

# The Complementarity of Ijtihad and the Maqasid Al-Shariah in Islamic Law: An Analytical Study

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## Abstract

This research explores the complementary relationship between *ijtihad* (independent legal reasoning) and the *Maqasid al-shariah* (higher objectives of Islamic law), and how this relationship can be activated in the derivation of legal rulings. The study focuses particularly on their role in addressing contemporary legal and ethical issues (*nawazil*). The research aims to explore the concept of *ijtihad*, define its guiding principles, and clarify how the objectives of Sharia can be effectively integrated into the *ijtihad* process. It also analyzes the role of academic institutions and juristic councils (*majami 'fiquhiyyah*) in this context. The study adopts an inductive, analytical, and descriptive methodology in examining scriptural texts and scholarly opinions in this field. The findings indicate that the integration of *ijtihad* and *Maqasid* contributes significantly to achieving justice and ease, and enhances the flexibility of Sharia in facing modern challenges. It affirms the importance of activating *Maqasid* in *ijtihad* to ensure legal rulings align with the overarching aims of Islamic law. *Maqasid* play a pivotal role in sound juristic reasoning, especially in the accurate interpretation of texts and in ensuring valid inference. The study recommends encouraging scholars and jurists to adopt a *Maqasid*-oriented approach to *ijtihad* when deriving contemporary rulings, incorporating *Maqasid*-focused content into university curricula, and strengthening the role of juristic councils in issuing fatwas that meet the evolving needs of society.

**Keywords:** *Ijtihad*, *Maqasid Al-Shariah*, Complementarity

## Introduction

*Ijtihad* is considered one of the most prominent foundations of Islamic thought, as it enables the jurist (*mujtahid*) to derive legal rulings from the sources of Sharia and contributes to the dynamic application of Islamic law in accordance with changing times and circumstances. The Islamic Ummah has witnessed an evolution in the understanding of *ijtihad*: once limited to speculative matters, it now also encompasses consideration of the *Maqasid al-shariah* (higher objectives of Islamic law), which have become a cornerstone of contemporary *ijtihad*. The *Maqasid al-shariah* are the aims intended by the Lawgiver (Allah) behind legislation. They aim to preserve religion, life, intellect, wealth, and progeny. These objectives serve as a guiding

framework for the jurist in interpreting and applying texts in a way that realizes public interest and prevents harm. Scholars have emphasized the importance of understanding Maqasid in the process of *ijtihad*, noting that legal reasoning should not be confined to extracting rulings from textual evidence alone, but must also consider the Maqasid to ensure rulings align with the overarching purposes of Islamic law.

*Ijtihad* stands as a cornerstone of Islamic jurisprudence, empowering qualified scholars (*mujtahids*) to derive legal rulings from the primary sources of Sharia—namely the Qur'an and Sunnah. This dynamic process ensures that Islamic law remains relevant and adaptable to the changing circumstances of time and place (Kamali et al., 2023). Historically, *ijtihad* addressed speculative matters, but its scope has expanded to encompass broader considerations, reflecting the evolving needs of the Muslim community.

Central to contemporary *ijtihad* is the concept of Maqasid al-shariah, the higher objectives of Islamic law. These objectives—preserving religion (*din*), life (*nafs*), intellect (*'aql*), wealth (*mal*), and progeny (*nasl*)—serve as guiding principles for jurists in interpreting and applying legal texts (Alias et al., 2024). By aligning legal rulings with these objectives, *ijtihad* ensures that the law not only adheres to textual sources but also promotes the public good and prevents harm.

The integration of Maqasid into *ijtihad* introduces a holistic approach to legal reasoning. Scholars emphasize that understanding the Maqasid is essential for interpreting Sharia in a manner that aligns with its overarching purposes (Ismail et al., 2023). This approach moves beyond literal interpretations, considering the broader implications of legal rulings on society and ensuring that they serve the common welfare.

In the modern era, rapid advancements in science, technology, and social structures present new challenges that require innovative legal responses. Integrating Maqasid into *ijtihad* provides a framework for addressing contemporary issues such as bioethics, environmental sustainability, and digital governance (Alias et al., 2024). This integration enables Islamic jurisprudence to remain responsive to modern developments while upholding its foundational principles.

