*). The famous maxim states that, ‘judging (*al-hukm*) something is an outcome of its perceptualisation (*tasawwurihi*)’. True scholarship is guided, before any other guidance, by the methods and instruction in the Revelation. In other words, it is the Revelation that should guide our journey of discovery of what *tasawwur* entails. The following is a brief account of the journey of that discovery, which started by opening the Book of Allah and reflecting in cycles with the purpose of discovering elements of perceptualisation.

The first and most important knowledge that a reader - believer or non-believer - should look for in the Quran is the knowledge of Allah, i.e. how the Quran describes God. All knowledge in the Revelation is tied to this knowledge, directly or indirectly. This is the most central of themes and the highest of purposes that a reader of the Quran and a learner about the life of the Prophet Muhammad ﷺ could ever think of. Thus, the purpose of discovering elements of perceptualisation developed into a purpose of studying Allah’s attributes in the Revelation.

The very first word of the first chapter in the Quran, and the opening line of every chapter, is: “In the Name of Allah” (1:1). In the chronological order of revelation, the very first revealed verse is: “Read in the Name of your Lord” (96:1). In whatever order one follows, the rest of the Quran will start to explain Allah’s “Most Beautiful Names” (7:180, 17:110, 20:8, 59:24), and teach so much knowledge about Him ﷻ through them: “the Merciful Sovereign (Al-Rahman), the Merciful Giver (Al-Rahim)” (1:1, 1:3), “King (*Malik*) of the Day of Judgement” (1:4), “Who created (*alladhi khalaq*)” (96:1), “the Most



Generous (*Al-Akram*)” (96:3), and so on. By the end of a reading cycle of the Quran, while linking the meanings with the Sunnah of the Prophet ﷺ, the reader will develop what we can call a concept of Allah ﷻ through His names and attributes. Therefore, **concepts (*ma-fahim*)** are the first element of the Islamic framework or worldview, and the Names of Allah proved to be the most central concepts in the whole revelational framework.<sup>95</sup>

Directly connected to the concept of Allah is a clear objective that the Quran mentioned, which is to worship Him (for example: 2:21, 5:72, 7:59, 7:65, 7:73, 7:85, 22:77, 53:62, 71:3). Worshipping Allah is a means to heedfulness (*taqwa*) (2:21), heedfulness is a means to thankfulness (*shukr*) (3:123), and so forth. In addition, as pointed out before, the verbs denoting to intents and objectives that are related to Allah ﷻ, such as “intends” (*yurid*) and “wills” (*yasha*), are another dimension of the objectives associated with the concept of Allah ﷻ. In addition to humans, there is nothing that Allah created without a purpose/objective that is mentioned/inferred as part of the logic of the creation itself. The Quran mentions, for example, the objectives of creating night and day (10:6, 17:12, 23:80, 28:73), mountains (16:15, 21:31), the wind (2:164, 7:57, 25:48, 30:46, 35:9, 45:5), and so many other creations. Therefore, **objectives (*maqasid*)** emerged as a second element in the web of meanings connected to the concept of Allah ﷻ.

The Names of Allah also point clearly to another dimension that has to do with values. His Names include: The Merciful, The Peaceful, The Strong, The Forgiver, The All-Knowing, The Generous, The Loving, The Patient, etc. The Prophet’s sayings about Allah add other names that correspond to other values, “The Beautiful” (Muslim 91) and “The Just” (Ibn Majah 3860). These Names are taught to humans so that they would follow them as values in their own right. For example, Allah orders the believers to forgive because He is the Forgiver: “Let them forgive and overlook. Would you not like that Allah should forgive you? And Allah is Forgiving and Merciful” (24:22). In another example, the Prophet ﷺ told the man who told him that he likes to look beautiful: “Allah is The Beautiful and He

loves beauty” (Muslim 91). For a third and final example, Allah ﷻ told Muhammad ﷺ about His blessings upon him: “Did He not find you an orphan and give you shelter? And He found you wandering and guided you? And did He not find you in need and make you self-sustaining?” (93:6-8), then Allah asked him to reciprocate these blessing in the way he ﷻ deals with the same categories of people, i.e. orphans and those who ask (for material help or for knowledge). Thus, the next two *ayat* state: “Therefore, treat not the orphan with harshness, nor repulse the one who asks” (93:9-10). And so forth with all of the other Names, Actions and Attributes. Therefore, **values (qiyam)** emerged as a third element in the web of meanings connected to the concepts and objectives of Allah ﷻ.

