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Implementation of Ithbait in Maqasid Al-Syari'ah as an Islamic-Based Research Method

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Abstract

Issues of Islamic-based research methodology have initiated discussions in global research recently. The problem that arises is the lack of social research methods in the study of Islamic science and Muslims, which include analytical and epistemological tools in social research methods. Epistemologies and analysis tools that do not meet Islamic law cannot be used to study Islam and Muslims. Therefore, the purpose of this article is to develop a framework model using the ithbat method in the knowledge of Maqasid Al-Syari'ah to be applied as an Islamic-based research method. The first objective of this study is to identify the method of ithbat in Maqasid Al-Syari'ah in determining Islamic law. Second, to analyze the method of ithbat in Maqasid Al-Syari'ah as a method of Islamic research. The research design for this study is exploratory. The data collection method used is through documentation. The data analysis methods used are content analysis and method of difference. The first analysis of the study is taqyim which has been adapted to the technique of the research objective. The second is the istiqlal 'process adapted to the inductive data analysis method. The results of this study conclude that the ithbat method of istiqlal 'and taqyim in Maqasid Al-Syari'ah can be applied as a method of Islamic-based research. It is hoped that the implications of this study will help the public to better understand the true concept of Maqasid Al-Syari'ah and to realize the development of the Islamic-based research methods model in the future.

Keywords: Ithbat, Maqasid Al-Syari'ah, Islamic-Based Research Methods

Introduction

The science of research methods is not new, but it has been widely studied since the 1960s. This knowledge has been fundamental in solving problems and solving current issues through a structured and systematic method (Ayob, 2005). In the meantime, Islam has provided guidance to Muslims in developing new forms of knowledge and methods based on the revelations of the Qur'an and the Sunnah.

In addition, al-Sunnah is also a source of revelation as a guide to the problems that are difficult to interpret in the Qur'anic verses. Instead, problems related to fiqh ibadat, muamalat, munakahat and various other fields of knowledge can be easily understood and resolved by scholars. This is because al-Sunnah is an indirect revelation given by the Messenger of Allah (SAW) through the command of Allah SWT without any added detail (Khairuldin, 2014).

According to this statement, all current issues and issues related to Islam and Muslims need to be referred to the Qur'anic and al-Sunnah sources. This is included in the method of Islamic-based research. Therefore, the use of reason alone does not guarantee accuracy in any study, especially in Islamic and Muslim studies (Khairuldin, 2014).

Khan (1994) argues that the application of revelation in the construction of research methods is no longer a foreign theme. However, these methods require periodic updates to fit the current research style. This is due to the fact that the existence of Islamic based research methods has existed since the earliest days of Islam (al-Buṭiy, 1990).

Khairuldin (2014) also agrees that the method of Islamic-based research has been around for a long time and this is evidenced by the method of solving Islamic law through the Usul al-Fiqh method. Through this method, every problem that requires law will be referred to as one of the methods in Usul al-Fiqh's knowledge. However, according to Majid (2005), this method has not yet been successfully applied in Islamic-based academic research methods from a social perspective.

This statement is the same as Safi (1998) and Aziz (2019) that methods in other Islamic sciences especially Usul al-Fiqh should be adopted and polished in the field of academic research. This is mainly in the field of Islamic research. This is in support of al-Buṭiy's (1990) opinion that Muslims now need to reorganize and refine the knowledge and methods previously developed by scholars to suit the current language and style.

Given the reality of social research methods today, the need to collect and analyze data is done in a variety of ways and forms (Masri, 2005). Violation of the law to fulfill these two requirements should be avoided. This situation is also cited as an ethic that needs to be followed in conducting research (Yahaya, Hashim, Ramli, Boon & Hamdan, 2007).

In addition, the findings of non-Shari'a studies will have implications for the development of educational institutions, societies, families and individuals (Rahim & Awang, 2006). Based on preliminary observations, the epistemology of Maqasid Al-Syari'ah appears to have space and a need for further explanation in-depth on the research method that has a Shari'ah direction.

Methodology

The design of this study uses exploratory type study. According to McNabb (2010) as well as Harun and Abdullah (2004), exploratory studies are conducted to develop a new theory through the evaluation of topics that are carefully studied. Therefore, this study will develop a new theory on the application of the *ithbat* in Maqasid Al-Syari'ah as an Islamic-based research method.