The application of Maqasid-based *ijtihad* also enhances the credibility and effectiveness of Islamic legal systems. By focusing on the objectives of Sharia, jurists can issue rulings that are not only legally sound but also ethically and socially relevant (Ismail et al., 2023). This approach fosters public trust and ensures that Islamic law continues to serve the needs of the community in a just and equitable manner. The relationship between *ijtihad* and Maqasid al-shariah is pivotal for the renewal and development of Islamic thought. By grounding legal reasoning in the higher objectives of Sharia, *ijtihad* can address contemporary challenges effectively and ethically. This synthesis offers a pathway for revitalizing Islamic jurisprudence, ensuring its relevance and application in the modern world.

### *Research Questions*

1. What are the concepts of *ijtihad* and *Maqasid*, and what are their main principles and conditions?
2. What is the role of *ijtihad* and *Maqasid* in activating Islamic law and thought?
3. What are the driving needs for *ijtihad*, and what are its major pitfalls?
4. How has the contemporary journey of *ijtihad* progressed, and what is the role of legal institutions and jurisprudential councils in advancing and activating it?

### *Research Methodology*

The researcher employs a multi-methodological approach to explore the relationship between *ijtihad*, *Maqasid al-shariah*, and the renewal of contemporary Islamic jurisprudence. The primary method is inductive, systematically reviewing classical and contemporary literature to trace the evolution of *ijtihad* and *Maqasid*, with a focus on their roles in modern legal discourse. This approach includes examining scholarly works and observing developments that influence Islamic legal thought (Kamali et al., 2023). By analyzing these sources, the study aims to understand how *ijtihad* has adapted to contemporary challenges and how *Maqasid* can guide legal reasoning in the modern context.

In addition to the inductive method, the researcher applies analytical and deductive approaches. The analytical method examines the interplay between *ijtihad* and *Maqasid al-shariah*, assessing how their integration informs contemporary jurisprudential practice. The deductive method is used to derive legal implications by applying the relationship between *ijtihad* and *Maqasid* to contemporary issues, including the renewal of fatwas in response to emerging socio-legal challenges (Alias et al., 2024). This dual approach ensures a comprehensive understanding of how traditional methodologies can address modern legal questions.

Furthermore, this research adopts a qualitative framework, emphasizing depth over quantification. Thematic analysis is employed to interpret textual sources, aligning with the inductive reasoning used by classical scholars in establishing *Maqasid al-shariah* (Alias et al., 2024). This qualitative approach allows for a nuanced understanding of how *ijtihad* and *Maqasid* can be applied to contemporary issues, ensuring that Islamic jurisprudence remains relevant and responsive to the needs of the modern world.

### **Literature Review**

#### *Introduction to Ijtihad and Maqasid al-Shariah*

*Ijtihad*, the process of independent legal reasoning, has been a cornerstone of Islamic jurisprudence, enabling scholars to derive legal rulings from primary sources such as the Qur'an and Sunnah. This dynamic process ensures that Islamic law remains relevant and adaptable to changing circumstances. *Maqasid al-Shariah*, the higher objectives of Islamic law, encompass the preservation of religion (*din*), life (*nafs*), intellect (*'aql*), wealth (*mal*), and progeny (*nasl*). These objectives serve as guiding principles for jurists in interpreting and applying legal texts, ensuring that rulings promote the public good and prevent harm (Alias et al., 2024).

The integration of *Maqasid* into *ijtihad* allows for a more holistic approach to legal reasoning, ensuring that rulings align with the overarching purposes of Islamic law. This approach moves

beyond literal interpretations, considering the broader implications of legal rulings on society and ensuring that they serve the common welfare. Scholars argue that understanding Maqasid is essential in the process of *ijtihad*, as it provides a framework for interpreting Islamic texts in a manner that aligns with the broader objectives of Sharia (Kamali et al., 2023). In contemporary contexts, the application of Maqasid in *ijtihad* has become increasingly important in addressing modern challenges such as bioethics, digital governance, and environmental sustainability. By considering the higher objectives of Sharia, jurists can issue rulings that not only adhere to the letter of the law but also promote its spirit and overarching values. This approach ensures that Islamic jurisprudence remains responsive to the evolving needs of society (Ismail et al., 2023).