Reflecting upon Allah’s teaching us about Himself in the Revelation reveals another element associated with Him, which is command (*al-amr*) (2:27, 2:117, 3:47, 3:128, 3:154, 4:47, 4:83, 6:14, 7:54, 28:44, 30:4, 65:5, 98:5, to mention a few). It is a complex concept that includes the well-known hundreds of obligations and prohibitions issued in direct statements, as well as meanings related to dominion (82:19), destiny (32:5, 65:12), matter (47:21), etc. Therefore, **commands (awamir)** emerged as a fourth element in the web of meanings connected to the concepts, objectives and values.

Allah’s objectives and commands are also associated in the Revelation with the concept of universal laws (*sunan*). Allah says: “But you will never find any exchange for Allah’s universal law and you will never find alteration in Allah’s universal law” (35:43). For example, it is a universal law of Allah that corruption on earth does not go without punishment and that once a punishment arrives, people’s repentance does not benefit them in reversing it: “But never did their faith benefit them once they saw Our punishment. [It is] the established universal law of Allah which has preceded among His servants. And the disbelievers thereupon lost” (33:38). For another example, there is a universal law that people, including prophets, marry and form couples. Allah says: “There can be no blame on the Prophet in what Allah has indicated to him as lawful [to marry]. It was the universal law of Allah which applied to those who have passed before you” (33:38). These

laws of Allah ﷻ include many dimensions, which will be discussed later in this chapter, and are tied to all of the above elements, namely, concepts, objectives, values and commands. For example, the illustration of the universal laws is one of the aims of the Quran; “Allah aims to illustrate to you and guide you to the universal laws (*sunan*) of those before you” (4:26). He also explains that the universal laws of victory apply to the steadfast who give victory to Him. He says: “How many a small company has overcome a large company by permission of Allah. And Allah is with the steadfast” (2:249), “And if there are among you a thousand, they will overcome two thousand by permission of Allah. And Allah is with the steadfast” (8:66), and “Believers! If you give victory to Allah He will give victory to you and confirm your feet” (47:7). Therefore, the **universal laws (*sunan*)** emerged as a fifth element in the web of meanings connected to the concepts, objectives, values, and commands.

From the beginning of the Quran, categorisations of groups, categories or parties (*fi'at*) will be made in relation to Allah ﷻ. The very first page/chapter divides people into three parties/groups taking three paths, “The path of those upon whom You have bestowed Your blessings, not of those who have evoked Your anger nor of those who are astray” (1:7). Then, the second chapter starts by dividing people into believers (*mu'mininun*) “Who believe in the unseen, establish prayer, and spend out of what We have provided for them”, disbelievers (*kafirun*) whom “Allah has set a seal upon their hearts and upon their hearing”, and hypocrites (*munafiqun*) “who say that they believe in Allah and the Hereafter but they do not believe” (2:3, 7, 8). There are many other parties defined in relation with Allah ﷻ in the Quran and Sunnah, including the messengers of Allah (6:124), friends of Allah (10:62), the party of Allah (58:22), enemies of Allah (41:19), tyrants whom people refer to for judgement (4:60), supporters of Allah (61:14), those who migrate to Allah (29:26), those who give victory to Allah (47:7), those who wage war on Allah and His Messenger (5:33, 9:107), those who promised Allah (33:15), scholars who fear Allah (35:28), the servants of Allah (25:63, 43:19, 37: 40, 74, 128, 160, 169), and so on. Therefore, **groups (*fi'at*)** emerged as a sixth element in

the web of meanings connected to the concept, objectives, values, commands and universal laws

Translated as “verses”, the sentences of the Quran are called “*ayat-Ullah*” (2:252, 3:101, 7:175, 45:6, 45:8, 45:35, 65:11, etc.), which literally means the proofs or signs of Allah. Yet, the signs of Allah are not only the verses of His Book, but they are also ‘signs’ that He shows people in the universe in many ways. Examples are: “We will show them Our signs in the horizons and within themselves” (41:53), “O children of Adam, We have sent down to you clothing to cover your shame and as adornment. But the clothing of heedfulness - that is best. That is from the signs of Allah that perhaps they will remember” (7:26), “And they say: Why has a sign not been sent down to him from his Lord? Say: Indeed, Allah is Able to send down a sign, but most of them do not know. And there is no treading creature in the earth or a flying creature that flies with its wings except that form communities like yours; We have not overlooked anything in the Book” (6:37-38). Signs are logical proofs (*hujaj*) in the sense of requiring the minds and hearts to reach the truths via reflecting upon them.

Proofs also include logical arguments for the existence and power of Allah ﷻ that the Revelation presented. For example: “If there was in them [skies and earth] deities except Allah, they would be corrupted” (21:22), “If there was with Him other deities as they say, they would have sought a way to He who possess the Throne” (17:42), “Travel through the land and see how He began the creation, then Allah will bring forth the next life. Allah has power over all things” (29:20), and so forth. Therefore, **proofs (*hujaj*)** emerged as the seventh and final element in the search of the web of meanings related to the knowledge about Allah in the Revelation.

