

The Ijtihad of Imam Al-Shafii and the Challenges of Fatwa in the Arab World and Southeast Asia: A Comparative Analysis

Wan Zulkifli Wan Hassan^{1,2}, Wan Mohd Yusof Wan Chik³,
Nabilah Abdullah⁴

¹Centre for Liberal Studies, National University of Malaysia, ²Institute of Islam Hadhari, National University of Malaysia, ³Faculty of Islamic Contemporary Studies, Universiti Sultan Zainal Abidin, ⁴Educational Services Officer, Ministry of Education Malaysia

*Corresponding Author Email: wenzoul@ukm.edu.my

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Abstract

Ijtihad remains a central mechanism in the evolution of Islamic jurisprudence, enabling Islamic law to address emerging realities while preserving its normative foundations. In the contemporary era marked by globalization, digitalization, ethical complexity, and transnational legal challenges—the study of Imam al-Shāfiʿī's ijtihad has gained renewed relevance as a methodological foundation for disciplined legal reasoning. As one of the foremost architects of *uṣūl al-fiqh*, Imam al-Shāfiʿī established a structured framework that continues to shape authoritative interpretations of Islamic law across diverse contexts. This study examines the concepts and methodology of ijtihad according to Imam al-Shāfiʿī and evaluates their application in addressing contemporary fatwa-related challenges in the Arab world and Southeast Asia. A qualitative research design was employed through document analysis and critical literature review of al-Shāfiʿī's classical works, major *uṣūl al-fiqh* sources, and official documents from fatwa institutions in both regions. Comparative analysis was further utilized to identify differences and similarities in institutional frameworks, political environments, legal systems, and social realities that influence fatwa issuance. The findings reveal that although both regions share a common methodological inheritance rooted in al-Shāfiʿī's legal reasoning, their approaches differ significantly due to varying structures of authority, state-religion relations, and contextual priorities. The Arab world demonstrates stronger institutional centralization, whereas Southeast Asia places greater emphasis on contextual adaptation and communal realities. This study highlights the practical significance of Imam al-Shāfiʿī's ijtihad as a living and adaptable methodology capable of addressing contemporary legal and ethical issues, including digital finance, governance, and social transformation. It underscores the importance of integrating textual fidelity with contextual awareness to ensure that fatwas remain relevant, credible, and socially grounded. The study contributes to academic discourse in Islamic jurisprudence while offering practical insights

for scholars, fatwa institutions, policymakers, and Muslim communities in strengthening the effectiveness and legitimacy of contemporary legal reasoning.

Keywords: Imam Al-Shāfiʿī's Ijtihad, Contemporary Fatwa, Arab World, Southeast Asia, *Uṣūl Al-Fiqh*, Islamic Legal Methodology, Comparative Analysis

Introduction

In contemporary Islamic legal discourse, the study of Imam al-Shāfiʿī's ijtihad is not merely a historical or doctrinal inquiry, but a pressing intellectual necessity for addressing the realities of modern Muslim societies. The accelerating pace of globalization, digital transformation, and ethical complexity has created unprecedented legal questions that demand a robust, credible, and adaptable framework of Islamic reasoning (Kamali, 2008). Within this context, revisiting Imam al-Shāfiʿī's methodological contributions is essential because his system of legal thought established one of the earliest and most enduring epistemological foundations for disciplined ijtihad (Hallaq, 2009). Examining his framework today is therefore crucial for understanding how classical Islamic legal principles may continue to function effectively in a rapidly changing world.

The significance of this topic lies in its direct relevance to the sustainability of fatwa institutions and the credibility of Islamic jurisprudence in contemporary society. As legal opinions increasingly circulate through digital platforms without institutional oversight, the risk of fragmented authority and inconsistent religious guidance becomes more pronounced (Auda, 2010). This study responds to that challenge by demonstrating how Imam al-Shāfiʿī's methodology offers a structured and principled model capable of safeguarding scholarly rigor while remaining responsive to emerging realities (Opwis, 2010). Thus, the research contributes not only to academic scholarship in *uṣūl al-fiqh*, but also to broader efforts aimed at preserving the integrity and public trust of fatwa institutions.

Furthermore, the practical value of this study extends to multiple stakeholders. For scholars and muftis, it provides a critical framework for balancing textual fidelity with contextual awareness in legal reasoning (Kamali, 2003). For policymakers and religious institutions, it offers comparative insights into how institutional design affects the implementation and legitimacy of fatwas across different regions (Masud, Messick, & Powers, 1996). For educators and students of Islamic law, it highlights the enduring relevance of classical jurisprudential methods in addressing contemporary legal and ethical dilemmas. Ultimately, for Muslim communities, the study helps ensure that religious guidance remains authoritative, relevant, and socially grounded.