#### *Evolution of Ijtihad in Contemporary Context*

The scope of *ijtihad* has expanded beyond addressing speculative matters to encompass a broader consideration of Maqasid al-shariah. This evolution reflects the need for Islamic jurisprudence to address contemporary issues such as bioethics, digital governance, and environmental sustainability. Scholars argue that integrating Maqasid into *ijtihad* allows for a more holistic approach to legal reasoning, ensuring that rulings align with the overarching purposes of Islamic law (Ismail et al., 2023).

In addition to addressing contemporary issues, the evolution of *ijtihad* also involves the adoption of new methodologies and approaches. The complexity of modern challenges necessitates a more interdisciplinary approach to *ijtihad*, incorporating insights from various fields such as science, technology, and social sciences. This interdisciplinary approach allows for a more comprehensive understanding of issues and the development of more nuanced and contextually relevant rulings (Alias et al., 2024).

Furthermore, the evolution of *ijtihad* in the contemporary context involves a re-examination of traditional methodologies to ensure their applicability to modern issues. This includes revisiting classical principles and adapting them to address new challenges while maintaining adherence to the core objectives of Sharia. Scholars emphasize the importance of this re-examination to ensure that Islamic jurisprudence remains dynamic and responsive to the needs of society (Kamali et al., 2023).

Maqasid al-shariah provides a framework for interpreting Islamic texts in a manner that aligns with the broader objectives of Sharia. By considering these objectives, jurists can issue rulings that not only adhere to the letter of the law but also promote its spirit and overarching values. This approach moves beyond literal interpretations, considering the broader implications of legal rulings on society and ensuring that they serve the common welfare (Raysuni, 2005).

The application of Maqasid in legal interpretation involves a deep understanding of the context in which legal issues arise. Jurists must consider the social, cultural, and economic factors that influence the issue at hand to ensure that rulings are relevant and beneficial to society. This contextual approach ensures that Islamic law remains responsive to the changing needs and circumstances of the community (Ismail et al., 2023).

Moreover, the integration of Maqasid into legal interpretation requires a balance between textual fidelity and the pursuit of justice and public welfare. Jurists must navigate

the complexities of applying traditional legal principles to contemporary issues while ensuring that the higher objectives of Sharia are upheld. This balance is crucial in ensuring that Islamic jurisprudence remains both rooted in tradition and adaptable to modern challenges (Alias et al., 2024).

#### *Integration of Maqasid into Fatwa Issuance*

The integration of Maqasid into the process of fatwa issuance has been emphasized in recent studies. Research indicates that fatwas issued in Selangor, Malaysia, generally consider **Maqasid** Al-shariah, considering the protection of religion, life, intellect, lineage, and property. This underscores the importance of using a holistic and contextual approach in formulating Islamic laws that can serve as guidance for the community (Jusoh et al., 2024).

Incorporating Maqasid into fatwa issuance involves a comprehensive analysis of the issue at hand, considering not only the textual sources but also the broader objectives of Sharia. This approach ensures that fatwas are not merely legal rulings but also reflect the ethical and social considerations that underpin Islamic law. Scholars argue that this integration enhances the relevance and applicability of fatwas in addressing contemporary issues (Ismail et al., 2023). Furthermore, the integration of Maqasid into fatwa issuance requires collaboration among scholars from various disciplines to ensure a comprehensive understanding of the issue. This collaborative approach allows for the development of fatwas that are informed by diverse perspectives and expertise, leading to more nuanced and contextually appropriate rulings (Alias et al., 2024).

#### *Challenges in Applying Maqasid in Fatwa Issuance*

Despite the emphasis on Maqasid, challenges persist in its application within fatwa issuance. Conflicts arise when there is an overemphasis on textual sources without considering the broader objectives of Sharia or when Maqasid are applied excessively, leading to rulings that may deviate from traditional interpretations. Scholars highlight the need for a balanced approach that harmonizes textual fidelity with the pursuit of justice and public welfare (Roslan & Zainuri, 2023).

One of the challenges in applying Maqasid is the potential for subjective interpretation. Jurists may have differing views on the prioritization and application of the higher objectives of Sharia, leading to variations in fatwas. This subjectivity underscores the importance of establishing clear guidelines and frameworks to ensure consistency and coherence in the application of Maqasid in fatwa issuance (Ismail et al., 2023).