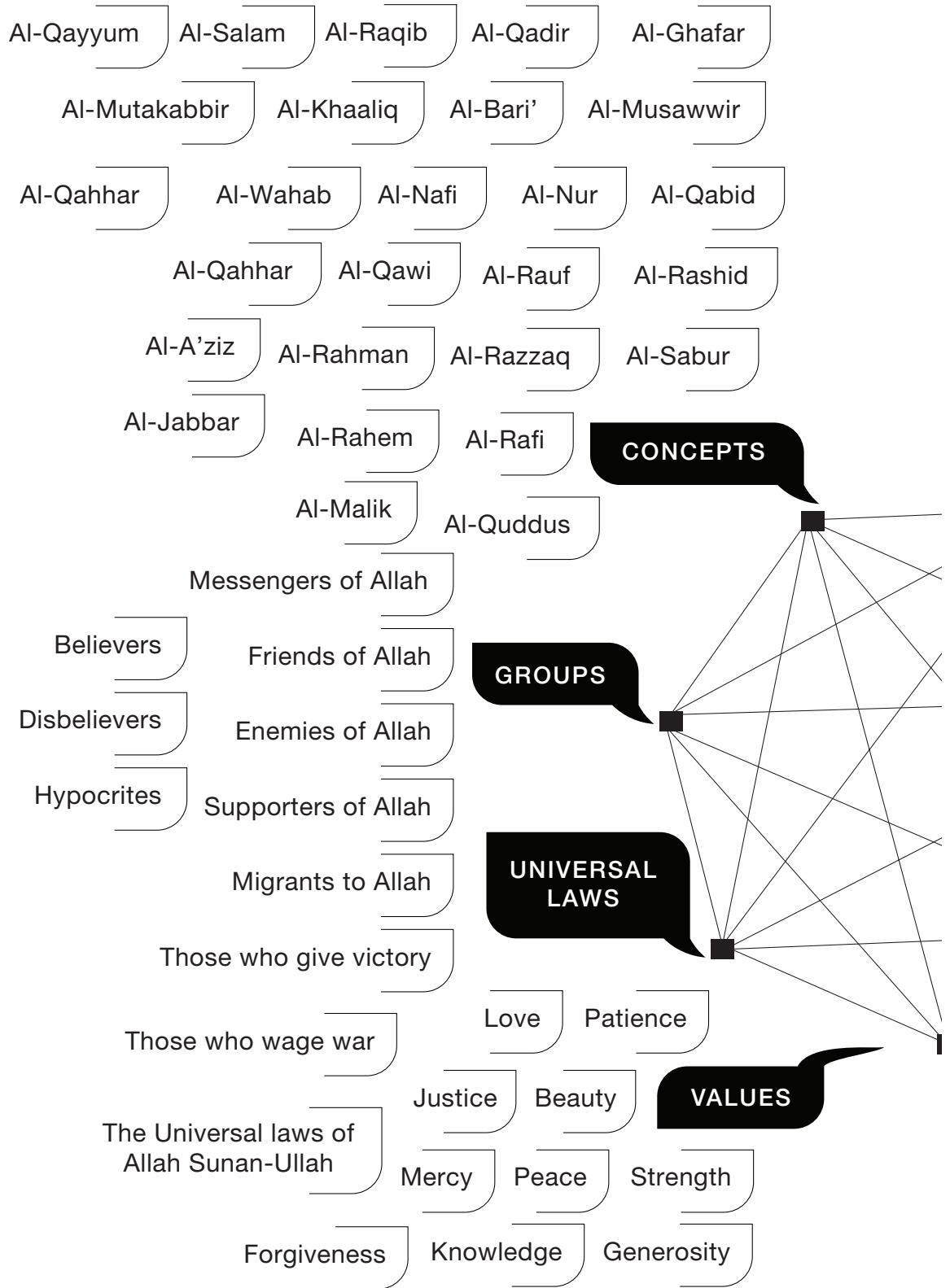
Out of the concepts, objectives, values, commands, universal laws, groups and proofs related to Allah ﷻ, a wholistic perceptualisation will emerge. Those Seven Elements represent a framework to know Allah ﷻ by identifying a number of elements that could categorise the features of this knowledge. The more Cycles of Reflection carried out upon the Quran and Sunnah, the more meanings directly associated with Allah ﷻ are discovered. These new meanings always