The effectiveness of this topic as an area of research is rooted in its interdisciplinary and applied potential. Rather than treating Imam al-Shāfiʿī's ijtihad as a purely theoretical construct, this study positions it as a living methodology capable of engaging with practical challenges such as digital finance, bioethics, governance, and transnational legal questions (Auda, 2008). By linking classical *fiqh* methodology with present-day institutional realities, the study underscores the need for adaptive legal reasoning that is both faithful to tradition and effective in practice. In this sense, the topic serves as a bridge between inherited legal scholarship and contemporary demands, making it highly relevant for future discourse on Islamic legal reform.

Literature Review

Imam al-Shāfi'ī's Ijtihād in Fatwā

Ijtihād plays a crucial role in the Islamic fiqh tradition as a dynamic mechanism to ensure that Islamic law remains relevant amid changing times and social contexts (Hallaq, 1997). Terminologically, ijtihād refers to the intellectual effort of a mujtahid to derive legal rulings from detailed evidences when no explicit and definitive text (*naṣ qat'ī*) exists. Without ijtihād, fiqh risks becoming static, detached from societal needs, and unable to address contemporary issues (Kamali, 2008).

Imam al-Shāfi'ī (150H–204H) is a central figure in the formation of the discipline of *uṣūl al-fiqh* through his work *al-Risālah*, which systematically formulated the methodology of ijtihād based on a hierarchy of legal sources: the Qur'an, the Sunnah, *ijmā'*, and *qiyās* (Al-Shāfi'ī, 2007; Hallaq, 1997). This methodology harmonizes textual authority and rationality, ensuring that fatwās are not arbitrary but firmly grounded in revelation. In this regard, al-Shāfi'ī emphasized that ijtihād is not absolute intellectual freedom, but a disciplined scholarly endeavor, where *qiyās* is employed to apply rulings to new cases in a valid and consistent manner (Al-Shāfi'ī, 2007; Kamali, 2008).

The literature indicates that this methodology has been widely applied across various fields: in the social sphere, principles of justice and the avoidance of oppression guide fatwās concerning individual rights and social harmony; in the economic domain, *qiyās* is used to evaluate modern financial instruments by referring to classical contracts; and in acts of worship, adaptations are permitted as long as they do not compromise essential pillars and conditions (Al-Shāfi'ī, 2001; 2007). Principles such as *lā ḍarar wa lā ḍirār* and *ṣulḥ*, although not yet formally codified at the time, have served as foundational bases for dispute resolution and contemporary ethical fatwās (Hallaq, 1997).

The strength of the Shāfi'ī methodology lies in its scholarly rigor, the clarity of its hierarchy of legal sources, and its protection against arbitrary decisions, making it a solid foundation for issuing authoritative fatwās. However, the literature also highlights the limitations of a purely literal approach devoid of context; complex modern issues, including bioethics, global finance, and human rights, require the application of ijtihād in a contextual and responsive manner, for instance through an understanding of *maqāṣid al-sharī'ah* (Jasser Auda, 2008; Mohammad Hashim Kamali, 2008). Digital media likewise presents new challenges to the traditional authority of fatwās, as legal opinions spread widely without firm methodological discipline (Dale F. Eickelman & Jon W. Anderson, 2003; Jakob Skovgaard-Petersen, 1997).

Fatwa Challenges: The Arab World and Southeast Asia

The selection of the Arab World and Southeast Asia as comparative foci is based on differences in institutional and socio-political contexts of fatwa. The Arab World, as the historical center of fiqh, features centralized fatwa institutions closely linked to state authority. This structure provides official legitimacy and legal uniformity but may limit the freedom of ijtihād when muftis face political pressures (Jakob Skovgaard-Petersen, 1997; Wael Hallaq, 2009). The literature shows that the Shāfi'ī methodology of ijtihād has been applied in Egypt, Jordan, and Yemen to maintain consistency in fatwās while remaining sensitive to social contexts. This approach enables institutions to address challenges of

modern mu'āmalāt, local customs, and digital media, thereby preserving both scholarly integrity and the relevance of fatwās (Al-Shāfi'ī, 2001; 2007).