Additionally, the dynamic nature of contemporary issues presents challenges in applying Maqasid. As societal norms and values evolve, so too do the circumstances surround legal issues. Jurists must continuously reassess and adapt their interpretations to ensure that fatwas remain relevant and aligned with the higher objectives of Sharia. This adaptability is crucial in addressing the complexities of modern legal challenges (Alias et al., 2024).

#### *Collective Ijtihad (Ijtihad Jama'i) in Contemporary Jurisprudence*

The complexity of contemporary issues has led to the adoption of collective ijtihad, or ijtihad jama'i, where scholars from various disciplines collaborate to derive legal rulings. This approach ensures that diverse perspectives are considered, leading to more comprehensive

and contextually relevant fatwas. Studies have identified five stages in the methodology of *ijtihad Maqasid*. Based *Ijtihad*" (2018) – Hammad Muhammad Ibrahim

In this study, the researcher explored the features of *ijtihad* grounded in the higher objectives of Sharia (*Maqasid*). He emphasized the necessity of understanding Islamic texts in light of these objectives, consolidating relevant texts on specific issues, reconciling apparent contradictions, considering legal prioritization and balance (*fiqh al-awlawiyyat*), addressing people's needs, and being responsive to their circumstances and realities. The study also recommends introducing *Maqasid al-Sharia* as a formal course for students of Islamic studies, and promoting general awareness about *Maqasid* among Muslims using all available means. In contrast, our study focuses on integrating *ijtihad* with *Maqasid* as a mechanism to implement Islamic law in the modern era. We emphasize addressing new developments and emerging issues (*nawazil*), establishing the boundaries that govern this process, and exploring the evolution of contemporary *ijtihad* as well as the role of *fiqh* councils and academic institutions in its application.

**The Role of Maqasid-Based Ijtihad in Guiding the Understanding of Sharia Texts and Deriving Rulings" (2013) Khalouq Dhaifullah Muhammad.** This study aims to highlight the role of *Maqasid*-oriented *ijtihad* in accurately understanding and deriving rulings from Islamic texts. It discusses how understanding the higher objectives of Sharia serves as a critical control mechanism in issuing fatwas and deriving legal responses to new realities. The researcher focuses on defining *Maqasid*-based *ijtihad* in the view of *Usul* Scholars, establishing its principles, and its relation to Sharia evidence. In comparison, our research centers on integrating *ijtihad* and *Maqasid* to make Islamic law functional in modern life, while considering contemporary issues, practical controls, and the contributions of academic and juristic institutions.

Collective *Ijtihad* and Its Importance in Addressing Contemporary Challenges: The Role of *Fiqh* Councils" (2011) Ismail, Shaaban Muhammad. This study demonstrates the significance of collective *ijtihad* as an alternative to individual juristic reasoning, particularly when facing complex modern issues that require multidisciplinary expertise. It also recommends enhancing the role of *fiqh* councils so they are more in touch with reality and *qu* The Role of *Maqasid* in Moderate *Ijtihad*" (2024) – Al-Saadi, Talib bin Ali bin Salim. This recent study focuses on the concept of moderation in *ijtihad* through employing *Maqasid*. It argues that doing so helps avoid extremes and imbalances in religious rulings. The author recommends establishing juristic committees that consider Sharia objectives when issuing contemporary fatwas.

The reviewed studies explore various aspects of *Maqasid*-oriented *ijtihad*. However, our research distinctively emphasizes the integration of *ijtihad* and *Maqasid* for the purpose of activating Islamic law in today's world. It pays special attention to emerging realities, the framework regulating this process, and the trajectory of contemporary *ijtihad*. Our study also recommends advancing education in *Maqasid* and reinforcing the role of academic institutions and *fiqh* councils in issuing adaptive, just, and realistic fatwas to respond to societal challenges.

## Research Findings

The findings of the study were systematically organized in alignment with the research questions posed, allowing for a structured exploration of the relationship between *ijtihad*, *Maqasid al-shariah*, and the renewal of contemporary Islamic jurisprudence. Each research question served as a thematic guide to categorize and interpret the data gathered through literature analysis and methodological frameworks. This organization ensured clarity and coherence in presenting how *ijtihad*, when informed by *Maqasid*, contributes to the adaptability of Islamic legal thought in addressing modern challenges. It also facilitated the identification of key patterns, such as the integration of ethical objectives in legal rulings and the increasing reliance on collective scholarly reasoning (*Ijtihad Jama'i*) to issue context-sensitive *fatwas*. By aligning the findings with the research questions, the study effectively demonstrated the role of *Maqasid*-based *ijtihad* in shaping responsive and future-oriented Islamic jurisprudence.