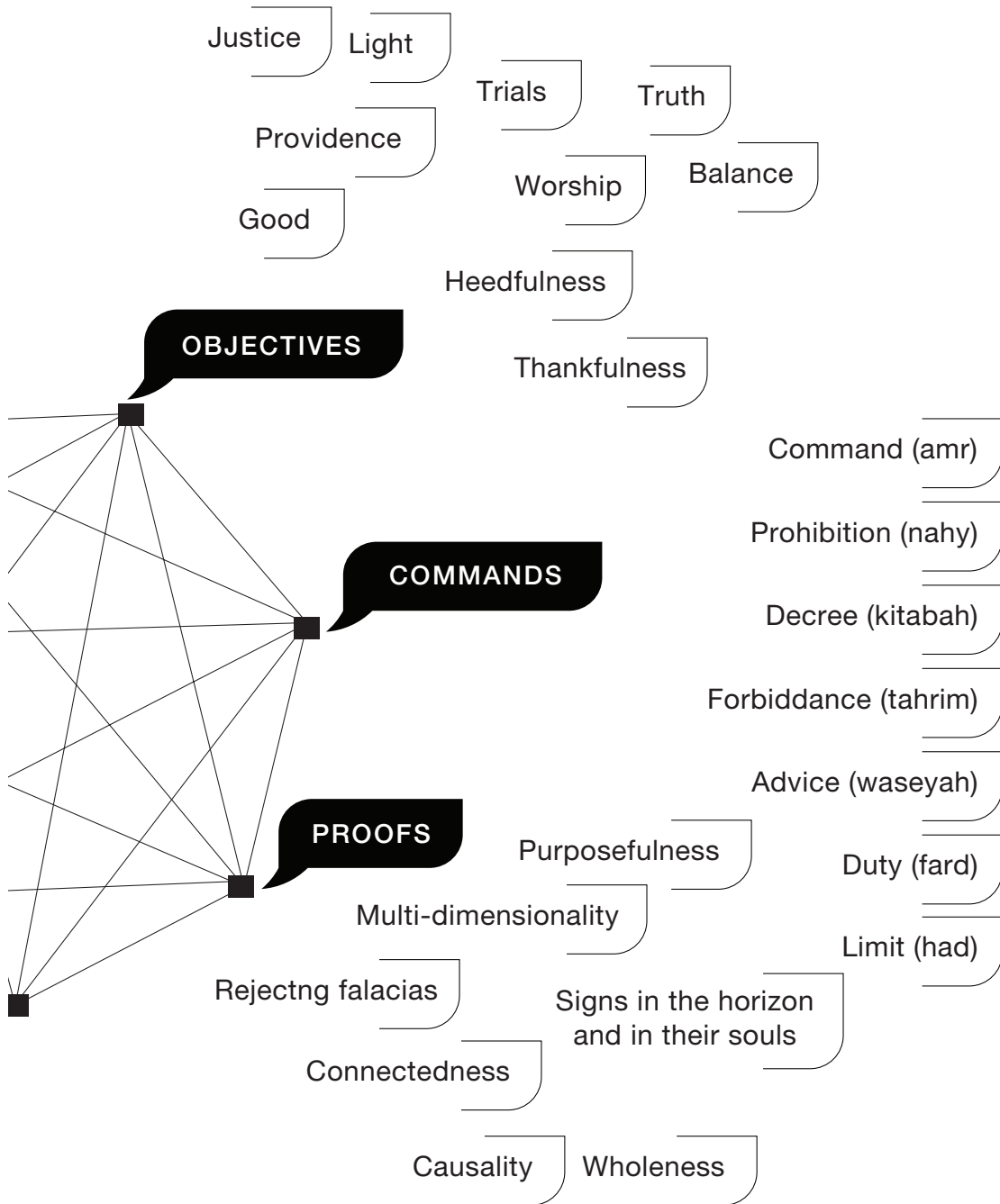
fell under one or more of the above Seven Elements and will expand the webs of meaning that represent this essential core of the Islamic worldview or conceptualisation/*tasawwur*.

In terms of terminology, it is to be noted that four of these elements, namely, universal laws (*sunan*), groups (*fi'at*), proofs (*hujaj*), and commands (*awaamir*) are explicitly expressed in the Quran (for example, 4:26, 3:13, 45:25, 2:27, respectively). The other three are mentioned in the Quran as variations of their Arabic roots and meanings and their usage is well documented in Islamic thought. They are the objectives (*maqasid*), concepts (*mafahim*) and values (*qiyam*) (for example, 16:9, 21:79, 30:30, respectively). These elements, it was concluded, are the building blocks of complex meanings in the Revelation.

Many other purposes and themes are explored in terms of what features could be used to perceptualise, according to the Quranic and Prophetic description. These Seven Elements or building blocks appear to be consistent and inclusive of so many other features. The researcher will find, when performing Cycles of Reflection, that the Quran utilises a number of heuristics that are most suitably adapted to effective conveyance of the composite character of all perceptual matters. These include stories (*qasas*), examples/metaphors/similes (*amthal*), dialogue (*hadith*), questioning (*tasa'ul*), factual news (*khabar*), portents (*naba*), signs (*ayat*), and so on, which are presented with rhythm, rhyme, repetition and regularity. Reflecting upon these heuristics reveals the consistent presence of the same seven interconnected and overlapping elements mentioned above. They were then concluded to be universal elements for perceptualisation in all fields of knowledge.