The data collection method used in this study is documentation. According to Dalhat (2015), the method of data collection should be tailored to the theme of the study as it will influence the findings of the study. The documentation for this study includes secondary sources such as traditional and contemporary fiqh books, theses, articles, journals and other printed materials.

Next, the data analysis method for this study is content analysis and method of difference (Method of Difference). The analytical method is used to understand the definition of *ithbat* in Maqasid Al-Syari'ah and the Islamic-based research method. Then the method of difference is used to see the difference between *ithbat* in the knowledge of Maqasid Al-Syari'ah and the field in social research. Next, the rules of the Maqasid Al-Syari'ah will be matched with several methods in social research to suit them.

Result and Analysis of the Study

Definition of Maqasid Al-Syari'ah

Al-Raysuni (1995) and al-Yubi (1998) concur in explaining the meaning of Maqasid Al-Syari'ah as the purpose, desire and benefit contained in the law to safeguard human right. Al-Zuhaili (2001) and 'Alal al-Fasi (1966) explain Maqasid Al-Syari'ah's meaning as a secret behind every law contained in Islamic law. These four definitions explain the meaning behind Maqasid Al-Syari'ah as the purpose behind every inquiry that has benefits and advantages to mankind.

Mukhtar (2006) concludes that Maqasid Al-Syari'ah is a science that discusses the pitfalls, benefits and advantages of any Islamic law study. This problem not only limits the general law of fiqh but also covers the entire process of protecting religion, life, intellect, property and the human race. This purpose is to explain the confession in the form of slavery to Allah SWT and for the good of humanity in the world and the hereafter.

The Process of *Ithbat* in Maqasid Al-Syari'ah

Various methodologies and methods used by the ancient and contemporary scholars in identifying Maqasid Al-Syari'ah. The methodology for identifying Maqasid Al-Syari'ah behind

each law is called *ithbat* and is different for every scholar (Mukhtar, 2006). The *ithbat* processes that have been identified are *istiqra'* and *taqyim*.

a) Definition of *Taqyim*

Taqyim is the process of assessing a matter in detail by looking at the characteristics, circumstances and causes involved before making any decision (al-Syaṭibi, 2006). The word *taqyim* in *Maqasid Al-Syari'ah* is often combined with the words *Maqasid Al-Asliyyah* and *Maqasid Al-Tabi'iyah*. Thus, *taqyim* in *Maqasid Al-Asliyyah* means to study the original *maqasid* behind the inquiry which is the original purpose of a law being created (Al-Butḥiy, 1990). Whereas *taqyim* in *Maqasid Al-Tabi'iyah* is a process similar to the *taqyim* in *Maqasid Al-Asliyyah* but differs from the point of view behind the ritual itself. This means that the *taqyim* in *Maqasid Al-Tabi'iyah* is the process of assessing the purpose of the intercession to align and strengthen with the *Maqasid Al-Asliyyah*. This process reviews the purpose of law to obtain the original purpose behind a mediation. In other words, *taqyim* is a process of combining the *Maqasid Al-Tabi'iyah* to reach the *Maqasid Al-Asliyyah*.

b) Definition of *Istiqra'*

Al-Juwaini (1980) concludes that the term *istiqra'* according to the knowledge of *Maqasid Al-Syari'ah* is the process of constructing a general method based on the specific *juz'iyah* texts of the Quran, *al-Sunnah*, *Ijma* and *Qiyas*. The process of *istiqra'* in the knowledge of *Maqasid Al-Syari'ah* uses a simpler method of researching the laws of the *juz'iyah* for the purpose of producing a general concept of legal methods or the benefit of new ones. As for the general concept of the legal method, the purpose of the knowledge of *Maqasid Al-Syari'ah* is to convince them of the purpose and intent behind each inquiry (al-Ghazali, 1983).

Definition of Islamic-Based Research Methods

According to Faridi (1994) and Salleh (2008), the Islamic-based research method is a scientific study conducted to solve an issue using Islamic sources. The issues and topics for the study to be conducted are not confined to issues of traditional Islamic knowledge. In fact, the discussion of the issues to be explored is broadened to other areas but still relevant to the Islamic context. The sources used are the Quran, *al-Sunnah* and *Ijtihad* (Anwar, 1994; Faridi, 1994).