In contrast, Southeast Asia presents a more pluralistic and decentralized fatwa landscape due to diverse histories of Islamization, political structures, and multi-ethnic societies (M. B. Hooker, 2003; 2008). In Malaysia, state-level fatwās allow room for contextual ijtihād but pose challenges in coordination and public understanding (Zainal Abidin, 2012; Mohammad Hashim Kamali, 2008). In Indonesia, fatwās issued by the Majelis Ulama Indonesia (MUI) are flexible and moral in nature but face challenges in social acceptance and enforcement within a secular legal framework (Tim Lindsey, 2012). In Brunei, although fatwās are centralized and grounded in the Shāfi'ī school, centralized authority limits open spaces for ijtihād, necessitating adaptation to contemporary issues and effective public communication (Norhidayah & Saadan, 2015; Ramli & Aminuddin, 2017; Zulkifly et al., 2024).

Critical analysis shows that the Shāfi'ī methodology of ijtihād remains relevant in this region. In Malaysia, it supports harmony between classical fiqh traditions and modern legal systems; in Indonesia, it provides a disciplined foundation within a pluralistic landscape; while in Brunei, it ensures the uniformity and authority of fatwās. The integration of *maqāṣid al-sharī'ah* principles enables fatwās to remain sound, ethical, and responsive to contemporary social, technological, and cultural challenges (Jasser Auda, 2008; Hassan, 2014).

However, the literature highlights significant gaps. Empirical research on grassroots public reception of fatwās remains limited, as does analysis of their effectiveness in addressing digitalization and globalization. Moreover, comparative studies often emphasize institutional structures and textual analysis but give less attention to the practical interaction between fatwās, society, and social or technological innovation. Future research should therefore focus on contemporary fatwā case studies, the influence of digital media, and mechanisms for harmonizing Shāfi'ī fiqh principles with social realities to address these gaps.

Overall, this literature review underscores that Imam al-Shāfi'ī's methodology of ijtihād provides a disciplined, rational, and ethical foundation for the issuance of fatwās. Although contemporary challenges necessitate contextual adaptation, the principles and structures outlined by al-Shāfi'ī remain essential references to ensure that fatwās remain valid, relevant, and authoritative.

Methodology

This article employs a qualitative approach based on library research and document analysis to examine Imam al-Shāfi'ī's concept of ijtihād and the contemporary challenges of fatwā in the Arab World and Southeast Asia. The qualitative approach is chosen because the study is conceptual and interpretive in nature, aiming to understand Islamic legal thought and its application within different social and historical contexts. According to Creswell (2013), qualitative research is highly suitable for studies that emphasize in-depth understanding of meanings, ideas, and discourses, particularly in text-based and normatively grounded disciplines such as Islamic law.

Library research constitutes the core of this methodology. Primary sources include the classical works of Imam al-Shāfi'ī, such as *al-Risālah* and *al-Umm*, which form the foundation

for the development of *uṣūl al-fiqh* methodology and the concept of disciplined *ijtihād* (Al-Shāfiʿī, 2007). The analysis of these works aims to identify the key principles of Imam al-Shāfiʿī's *ijtihād*, including the primacy of the Qur'an and the Sunnah, the role of *ijmā'*, and the controlled use of *qiyās*. This approach reflects Imam al-Shāfiʿī's effort to construct a legal methodology that balances revealed texts with human rationality.

In addition to primary sources, this study also utilizes classical and contemporary *uṣūl al-fiqh* works to strengthen the theoretical framework and to understand the development of *ijtihād* thought after the era of Imam al-Shāfiʿī. These works help explain how Imam al-Shāfiʿī's methodology of *ijtihād* has been understood, developed, and applied by subsequent generations of scholars in different contexts (Nyazee, 2000; Kamali, 2008). Through this analysis, the study is able to assess both the continuity and transformation of *ijtihād* approaches from theoretical and practical perspectives.

In addition, this study also draws on secondary sources in the form of journal articles and academic books that discuss *fatwā* institutions and contemporary challenges in the Arab World and Southeast Asia. These sources provide contextual insights into the structure of *fatwā* institutions, the relationship between scholars and political authorities, as well as the impact of globalization and digital media on the authority of *fatwās* (Rahman, 1982; Kamali, 2008). Document analysis is therefore essential for understanding how classical *ijtihād* principles are applied within the increasingly complex and pluralistic realities of modern societies.

In terms of analytical technique, this study employs both descriptive and analytical approaches to systematically elaborate on Imam al-Shāfiʿī's concept of *ijtihād*. The descriptive approach is used to explain the ideas, principles, and structure of the *ijtihād* methodology based on primary and secondary sources, while critical analysis is applied to evaluate the relevance of this approach in addressing contemporary *fatwā* issues. The combination of these two approaches enables the study to balance theoretical exposition with applied evaluation, in line with modern Islamic legal research methodologies (Nyazee, 2000).