For illustrative purposes, consider one example of these heuristics: Quranic stories, which are a major theme for the Revelational purpose of accurate perceptualisation. Every story serves to expose and correct a number of concepts, such as belief, disbelief, governance, community, providence, heedfulness, etc., as presented in many of the details of the narratives. They also have a number of objectives to purify, educate, warn, uplift, calm, heal, guide, etc., the seekers of knowledge. Within these stories, important values are explained and embedded like divine power and human weakness, chastity and lewdness, humility





**CHART 6** HIGHLIGHTS FROM THE CYCLES OF REFLECTION UPON THE ATTRIBUTES OF ALLAH ﷻ IN THE QURAN AND SUNNAH, WHICH LEAD TO THE INITIAL CLASSIFICATION OF THE SEVEN ELEMENT FRAMEWORK

and arrogance, honesty and dishonesty, equity and tyranny, generosity and greed, etc. Stories express universal laws that govern the universe (social and natural systems), the original dispositions of people (*fitrah*) as well as the laws of victory and defeat, change, providence, diversity, sanction, etc. Stories also expose divine commands, both negative and positive, and how they interact with people's lives and actions such as enjoining good and forbidding evil, calling to Allah, the prohibition of murder, theft, adultery, etc. Stories also present truthful classifications of groups such as the hypocrites, extravagant, martyrs, pious, prophets, common folk, etc., as well as non-human parties like animals, insects, birds, *jinn*, angels, devils, etc. These groups are defined by how they think, act and relate to each other in different circumstances. Finally, the proofs expressed explore paths to truth and delineate sound reasoning as based on a purposefulness that links events with their objectives, causality that links causes and effects, wholism that integrates the parts into the whole, multidimensionality that emphasises the connectivity of events and personalities, as well as teaching humanity about fallacies that tyrants and ill-intentioned people use. Although brief, this example provides an illustration of how we found that each heuristic combines the same Seven Elements of the composite framework to produce important meanings and draw wholistic pictures.

If we apply this seven-element perceptualisation to human beings, for another example, a more authentic and complex picture than any other theory will start to emerge. In fact, in describing the formation of human beings, Allah ﷻ states: "In whatever form He pleased, He composed you" (82:8). A human being is, therefore, a composite form (*sura murakabah*) and cannot be perceived (*tasawwur*) using a simple, unidimensional definition. Rather, proper perceptualisation requires the admission of a number of elements and dimensions, that is, a composite understanding. The Revelation actually propels the researcher to question what constitutes this composite human form, how can its elements be identified and understood, and why was it composed in this way, i.e., what are the implications of this composite form for everything connected to the human being, and indeed for the human being him or herself.



# Re-envisioning Islamic Studies via the Maqasid Methodology

## CONTEMPORARY CLASSIFICATIONS OF DISCIPLINES - SECULAR AND ISLAMIC

Currently, the western academic classification of disciplines is prevalent worldwide. The dominant classification is: (1) Humanities, which typically includes: arts, history, languages, literature, law, philosophy, and theology; (2) Social Sciences, which typically includes: anthropology, economics, geography, politics, psychology, and sociology; (3) Natural Sciences, which typically includes: biology, chemistry, earth science, astronomy, physics, and (4) Applied Sciences, which typically includes: business, engineering, health, computer science, and perhaps mathematics.

From the perspective of Islamic Studies that the Maqasid Methodology aims to support, the above classification does not put 'theology' - in this case Islam - in the right place as the fundamental basis of all sciences. Moreover, the integrated nature of knowledge in Islam requires systematic ways of combining disciplines and not treating them as silos, especially across the four categories, i.e. humanities, social, natural and applied sciences, which is typically inadmissible and would discredit scholars and scholarship. Finally, and most significantly, many of the basic premises of the above sciences require critique from the Islamic point of view and therefore have to be part of a bigger picture of the classification of disciplines.

Islamic Studies today, on the other hand, is divided into three broad classifications, which we can term: (1) historical Islamic

studies, (2) contemporary Islamic thought and (3) Islamic Studies in secular academia.

Under (1) historical disciplines, students specialise primarily in the history of one of the inherited Islamic branches of knowledge, such as exegesis (*tafsir*), narrations (*hadith*), jurisprudence (*fiqh*), philosophy (*falsafah/kalam*), history (*tarikh*), *Shariah*-based governance (*siyasah shariyah*), etc. Students study the fundamentals (*usul*) associated with each of these disciplines as the methodology or approach to it.