Salleh (2008) explains that one of the differences between the method of social research and Islamic-based research methods is its philosophy and epistemology. Islamic epistemology, which originates in the Quran and *al-Sunnah*, acknowledges that there is a ruling power in this world, namely Allah SWT. Epistemology in the method of social research, on the other hand, denies the concept of divinity and the existence of the supernatural Being without proof until that it can be proved by the senses (Hassan, 2014). This understanding is called positivism.

a) Construction of Research Questions

The construction of research questions is one of the important points of a study. The research questions are designed to be answered in the analysis of the study while achieving the objectives

of the study. Taqyim in the knowledge of Maqasid Al-Syari'ah means the process of carefully evaluating Maqasid Al-Asliyyah (the original purpose of the study) to construct the Maqasid Al-Tabi'iyah (the purpose of the study). According to al-Syaṭibi (2006), the process of taqyim began by examining the methods or problems of common law already existing in Islam. This process is careful and in order. This process aims at establishing new issues in branch laws and selecting only the same chapter for study (Aḥmad al-Raysuni, 2009; Ofeimu, Ahmed, & Kolawole, 2018; Alqatamin, 2018). Determination of the larger legal system (Maqasid Al-Asliyyah) is a reference to the newly studied minority law (Maqasid Al-Tabi'iyah). Later, the benefits of each of these laws called Maqasid Al-Tabi'iyah are combined with one method and the more common benefit which called as Maqasid Al-Asliyyah. In addition, various arguments from Islamic sources were referred to before the new method of this process was intended to completely avoid any contradiction with the Qur'an and the Sunnah.

This study looks at the similarities between the processes of taqyim in the science of Maqasid Al-Syari'ah with the methodology of research questions in Islamic-based research methods. The process of constructing a research question begins with the research objectives of the study. Then, the research questions are constructed to be answered in the research analysis section. In fact, this taqyim process is viewed more carefully and is suitable for developing research questions in Islamic-based research methods. In addition, this taqyim process has strict requirements so that the questions and objectives of the study that are to be achieved in a study do not conflict with the sources of the Quran and the Sunnah.

b) Data Analysis Process

According to Kumar (2011), the process of data analysis is one of the most important processes in a study. The main purpose of data analysis is to answer all the questions raised at the beginning of the study. One of the processes of data analysis is inductive analysis. This inductive study is conducted to develop a new theory. This study is also known as qualitative. This inductive study uses observation methods for the process of data collection (Creswell, 2003).

According to Mukhtar (2006), the process of istiqrā' in the science of Maqasid Al-Syari'ah is a study of the problems in the branches of law in order to develop a greater legal method. The construction of this larger legal requirement is yet to be found in any part of the knowledge of Maqasid Al-Syari'ah. Finally, this larger method of law is called the new theory and will serve as a reference to the determination of smaller issues in the future. According to al-Ghazali (2000), the istiqrā' process is more concerned with the source used. The sources used must be in line with the Qur'an and the Sunnah. This process looks like an inductive data analysis process that is even more detailed in retrieving the legal data source intended to be studied. Therefore, this study looks at the appropriateness of the application of istiqrā' process in the iṭḥāṭ of Maqasid Al-Syari'ah to be used as a process for data analysis in Islamic-based research methods.

Social Research Methods	Islamic-Based Research Methods
Construction of Research Questions	<i>Taqyim</i>
Data Analysis Process	<i>Istiqrā'</i>

Figure 1. Analysis process of ithbat in Maqasid Al-Syari'ah from prespective of social research methods

Conclusion

Islamic-based research methods have gained the attention of researchers recently. This is because, in some cases, social research methods are seen to be unable to resolve some of the major issues and concerns regarding Islam and Muslims. Particularly the study on the issue of the creed that concerns the existence of the supernatural understanding that is obligatory for every Muslim. This statement does not deny the power of social research methods in resolving issues and problems that have been explored by past and present researchers. This study seeks only to present a new model framework in Islamic-based research methods to study issues related to Islam and Muslims to fit the Islamic epistemology of the Qur'an and the Sunnah.

Therefore, this study seeks to identify several methods in one of the areas of Islamic knowledge to be applied as a method of Islamic-based research. The method is called the process of Maqasid Al-Syari'ah. After researching and analyzing, this study looks at the theoretical relevance of some of the processes in the method of social research with the process of ithbat in Maqasid Al-Syari'ah. The taqyim process is adapted to the process of research questions. Whereas the process of istiqrā' is adapted to the process of data analysis. Therefore, this study looks at the relevance of the application of ithbat in Maqasid Al-Syari'ah as a method of Islamic-based research.

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