

The Normative Interrelationship between Maqāṣid al-Sharī‘ah and the Realization of Ḥuqūq: An Analytical Study

Abid Ullah

Master’s Candidate at the Faculty of Islamic Studies, Universitas Islam
Internasional Indonesia
abid.ullah@uiii.ac.id

Shahid Hussain Wassan Advocate

Advocate Sindh High Court and Research Scholar.
shahidhussain5382@gmail.com

Syed Ali Abbas Abidi

Assistant Professor, Shaheed Zulfikar Ali Bhutto University of Law, Karachi

Abstract

This study discusses the normative interdependence between categories of Ḥuqūq and their role in realizing the higher objectives of Islamic law (Maqāṣid al-Sharī‘ah). Drawing on classical discourses in Uṣūl al-Fiqh, particularly the works of ‘Izz al-Dīn ibn ‘Abd al-Salām and al-Shāṭibī, the paper analyzes how configurations of rights operate within the ethical framework of Jalb al-Maṣāliḥ (attracting benefits) and Dar’ al-Mafāsid (repelling harms). While existing scholarship treats Maqāṣid and Ḥuqūq largely as parallel discourses, this study demonstrates their structural and normative interdependence. The findings demonstrate that Iḥsān functions as a practical principle for actualizing the Maqāṣid, while institutional accountability through Ta‘zīr remains essential even in cases of personal pardon to prevent societal Fasād (corruption). The article argues that the comprehensive realization of Maqāṣid structurally depends on the thorough fulfillment of all categories of Ḥuqūq, thereby providing a robust normative paradigm for Islamic legal theory, ethical governance, and contemporary social order.

Keywords: *Maqāṣid al-Sharī‘ah; Ḥuqūq; Iḥsān; Ta‘zīr; Fasād, Maṣlaḥah*

INTRODUCTION

The divine mission of the sending of prophets and messengers consists in giving full instructions to the lives of people in all their aspects, religious, social, economic, and political. Since human life is manifested in complicated relations within these spheres, justice and social harmony can be achieved only under the condition of appropriate protection of rights and responsibilities (Ḥuqūq Farā'id). This paper is based on the following assumption: the achievement of the Objectives of Islamic Law (Maqāṣid al-Sharī'ah) is structurally reliant on the consistent application of these rights. Systemic failure in the fulfilment of Ḥuqūq ends up frustrating the fulfilment of the Maqāṣid themselves. This is one of the relationships that indicate the basic purpose of the divine legislation: to move human beings out of the darkness of chaos (al-Zulumāt) into the light of guidance.¹⁾ This intention was expressed by classical jurists, like Izz al-Dīn ibn 'Abd al-Salām, by the principle of securing the greater good (Aṣḥab al-Maṣāliḥ) and averting the greater harm (Afsad al-Mafāsid), according to which Islamic law was based on the dual logic of attracting the good (Jalb al-Maṣāliḥ) and repelling the bad (Dar' al-Mafāsid), both in this world and the next.

This normative basis of the interrelationship is inherent in the prophetic mission itself, and the purpose of reform itself characterizes it (Iṣlāḥ). Divine law is directed practically towards the refinement of man, and the practical slant of the divinity of Prophet Shu'ayb "I only intend reform (al-Iṣlāḥ) as much as I am able" sums up the divine law. This perfection is achieved in the ability called Iḥsān, which is translated as the literal implementation of good or the avoidance of evil. Notably, these rewards (Masalih) are not limited to ritual or devotional (Din), but directly to worldly (Dunyā), social, and material deals, to which Ibn Taymiyyah put a strong focus. In this context, Izz al-Dīn ibn 'Abd al-Salām formulated a rights-oriented organization of laws' goals, separating between rights of the Creator only (Ḥuqūq al-Khāliq), those shared by the Creator and the human beings (Ḥuqūq al-Khāliq wa Ḥuqūq al-'Ibād), and those composed of the Prophet, the law subject, and society. Such a classification is an essential methodological approach to discussing the functioning of Maqāṣid by means of the Ḥuqūq framework.

Although much scholarly literature now exists on the conceptual evolution of Maqāṣid al-Sharī'ah and, independently, on the use of Ḥuqūq in modern settings, including human rights and governance, and Islamic finance, their normative interdependence has not been subjected to systematic research. A substantial part of existing literature is either on the general level of theoretical explanation or speculates on the justification of specific

rights without the explanation of methodological principles of their derivation, prioritization, and interaction. The given work fills this gap by analyzing the way modern scholars apply the framework of Maqāṣid al-Sharī'ah to the conceptualization and operationalization of various types of Ḥuqūq, such as the right of the Creator, reciprocal human rights, and the right that is extended to non-humans. The study provides a sound analytical framework for solving ethical tensions and legal conflicts in which multiple rights collide in law, governance, and moral reasoning by showing that the association between Maqāṣid and Ḥuqūq is of normative interdependence (Lāzim wa Malzūm).