Under (2) contemporary Islamic thought, students learn about an Islamic approach to a modern academic discipline, such as finance, psychology, art, law, education, or architecture. The approach is usually historical, while attempting to answer current questions in these disciplines based on the current literature in Islamic thought. There is a growing reference to *Maqasid Al-Shariah* in these programmes, albeit generally manifesting the limitations mentioned earlier.

(3) Islamic Studies in secular academia is a spectrum of programmes that range from theology, religious studies and philosophy to political science, history and social studies. A few of these studies are still following the old orientalist approach, i.e. studying Islam's original texts with a pre-assumption of their 'biblical origins' and within the colonialist purposes of the old orientalist school.<sup>107</sup> Some of these studies moved from orientalism to what we can call a 'neo-orientalism' approach, in which Islam is defined via its social, political or historical manifestations and studied through one of the typical secular social science approaches. The general purpose also moved from a colonialist agenda to a neo- or post-colonialist agenda.<sup>108</sup> However, over the past decade, we have observed a growing number of "confessional" projects for Islamic Studies within secular academia, east and west, in which professors and students are searching for an 'Islamic approach' that is both genuine and commensurate with the complexity and demands of today's questions and challenges. Islamic 'law' is offered as an alternative in this search for an Islamic approach, although there is a general awareness of the insufficiency of the Islamic classical schools of jurisprudence to answer today's questions in all disciplines. Thus, it is our hope that the *Maqasid*

Methodology proposed in this book would offer an alternative approach to academic Disciplinary Studies from an Islamic perspective.

Generally speaking, contemporary Islamic Studies experience a number of methodological drawbacks. The most significant are the following three:

(1) There is a general lack in studying the original sources of Islam, i.e. the Quran and Sunnah themselves, in all of these contemporary trends. The majority of attention is given to what scholars have said – past and present – while attention to the Quran and Sunnah is virtually subordinated except when these scholars make occasional references. A cursory look at what a student of jurisprudence studies today in a ‘*Shariah* College’, for example, reveals the limited portion that Revelation forms in their studies. To study the Revelation means to study the Quran and Sunnah directly, not what scholars have said about it. Even when students are required to memorise parts of the Quran and Sunnah, they are rarely taught to use what they memorise as criteria for evaluation of what they study. A similar problem manifests in all other branches and projects of Islamic studies.

(2) Contemporary Islamic thought is largely apologetic for methodologies, outcomes, and organisations of modern academia. As such, it lacks critique of the boundaries of modern disciplines that are adopted as they manifest in western institutions. Yet, the ideological and philosophical foundations of these disciplines and the organisations that house them, stem from a reality and worldview that contradicts with Islam in some aspects. For example, Islamic economics emerges from the same philosophies, theories, and organisations of western economics, and does not seriously challenge neoliberal capitalism, which is the current trend, but rather on the whole, attempts to accommodate it. Likewise, Islamic political theory is by and large a product of the philosophy, theory and institutions of modern western academia. The original contribution of

Islamic political thought is still nascent and Islamic methodologies have been incapable of participating in critical discussions and offering real alternatives.

(3) The pedagogic division of disciplines into Islamic and non-Islamic reinforces the secular ideology in the Muslim mind and society more broadly. It is a division that diminishes the domain and function of Islam - as a *din* - from its all-encompassing concept in the Revelation as applicable to more than theology, spirituality and ethics. The average person will then live their entire life based on the philosophies, definitions and organisations that define the world by materialistic measures. Some Muslims even apologise for this serious methodological flaw by arguing that Islam is a rational religion that encourages 'pure' and 'factual' sciences and that the worldly sciences are value neutral, which is obviously a view that lacks sufficient analysis.

### **A PROPOSED PRELIMINARY CLASSIFICATION**

Based on all of the above, the following classification of disciplines under disciplines is proposed:

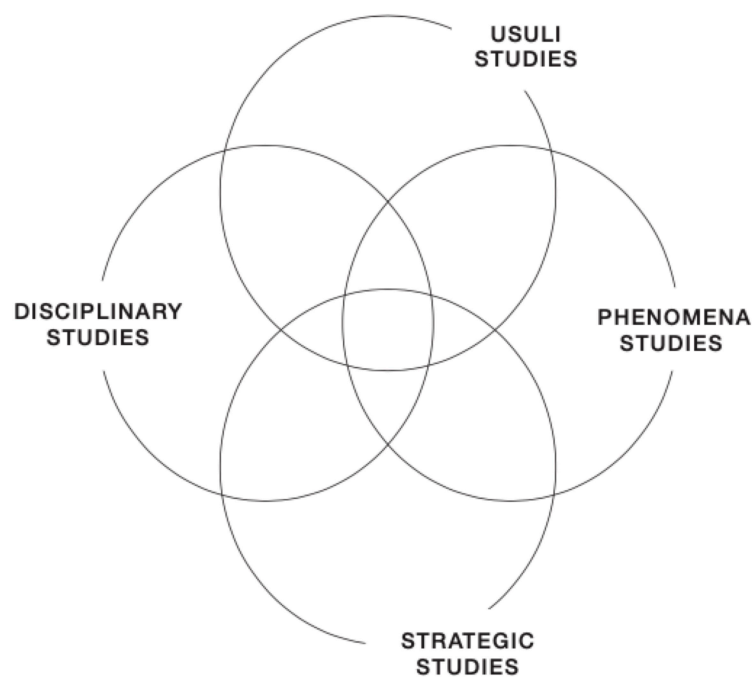
**Usuli Studies** – include studies of the foundational and fundamentals theories (*usul*) of the disciplines related the Revelation, with less emphasis on the history of those who wrote in these disciplines and more focus on the Revelation itself and the knowledge it directly offers. The primary objective of this field is the reconstruction of the traditional Islamic methodologies in a way that builds on their legacies yet is able to provide a foundational (*usuli*) basis for the contemporary proposed studies.

**Disciplinary Studies** – involve the rectification of contemporary disciplines and sciences as they are classified in today's academic and educational systems. This does not mean rejecting this knowledge or denying the major contributions that they offered humanity since modernity. Nor does it mean to apologise for any of these disciplines'

theoretical premises or practical applications that contradict any element of the Islamic framework. The primary objective is to allow the development of trans-disciplinary approaches that integrate knowledge in education, research and action.

**Phenomena Studies** – involve the creation of an independent Islamic research and educational system that benefits from prior contributions that conform to the Islamic framework/worldview. The general method here is to direct students to specialise in a major phenomenon and thereby to study all of its dimensions based on the Islamic framework. Collaboration with other researchers in webs that focus on the study of phenomena is encouraged to realise changes on the ground, which is the primary objective of these studies.

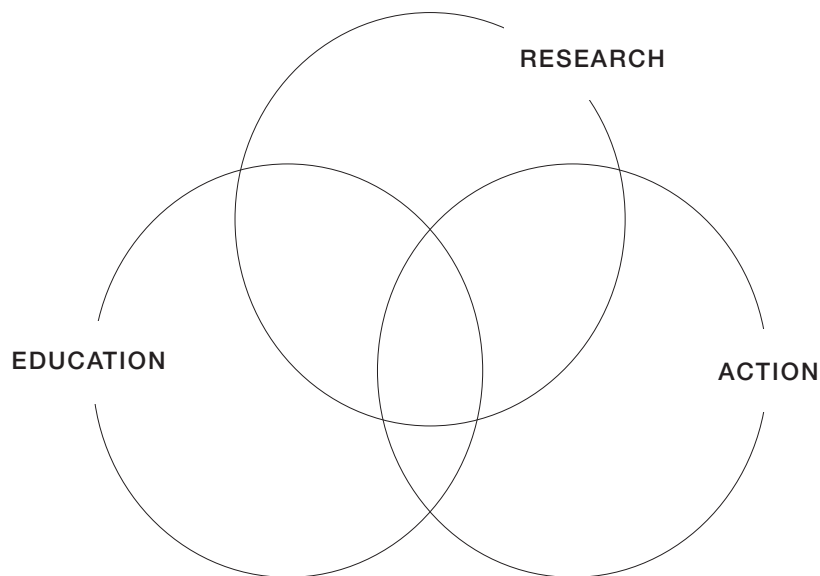
**Strategic Studies** – involve thought and action aimed at improving the future, despite a full acknowledgment that the future is in the Knowledge of Allah. Understanding the past and present using the Maqasid Methodology is the key to envisioning a better future. The primary objective of these studies is to propose collective, complex and multi-faceted interventions in order to affect the universal laws of change on various organisational, *ummah* and humanity levels.



## THE WAY FORWARD

For the Maqasid Methodology to achieve its objectives in re-orienting the Islamic scholarship towards the achievement of the higher objectives of the Revelation for humanity and the *ummah*, the methodology has to be realised. As mentioned earlier, three overlapping circles are necessary for this realisation: research, education and action. Research is necessary for generating the knowledge and ideas required for education and action; education is necessary for qualifying researchers and people of action; and action is necessary for keeping both research and education oriented towards changing the reality. These are three highly connected and overlapping circles.