Furthermore, a comparative approach is employed to assess the differing challenges of *fatwā* between the Arab World and Southeast Asia. This comparison encompasses aspects such as the structure of *fatwā* institutions, the degree of political authority influence, the nature of society, as well as local historical and cultural contexts. This comparative approach is essential because *fatwā* challenges are not uniform but are shaped by diverse social and political realities (Rahman, 1982). Through this comparative analysis, the study identifies similarities and differences in the application of Imam al-Shāfiʿī's *ijtihād* methodology, as well as the contextual implications for the implementation of modern *fatwās*.

Overall, the integration of qualitative methods, library research, document analysis, and descriptive-analytical and comparative approaches forms a comprehensive research methodology suited to the objectives of this article. This approach enables an in-depth, systematic, and contextual analysis of Imam al-Shāfiʿī's *ijtihād* thought and the challenges of *fatwā* implementation in the Arab World and Southeast Asia in the contemporary era.

Findings and Comparative Analysis

The comparison between the Arab World and Southeast Asia indicates that both regions share a common methodological foundation of *ijtihād* rooted in the thought of Imam al-Shāfi'ī, particularly in the prioritization of textual evidence (*naṣṣ*), disciplined use of legal sources, and the systematic application of *qiyās*. Imam al-Shāfi'ī emphasized that *ijtihād* must operate within a clear methodological framework to prevent arbitrary legal decisions or those influenced by external interests (Al-Shāfi'ī, 2007). However, this shared methodological foundation is interpreted differently according to local institutional and socio-political contexts.

In the Arab World, *fatwā* institutions are generally centralized and closely linked to state authority, thereby ensuring legal uniformity and clarity of authority. Nevertheless, this close relationship with political structures may affect scholarly autonomy and the freedom of *ijtihād* (Jakob Skovgaard-Petersen, 1997). In contrast, in Southeast Asia, particularly in Malaysia and Indonesia, *fatwā* structures are more pluralistic and decentralized. This situation provides greater flexibility for *ijtihād* but also poses challenges in legal coordination and public understanding (M. B. Hooker, 2008).

Despite structural differences, both regions face similar global challenges, including digitalization, social media, and changing social values that require *fatwās* to be more responsive and contextual (Mohammad Hashim Kamali, 2008). Therefore, the need for contemporary *ijtihād* grounded in Imam al-Shāfi'ī's methodology has become increasingly urgent. Approaches such as collective *ijtihād* and the integration of *maqāṣid al-sharī'ah* are seen as capable of ensuring that *fatwās* remain legally valid while also relevant in addressing complex modern issues (Wael Hallaq, 1997). The following are Table 1, Table 2, Table 3, and Figure 1 illustrating the comparative findings of the study above.

Table 1

Fundamental Similarities of Ijtihad Methodology

Methodological Aspect	Arab World	Southeast Asia	Findings
Priority of textual evidence (<i>naṣṣ</i>)	Practiced	Practiced	Consistent with al-Shāfi'ī framework
Discipline of legal sources	Systematic	Systematic	Based on classical <i>uṣūl al-fiqh</i>
Use of <i>qiyās</i> (analogical reasoning)	Methodical	Methodical	Not arbitrary
<i>Ijtihad</i> framework	Structured	Structured	Prevents rulings without evidence

Based on Table 1 above, both regions share the same epistemological foundation. This indicates that despite differences in institutional, political, and social contexts between the two regions (for example, the Arab World and Southeast Asia), both are grounded in the same principles and methodology of *ijtihād*, particularly the discipline of legal evidences, the hierarchy of legal sources, and an approach based on the Shāfi'ī school.

This means that although the application of *fatwās* may differ according to institutional structures or local challenges, their scholarly and epistemological foundations in *fiqh* remain

similar, enabling fatwās in both regions to possess comparable legitimacy, principled consistency, and sharī'ah validity. In other words, contextual differences do not alter the intellectual and methodological framework that serves as the primary reference for issuing fatwās.

Table 2

Differences in Fatwa Institutional Structure

Dimension	Arab World	Southeast Asia	Implication
Institutional structure	Centralized & state-linked	Decentralized & pluralistic	Different levels of autonomy
Fatwa authority	Legal & political legitimacy	Moral authority (Indonesia) / state authority (Malaysia)	Variation in enforcement
Freedom of ijtiḥād	Limited by political pressure	More flexible	Risk of inconsistency
Legal coordination	High	Varies between regions	Coordination challenges

Table 2, meanwhile, shows that the differences lie not in the methodology but in the institutional context. This indicates that both regions, for example the Arab World and Southeast Asia, employ the same methodological framework of ijtiḥād, particularly the discipline of evidences, the hierarchy of legal sources, and the Shāfi'ī-oriented approach. The differences that arise in the issuance of fatwās do not stem from scholarly methods or principles, but rather from institutional structures, relationships with political authorities, local legal systems, and the manner in which fatwās are communicated to and received by society.