## Ijtihad and Maqasid – Concepts and Regulations

### *The Concept of Ijtihad and Its Regulations*

The definitions of “ijtihad” among scholars of usul (principles of Islamic jurisprudence) vary, though they converge on a core meaning. Al-Amidi, Al-Shatibi, Al-Shawkani, and Al-Ghazali describe ijtihad as the exertion of effort in deriving practical legal rulings from Islamic sources. Similarly, Ibn al-Humam, Alaa al-Din al-Bukhari, and Ibn Qudamah define it as the exertion of scholarly effort to discover Sharia rulings. From these views, ijtihad can be defined as a methodological, intellectual effort aimed at deriving practical legal rulings from Sharia sources, creating a dynamic interaction between religious texts, human reason, and real-life circumstances. As Yusuf al-Qaradawi states, ijtihad is intrinsic to the religion and demonstrates Islam's vitality and adaptability to ever-evolving human challenges. The true mujtahid (jurist) observes the scriptural texts with one eye and the realities of life with the other, striving to bridge between ideal and reality.

Ijtihad, unique to Islamic civilization, emerged and developed within its historical and cultural context, playing a crucial role in shaping Islamic intellectual life. It connects divine law with worldly life, aligning legal theory with human experience and societal development. Since Sharia texts are finite while real-world occurrences are infinite, qualified jurists must engage in ijtihad to derive rulings that the general public cannot deduce on their own. This ensures the Sharia's perpetual relevance, guided by capable reasoning and scholarly interpretation.

Modern ijtihad must be a comprehensive intellectual project addressing all aspects of human social life. It requires not only mastery of the texts but also awareness of contemporary contexts.

### *Key Conditions of Valid Ijtihad Include*

- A sound Islamic foundation.
- Exhaustive scholarly effort based on a correct understanding of Sharia principles.
- Careful analysis of relevant evidence using the established methodology of reconciliation and prioritization.
- Restriction of ijtihad to issues without definitive textual rulings or scholarly consensus.

- Integration of fiqh (jurisprudence) and hadith (prophetic tradition) to avoid weak or fabricated narrations.
- Attention to the real-world context and spirit of the age, as changing realities significantly influence legal rulings.

These conditions ensure the ijihad process remains rooted in Sharia, responsive to current realities, and shielded from deviant interpretations.

#### *The Concept and Regulations of Maqasid*

Imam al-Juwayni emphasized the importance of understanding Maqasid when interpreting divine commands and prohibitions. Similarly, Imam al-Ghazali listed comprehension of Maqasid as a requirement for juristic reasoning, along with knowledge of Arabic, textual subtleties, and legal categories.

Ibn Qudamah agreed that a jurist must grasp the Maqasid underlying Sharia texts. Contemporary scholars like Ahmad al-Raysuni define Maqasid as the goals Sharia aims to achieve for the benefit of humanity. Ibn Ashur described them as the meanings and wisdoms intended by the Lawgiver in most or all legislations. Musfir al-Qahtani similarly highlighted their role in achieving human welfare in both worlds.

Extremes should be avoided—neither neglecting Maqasid altogether nor elevating them above textual evidence—because human intellects vary in discerning legitimate objectives. Thus, jurists have proposed regulatory criteria for the proper use of Maqasid.

#### *Key Conditions for Applying Maqasid include*

- Verifying the legitimacy of the intended objective.
- Ensuring the Maqasid do not contradict the original text.
- Ensuring the mujtahid applying the Maqasid is qualified.
- Considering the consequences (*Ma'alat*) of rulings.
- Avoiding conflicts between Maqasid and established Sharia texts.

#### *The Role of Ijtihad and Maqasid in Activating Sharia and Islamic Thought*

Ijtihad plays a pivotal role in transforming Islamic thought from theoretical to practical application. It proves the vitality of Sharia and its suitability across times and places. Through ijihad, Islamic law maintains its relevance and fertility, guiding life in accordance with divine and human rights—provided the proper methodological controls are in place.