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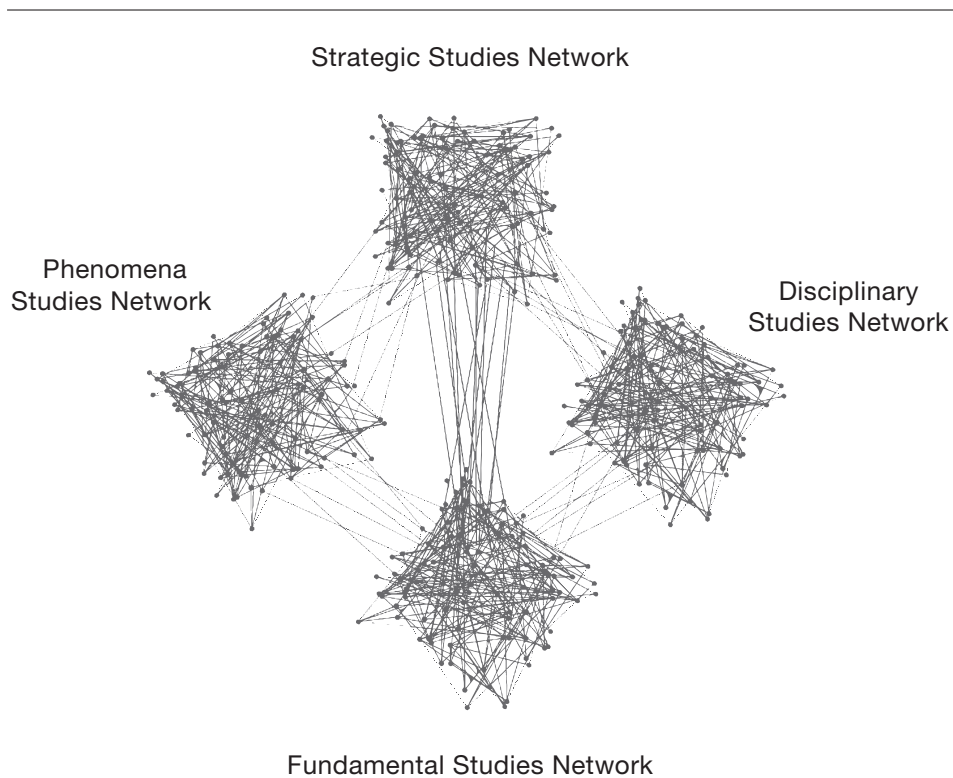


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**CHART 13** THE THREE AREAS OF REALISATION OF THE MAQASID METHODOLOGY

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First, the structure required for the realisation of the research project of the Maqasid Methodology is made out of four research networks, each to specialise in one of the four new fields of disciplines: *Usuli* Studies, Disciplinary Studies, PhenomenasStudies and Strategic Studies. Networks are designed for group research or collective *ijtihad* within each network, and collaboration across the networks aims at integrating their knowledge and enriching the original web of meanings of the Revelation, which should take the shape of an electronic graph database or what we call in the Maqasid Institute, the Maqasid Research Engine. What could emerge out of such a group of networks is an eco-system, with a critical mass of research based on the Maqasid Methodology. This would hopefully give birth to the new disciplines and re-orient existing disciplines towards the original Islamic worldview that the Maqasid Methodology emerged from and aims to realise.




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**CHART 14** MAQASID RESEARCH NETWORK

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*Usuli* Studies would bring the Revelation back to its central position in the theoretical sciences of Islam, Disciplinary Studies would allow professionals to reconstruct their disciplines in a way that gives birth to a general Islamic approach to Disciplinary Studies in all fields and hence a smooth transfer towards multi- and trans-disciplinarity. Phenomena studies would emerge as a new paradigm for research and education and returns the focus of knowledge towards the achieving of the higher objectives in lived realities. Strategic Studies would guide the whole network towards its higher objectives of humanity (worshiping Allah, saving lives, dignifying the human, establishing equity, and rectifying earth) and the *ummah* (witnessing over humankind, reflecting upon the signs, unity of the *ummah*, giving victory to the oppressed, and enjoining good and forbidding evil).

Simultaneously, a number of educational initiatives have to emerge to utilise the ideas that the research networks generate across all levels of education: schools, undergraduate, graduate and post-graduate. The objective is to generate a critical mass of '*fuqaha*' or leaders of thought and action, in the wider and original sense of the word. This critical mass will hopefully re-orient the Islamic education on all levels towards the original Islamic framework/worldview that the Maqasid Methodology emerged from.

Additionally, an action network is suggested to connect like-minded individuals and organisations that work towards the same objectives in various government, commercial and civil circles. The action networks must benefit from the output of the research and educational networks, in order for people of action in all walks of life to make changes on the ground and allow new modes of action and organisations to emerge.

Based on the universal laws of connectivity and the emergence of wholistic patterns when connections that Allah commands are made, the dream is for all of these networks to contribute to an emergence of a new awareness, a new vision and a new movement towards achieving the divine higher objectives for the *ummah* and humanity.