In other words, the fiqh methodology remains consistent and valid, but the institutional context influences the flexibility, autonomy of ijtiḥād, coordination of fatwās, and responsiveness to modern issues as well as local social realities. This emphasizes that institutional and social factors play a greater role in shaping practical differences in the implementation of fatwās than differences in the principles or methodology of fiqh itself.

Table 3

Shared Contemporary Challenges

Challenge	Impact on Fatwa Institutions
Digitalization & social media	Dissemination of fatwas without authority
Individualization of legal opinions	Weakens monopoly of official institutions
Globalization of values	Demands for human rights & social justice
Modern complex issues	Need for collective ijtiḥād

Table 3 illustrates that fatwa institutions across different regions encounter similar contemporary and transnational challenges. Firstly, digitalization and social media have significantly impacted the dissemination of fatwas without authoritative oversight, promoting the individualization of legal opinions and undermining the monopoly of official institutions. Traditional authorities are no longer the sole point of reference, as the public can now access a diverse range of perspectives directly.

Secondly, the globalization of values has brought demands for human rights and social justice, requiring legal interpretations that are more context-sensitive and responsive to international discourse. Thirdly, the emergence of complex modern issues calls for a collective ijtihad approach, engaging experts from multiple fields to ensure that fatwas remain both authoritative and responsive.

Overall, the table underscores that the challenges facing fatwa institutions today are not confined to any single region; rather, they are global in nature and necessitate an integrated and adaptive methodological response.

The following figure summarizes the key findings of the study in the form of a conceptual model, illustrating the relationship between Imam al-Shāfi'ī's ijtihad methodology, institutional contexts in the Arab world and Southeast Asia, and contemporary global challenges. The model aims to demonstrate how a shared methodological foundation is applied across different institutional settings, thereby highlighting the need for a more contextually grounded and integrated approach to ijtihad.

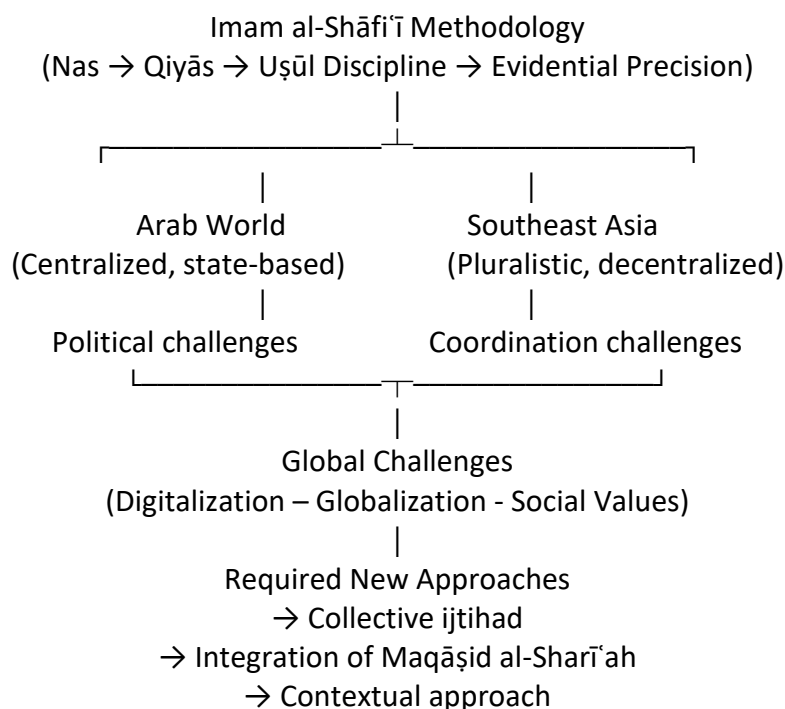


Figure 1. Comparative Model of Contemporary Shāfi'ī Ijtihad

Figure 1 presents the Comparative Model of Contemporary Shāfi'ī Ijtihad, which positions Imam al-Shāfi'ī's methodology as the foundational basis for legal reasoning. This methodology is grounded in primary textual sources (nas), analogy (qiyās), principles of uṣūl, and meticulous evidential analysis. It provides a structured framework that guides the application of ijtihad across diverse institutional and socio-political environments.