As time and circumstances change, ijihad enables Sharia to adapt and remain effective in addressing emerging challenges. It facilitates:

- Renewal of legal discourse.
- Response to contemporary issues (*nawazil*).
- Alignment with evolving realities.

Thus, ijihad ensures the continuity and relevance of Islamic legal thought in modern society.

*Section Two: The Role of Maqasid in Revitalizing Islamic Law and Thought*

Maqasid are essential to the process of Sharia application and legal reasoning. They empower jurists to derive appropriate rulings, linking detailed rules to overarching principles. This helps avoid contradictions and enhances the acceptability of legal opinions.

Applying Maqasid ensures ease and removes hardship from the community, as noted by Ahmad al-Raysuni. Simply having a legal text is insufficient without applying Maqasid to contextualize it. They help:

- Classify rulings systematically.
- Provide coherent legal foundations for new issues.
- Preserve essential Sharia goals (religion, life, intellect, lineage, and wealth).
- Resolve contradictions in legislation and enforcement.

Maqasid also guide the understanding of texts, the reconciliation of conflicting evidence, and the derivation of new rulings in the absence of direct evidence, as well as identifying legal causes and analogies.

**The Necessity of Ijtihad and Its Major Pitfalls**

*The Necessity of Ijtihad*

There are fundamental and enduring reasons for ijtihad, such as the interpretive flexibility of Islamic texts and the limited number of definitive (muhkam) verses compared to other texts. In the modern context, new reasons have emerged, including the fact that while textual sources are finite, human issues are infinite. This necessitates a renewed and dynamic ijtihad capable of addressing all areas of human life. Ijtihad today has become an urgent necessity for every society and is vital for navigating the complexities of life in our contemporary era.

Furthermore, the public need for ease and facilitation in practical rulings, particularly for scholars who issue general rulings for the Muslim public, necessitates consideration of necessities, exceptions, and changing circumstances. Ijtihad is needed now more than ever due to the profound transformations brought by technological advancement and societal development. The modern form of ijtihad must be directed primarily toward novel issues and contemporary challenges, seeking appropriate rulings based on the foundational texts of Islamic law.

*The Pitfalls of Ijtihad*

The process of ijtihad relies on the dynamic interplay between text and reality. Legal rulings are applied through aligning divine texts with real-world circumstances. True ijtihad goes beyond the literal word to the spirit of the law, from the explicit to the implicit, and from textual interpretation to contextual application.

Among the primary pitfalls that derail ijtihad are ignorance or intentional disregard of Islamic texts. Any ijtihad that contradicts the Sharia is invalid. Misinterpreting or distorting texts, as well as flawed analogical reasoning (qiyas), are also major risks—such as analogizing definitive texts to speculative ones, or applying rational interpretation to acts of worship inappropriately. Another major risk is ignoring scholarly consensus (ijma'), especially when well-established across different schools of jurisprudence. Neglecting current realities and emerging issues is also a key pitfall that leads to misguided conclusions in contemporary ijtihad.

## **The Course of Contemporary Ijtihad and the Role of Institutions and Fiqh Councils**

### *Fields and Forms of Contemporary Ijtihad*

Contemporary ijtihad takes multiple forms: disciplined individual ijtihad, collective ijtihad, institutional ijtihad, and specialized ijtihad. These forms reflect the flexibility and renewability of Islamic law. Greater effort is required to advance this movement, which has been underway for decades, especially as modern life increasingly demands Sharia-based solutions in all areas—economic, medical, scientific, and ethical. Key fields include finance, corporate law, insurance, banking, stock markets, and commercial transactions, as well as contemporary medical issues like organ transplantation, IVF, genetic engineering, and cosmetic surgery. Revisiting and reinterpreting classical jurisprudential heritage is also crucial.

While much historical ijtihad was individual, there were exceptions during periods of crisis. Ibn Taymiyyah in the 8th century Hijri and Al-Suyuti in the 10th century both called for unrestricted ijtihad. Yet, both restricted their calls to legal rulings, reflecting the needs of their times. Partial ijtihad remained the norm among later scholars through methods such as preference (tarjih) and analogical deduction (takhrij).