From this methodological foundation, ijtihad develops within two distinct contexts. The Arab world, characterized by centralized and state-oriented structures, faces specific political challenges that influence the formulation and dissemination of fatwas. In contrast, Southeast Asia exhibits a more pluralistic and decentralized institutional landscape, where coordination

of fatwas across multiple authorities presents unique challenges. These structural differences highlight the way institutional environments shape the practice and administration of *ijtihad*. Despite these contextual differences, both regions encounter shared global challenges, including digitalization, globalization, and shifting social values. These challenges necessitate new approaches to the management of *ijtihad* and the administration of fatwa institutions, emphasizing adaptability, responsiveness, and the integration of contemporary realities into legal reasoning.

In summary, Figure 1 demonstrates that while the foundational methodology of Shāfi'ī *ijtihad* remains consistent, the institutional context and global dynamics significantly influence how *ijtihad* is applied in contemporary settings. This model underscores the importance of balancing methodological rigor with contextual sensitivity to address both local and transnational challenges effectively.

Discussion of Findings: Significance, Impact, and Implications

The present study demonstrates that fatwa institutions in the Arab world and Southeast Asia share a common epistemological foundation, rooted in Imam al-Shāfi'ī's *ijtihad* methodology. This approach emphasizes the primacy of textual sources (*nas*), the hierarchical discipline of legal sources, and the systematic use of analogy (*qiyās*) (Al-Shāfi'ī, 2007). Importantly, the differences observed in fatwa issuance across these regions do not reflect methodological divergence in *usūl al-fiqh*, but are instead the result of variations in institutional context, religious administrative structures, and local socio-political realities. In this regard, the Shāfi'ī methodology functions as a shared normative framework, while its application is shaped by external and organizational factors.

The significance of these findings lies in their contribution to debates on contemporary fatwa reform. While some scholars advocate methodological reforms to address the challenges posed by globalization (Hallaq, 1997; Kamali, 2008), this study suggests that the core issue is not an intrinsic limitation of the Shāfi'ī methodology, but the operational realities of fatwa institutions within specific political and social contexts. In the Arab world, centralized institutions closely linked to state authority provide official legitimacy and legal uniformity, yet their autonomy in exercising *ijtihad* may be constrained by political pressures (Skovgaard-Petersen, 1997; Hallaq, 2009). Conversely, Southeast Asian institutions, particularly in Malaysia and Indonesia, operate within more decentralized frameworks that allow for greater flexibility in *ijtihad*, though they face challenges in coordination and consistency of fatwa implementation (Hooker, 2008; Lindsey, 2012).

From an impact perspective, the findings underscore that the sustainability of fatwa authority in the modern era depends on institutional capacity to adapt methodological applications to contemporary challenges. Digitalization and social media have fundamentally reshaped the landscape of religious authority, enabling the rapid dissemination of legal opinions without strict adherence to methodological rigor or scholarly qualifications (Eickelman & Anderson, 2003). In this context, the Shāfi'ī methodology—emphasizing evidential discipline and the qualifications of the *mujtahid*—remains highly relevant as a normative standard for distinguishing authoritative fatwas from personal opinions. Nonetheless, without effective communication strategies and a context-sensitive approach, fatwa institutions risk eroding public trust and legitimacy.

In sum, this study highlights that while the Shāfi'ī methodological framework provides a consistent foundation for legal reasoning, the practical application of ijtihad is contingent upon institutional structures, socio-political environments, and the capacity to respond to contemporary global challenges. These findings emphasize the need for adaptive, contextually informed approaches to fatwa management that balance methodological rigor with responsiveness to modern realities.

Furthermore, the globalization of values and the emergence of multidisciplinary issues such as bioethics, digital finance, and human rights demand the development of ijtihad approaches through the integration of maqāṣid al-sharī'ah and collective ijtihad (Kamali, 2008; Auda, 2008). The findings of this study suggest that the Shāfi'ī methodology is not incompatible with such approaches; on the contrary, it can be reinforced through them. This aligns with the dynamic nature of ijtihad emphasized by Imam al-Shāfi'ī himself, including the acceptance of qiyās and the adaptation of legal opinions based on contextual considerations (Al-Shāfi'ī, 2001).

From the perspective of long-term implications, the study indicates that failing to distinguish between methodological and institutional issues may lead to inaccurate conclusions regarding Islamic legal reform. If the Shāfi'ī methodology is entirely questioned without considering its institutional context, there is a risk of undermining a fiqh epistemological framework that has historically demonstrated consistency and rigor (Hallaq, 1997). Conversely, by focusing reform efforts on strengthening institutions, coordinating fatwas, and integrating the maqāṣid approach, the Shāfi'ī methodology can continue to serve as a stable foundation in addressing global challenges.