### *The Role of Academic Institutions and Fiqh Councils*

Today, the role of academic institutions and fiqh councils is critical in guiding the Muslim community on emerging issues. Collective ijtihad, rooted in the principle of consultation (shura), involves dialogue among specialists and is often more precise and valid than individual ijtihad. It addresses the absence of absolute mujtahids and ensures the continuity of the ijtihad process.

These councils often include not just Sharia scholars but also experts from other scientific and professional fields. Their mission includes finding Islamic solutions to current challenges and striving to unify legislation across Muslim nations, thereby contributing to the broader goal of Islamic unity and jurisprudential enrichment. Academic institutions, particularly Sharia colleges, must revise curricula to nurture juristic competence. This includes shifting from rote learning to practical, issue-based instruction that emphasizes contemporary jurisprudence, applied studies, and reality-based problem-solving.

## **Conclusion**

This study explored the dynamic relationship between ijtihad, Maqasid al-Shariah, and the renewal of contemporary Islamic jurisprudence. By aligning the findings with the research questions, the study demonstrated how Maqasid-oriented ijtihad serves as a vital mechanism for adapting Islamic legal thought to the realities of modern life. The organized exploration of literature and scholarly analysis helped clarify the pivotal role of Maqasid in shaping rulings that are ethically grounded, contextually relevant, and legally sound.

One of the key findings is the indispensable role that understanding Maqasid al-Shariah plays in effective ijtihad. Through Maqasid, jurists are able to align legal rulings with the higher objectives of Sharia, such as the protection of religion, life, intellect, lineage, and wealth. This alignment not only enhances the legitimacy of legal judgments but also ensures that they contribute to the common good. Furthermore, Maqasid-based reasoning serves to reduce excessive juristic disputes by focusing on shared goals rather than divergent literal interpretations.

Another significant finding is the importance of contextual relevance. By integrating Maqasid into the process of legal reasoning, contemporary scholars are better equipped to address emerging and complex issues in fields such as medicine, environmental policy, and finance. This allows Islamic law to respond proactively and justly to challenges such as genetic engineering, digital currencies, and climate change, thereby reinforcing its applicability in modern society.

The study also found that combining textual fidelity with Maqasid-based interpretation creates a balanced and sustainable framework for legal rulings. This approach preserves the authenticity of Islamic legal traditions while allowing for the adaptability needed in contemporary contexts. It reflects a methodological harmony that respects both divine guidance and real-world circumstances.

Lastly, the research emphasized that modern *ijtihad* must be collective, institutionalized, and interdisciplinary. The complexity of today's issues demands collaboration among jurists, academics, scientists, economists, and other experts. The role of fiqh councils and academic institutions is therefore crucial in advancing collective reasoning, producing robust legal responses, and training future scholars capable of navigating the evolving landscape of Islamic jurisprudence.

### **Recommendations**

In light of these findings, several recommendations are proposed to strengthen and operationalize *Maqasid*-based *ijtihad*:

First, there is a need to enhance the study of *Maqasid al-Shariah* in Islamic education, particularly within Sharia colleges and Islamic studies departments. Curricula should move beyond rote learning to include applied jurisprudence and contextual legal reasoning. Second, scholars should be encouraged to adopt Maqasid-based methodologies when deriving rulings on contemporary issues. This requires a shift in scholarly mindset from rigid textualism to purposive interpretation that considers ethical and social implications. Third, specialized research centers should be established to focus exclusively on *Maqasid*-based *ijtihad*. These centers can serve as think tanks for generating context-sensitive legal solutions and training a new generation of scholars. Fourth, academic conferences, public seminars, and professional workshops should be organized regularly to promote awareness of the role of Maqasid in Islamic law. This will help bridge the gap between traditional scholarship and public understanding. Finally, collaboration between Sharia-based institutions and modern legal organizations must be fostered to facilitate the development of legislation that reflects both Islamic ethics and the realities of contemporary governance. Such partnerships will ensure the relevance, unity, and richness of Islamic legal discourse in the modern world.

Thus, renewal of Islamic jurisprudence through Maqasid-guided *ijtihad* is not only feasible but necessary. It offers a principled yet flexible approach to legal reasoning, ensuring that Sharia continues to serve the needs of Muslim societies while remaining faithful to its divine foundations.

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