Overall, the findings affirm that the future of fatwa institutions does not lie in radical overhauls of usūl al-fiqh methodology, but rather in the ability to harmonize the epistemological rigor of the Shāfi'ī framework with contextual sensitivity and contemporary realities. The integration of evidential discipline, institutional integrity, and social adaptability is key to ensuring that fatwas remain authoritative, relevant, and ethically grounded in the contemporary global society.

Based on the study's findings, there is also a discussion regarding academic critiques and responses to Imam al-Shāfi'ī's ijtihad methodology. This discussion is considered important for evaluating the relevance and adaptability of classical fiqh thought in addressing the challenges of globalization. Transformations in social, political, and technological landscapes demand an approach to ijtihad that is not only disciplined but also responsive to contemporary realities. Academic critiques serve to assess the strengths and limitations of the Shāfi'ī methodology, while counter-responses ensure that such assessments remain fair and balanced. Through this approach, Imam al-Shāfi'ī's methodology is understood not as a static framework, but as a dynamic ijtihad tradition capable of development without compromising the foundational principles of sharia.

Although Imam al-Shāfi'ī's ijtihad methodology is recognized as a systematic and disciplined fiqh framework, it has received criticism in the context of globalization regarding its flexibility and adaptability. One major critique concerns its strong emphasis on textualism and the

primacy of *nas*, which is seen as potentially limiting responsiveness to emerging issues such as biotechnology and contemporary international relations (Hallaq, 1997).

A cautious stance toward *al-maṣlaḥah al-mursalāh* is also considered to constrain broader considerations of public interest, particularly in matters of social justice and human rights, thereby prompting proposals to integrate the *maqāṣid al-sharī'ah* approach as a complementary framework (Kamali, 2008). In addition, the Shāfi'ī methodology has been critiqued for its limited emphasis on the integration of multidisciplinary knowledge in addressing global issues such as climate change and the digital economy, thereby necessitating approaches that employ collective *ijtihad* (Auda, 2008).

In the digital era, challenges to religious authority have emerged as fatwas circulate without institutional oversight, even though the Shāfi'ī methodology establishes strict standards for the qualifications of the *mujtahid* (Skovgaard-Petersen, 1997). Nonetheless, the majority of scholars assert that this methodology should not be abandoned; rather, it should be reformulated contextually to remain relevant without compromising its foundational principles.

Although some criticisms have been raised regarding Imam al-Shāfi'ī's methodology, several scholars have provided academic responses to these critiques. The argument that the Shāfi'ī methodology is overly textual and inflexible often arises from literal applications that are detached from the epistemological spirit of the framework, rather than from any intrinsic weakness. His emphasis on the Qur'an and Sunnah functions as a scholarly control mechanism to prevent subjective legal reasoning, rather than as rigidity that excludes rational deliberation (Al-Shāfi'ī, 2007).

A cautious approach to *al-maṣlaḥah al-mursalāh* is intended to protect the integrity of sharia from manipulation under the guise of public interest, particularly in a global context rife with political and economic agendas (Hallaq, 1997). Allegations of inflexibility can also be refuted through the acceptance of *qiyās* as well as the existence of *qawl qadīm* and *qawl jadīd*, which demonstrate openness to contextual change (Al-Shāfi'ī, 2001).

Furthermore, the principles of *mujtahid* qualifications and the disciplined practice of *ijtihad* within the Shāfi'ī methodology align with contemporary needs for collective *ijtihad* and multidisciplinary integration (Kamali, 2008), and are particularly relevant in addressing crises of fatwa authority in the digital era (Skovgaard-Petersen, 1997). Therefore, reforms to the Shāfi'ī methodology should be understood as contextual expansions that preserve its foundational principles, rather than as a rejection of the original framework.

In summary, Imam al-Shāfi'ī's *ijtihad*, which emphasizes the importance of *qiyās* and authentic *hadith* as primary sources of Islamic law, has become a key reference in contemporary *fiqh* discourse. In the context of the Arab world, some scholars criticize al-Shāfi'ī's approach as overly formalistic and insufficiently flexible in addressing emerging issues such as technological developments and human rights discourse (Hallaq, 2009). Such critiques underscore the need for a more contextual and adaptive approach to fatwa issuance, including the integration of *maqāṣid al-sharī'ah* in the process of legal reasoning (*istinbāt*).

In contrast, in Southeast Asia, particularly in Malaysia and Indonesia, responses to these critiques demonstrate selective acceptance and adaptation of al-Shāfi'ī's methodology. Scholars in the region apply Shāfi'ī principles through collective *ijtihad* and consideration of local contexts, particularly in contemporary *mu'āmalāt* issues such as Islamic banking and the halal industry (Noor, 2015). This approach reflects a balance between textual rigor and consideration of societal welfare, thereby maintaining the relevance of the Shāfi'ī methodology within the contemporary framework.

In synthesis, Imam al-Shāfi'ī's *ijtihad* remains relevant in contemporary fatwa production; however, its implementation requires contextual adaptation aligned with social and cultural realities. The Arab world tends to emphasize methodological reform for global applicability, whereas Southeast Asia prioritizes the integration of Shāfi'ī principles with local contexts. Consequently, balancing textual rigor with contextual sensitivity is a critical element in the formation of contemporary fatwas.

Imam al-Shāfi'ī's *ijtihad* methodology continues to serve as a systematic and disciplined foundation for Islamic jurisprudence, emphasizing the primacy of textual sources (*nas*), the hierarchical structuring of legal sources, and the methodical use of analogy (*qiyās*) (Al-Shāfi'ī, 2007). This methodology has become a cornerstone in contemporary *fiqh* discourse, providing a robust epistemological framework for evaluating and issuing fatwas across diverse institutional and socio-political contexts.

In the Arab world, centralized and state-oriented fatwa institutions provide official legitimacy and legal uniformity. However, they are often criticized for being overly formalistic and less flexible in addressing emerging issues such as technological advancements and human rights concerns (Hallaq, 2009). Such critiques highlight the need for a more contextual and adaptive approach to fatwa issuance, including the integration of *maqāṣid al-sharī'ah* in legal reasoning. Conversely, in Southeast Asia, particularly in Malaysia and Indonesia, scholars demonstrate selective adaptation of the Shāfi'ī methodology, applying its principles through collective *ijtihad* while taking into account local contexts, especially in contemporary *mu'āmalāt* issues such as Islamic banking and the halal industry (Noor, 2015). This approach reflects a careful balance between textual rigor and societal welfare, thereby maintaining the relevance of the Shāfi'ī methodology in the modern era.

Globalization and the emergence of multidisciplinary challenges, including bioethics, digital finance, climate change, and human rights, necessitate further development of *ijtihad* approaches through the integration of *maqāṣid al-sharī'ah* and collective scholarly reasoning (Kamali, 2008; Auda, 2008). The findings of this study suggest that the Shāfi'ī methodology is compatible with these approaches and can be reinforced through them, consistent with its dynamic nature, which allows adaptation of legal opinions based on contextual factors while upholding the epistemological rigor of *fiqh* (Al-Shāfi'ī, 2001).

In the digital era, the authority of fatwa institutions faces new challenges as legal opinions circulate without institutional oversight, despite the strict standards for *mujtahid* qualifications established by the Shāfi'ī framework (Skovgaard-Petersen, 1997). Nonetheless, scholars generally agree that the methodology itself should not be abandoned; rather, it should be contextually reformulated to remain relevant without compromising its core

principles. Critiques that the methodology is overly textual or rigid often stem from literal applications detached from its epistemological spirit, rather than from intrinsic weaknesses. The emphasis on the Qur'an and Sunnah functions as a scholarly mechanism to prevent subjective legal reasoning, rather than as rigidity that excludes rational deliberation (Al-Shāfi'i, 2007).

Failing to distinguish between methodological and institutional challenges can lead to inaccurate conclusions in Islamic legal reform. If the Shāfi'i methodology is entirely questioned without considering its institutional context, there is a risk of undermining a historically consistent and disciplined epistemological framework (Hallaq, 1997). Conversely, focusing reform efforts on institutional strengthening, fatwa coordination, and integration of *maqāsid* ensures that the methodology continues to provide a stable foundation for addressing contemporary global challenges. The balance between textual rigor, institutional integrity, and social adaptability is essential for maintaining authoritative, relevant, and ethically grounded fatwas in the modern world.

Geographical differences further shape the practice of fatwa issuance. The Arab world tends to emphasize methodological reform for global applicability, while Southeast Asia prioritizes integration of Shāfi'i principles with local social and cultural realities. These regional variations underscore the necessity of contextual adaptation in *ijtihad* to ensure practical relevance. Ultimately, Imam al-Shāfi'i's *ijtihad* remains highly pertinent in contemporary fatwa production, but its effective application requires harmonizing foundational epistemology with contextual sensitivity and responsiveness to current realities.

This study was conducted conceptually, based on scholarly literature, without financial or institutional influence. The author affirms that there are no conflicts of interest, emphasizing that the analysis aims solely to enhance understanding of al-Shāfi'i's *ijtihad* and its significance in contemporary contexts. Consequently, this study not only affirms the enduring relevance of traditional *fiqh* methodology but also highlights the potential for a more adaptive and dynamic approach to addressing contemporary legal and societal challenges.

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