METHODOLOGY

The article is based on a qualitative research approach that is a descriptive-analytical approach to understand the normative relation between Maqāṣid al-Shari and the fulfillment of Ḥuqūq in the Islamic legal thinking. Instead of the rights being considered as singular claims in law, the study frames them as ethically motivated obligations within the overall Shari'ah higher goals. The discussion is grounded in traditional as well as modern theories of the Maqāṣid, especially, the principles of Ḥifẓ al-dīn, ḥifẓ al-nafs, ḥifẓ al-'aql, ḥifẓ al-nasl, and ḥifẓ al-māl, and how these objectives can be used as normative standards in the recognition, prioritization, and protection of rights.

The research is based on a carefully chosen collection of primary and secondary materials, such as Qur'ānic exegesis, literature on classical fiqh, and academic publications of the last 20-25 years. The selection of the sources was guided by their conceptual appropriateness, jurisprudential authority, and input regarding the developing discourse of rights and objectives in Islamic law. The analytical procedure is based on a thematic review of the literature, which enables repetitive ideas, lawful justifications, and normative designs to grow naturally. This method allows a critical encounter with continuity and change in the interpretation of Ḥuqūq in the various legal and socio-historical settings. Analytically, the findings have been arranged around three key categories, which are, Ḥuqūq Allāh, Ḥuqūq al-'Ibād, and Ḥuqūq al-Ḥayawān

Each of them is discussed in terms of Maqāṣid al-Sharī'ah to reveal how the rights are functioning not as enforceable rights but as means to attain Adl, Raḥmah, and Maṣlaḥah. This structure brings out the integrative role of Maqāṣid in balancing legal norms and ethical imperatives, and therefore, Ḥuqūq is an integrated normative structure, not a disjointed legal construct. The paper finally concludes that the nexus of Maqāṣid-

Ḥuqūq provides a dynamic and rational approach to the application of the modern legal and ethical dilemmas in the framework of Islamic law.

RESULTS

CONCEPTUAL MAPPING: DEFINING AND CATEGORIZING ḤUQŪQ

The concept of Ḥaqq (right) constitutes a foundational pillar in understanding the realization of Maqāṣid al-Sharī'ah, as the attainment of legislative objectives necessarily operates through concrete rights and corresponding obligations. Linguistically, Ḥaqq signifies affirmation, certainty, and establishment (Iḥqāq al-shay'), functioning as the direct opposite of falsehood and negation (batil), a meaning consistently attested in classical lexicographical works². From a juridical perspective, however, the concept must encompass more than semantic certainty, as it establishes binding responsibility within the moral-legal order of the Shari'ah. Any definition that fails to reflect this normative force risks reducing Ḥaqq to a discretionary entitlement rather than an obligatory legal construct.

Some modern definitions have attempted to conceptualize Ḥuqūq primarily through the lens of benefit (Maṣlaḥah). Yusuf Hamid 'Alam, for instance, defines Ḥuqūq as "every benefit established for a person according to the Shari'ah"³. While this approach foregrounds welfare as a legal concern, it has been subject to sustained scholarly critique for its reductionist tendency, as it confines rights to human legal interests and marginalizes essential dimensions such as the rights of the Creator (Ḥuqūq Allāh) and the rights of animals (Ḥuqūq al-Ḥayawān), which do not depend on human benefit for their normative validity⁴. Classical Uṣūlī scholarship consistently distinguishes between Maṣlaḥah as the objective outcome and Ḥaqq as the legally mandated means through which that outcome is secured, thereby affirming the procedural and obligatory character of rights within the Shari'ah.⁵

The authoritative juridical understanding of Ḥaqq is further clarified through its inseparable relationship with duty (Farḍ). This reciprocal structure is explicitly articulated in the Prophetic dialogue with Mu'adh bin Jabal, in which the Prophet explained the "right of Allah upon His servants" as exclusive worship and the "right of the servants upon Allah" as protection from punishment for those who avoid polytheism⁶. This narration establishes that Ḥaqq in Islamic law denotes an owed responsibility grounded in divine command rather than a unilateral claim. On this basis, Ḥuqūq may be understood as a comprehensive network of responsibilities governing the relationship between the Creator and the created

across all dimensions of existence. This understanding is reinforced by Tahir Ibn 'Ashur, who situates human rights (Ḥuqūq al-Nās) within the Maqāṣid framework by defining them as divinely sanctioned modes (Kayfiyyah) through which humanity is enabled to utilize and cultivate the earth⁷, thereby linking the realization of rights directly to the universal objectives of the Shari'ah.⁸

The methodological categorization of Ḥuqūq provided by 'Izz al-Dīn bin 'Abd al-Salām further demonstrates the analytical utility of rights in realizing the Maqāṣid. In his systematic treatment of Jalb al-Maṣāliḥ and Dar' al-Mafāsid, he classifies rights according to the subject whose interest is protected, thereby extending the scope of the Shari'ah beyond ritual devotion to include self-regulation, social interaction, and ethical responsibility toward all living beings⁹. This framework incorporates duties owed to the self, mutual obligations among legal subjects, and responsibilities toward animals, in addition to rights owed exclusively to Allah, thus providing a comprehensive structure through which legislative objectives are operationalized. Subsequent jurists such as al-Qaraḥī and al-Shatibi affirm this rights-based methodology as integral to the realization of the Shari'ah's reformatory purpose.¹⁰

Within this integrated framework, Iḥsān emerges as the normative mechanism that bridges abstract objectives and concrete legal obligations. Defined by 'Izz al-Dīn as the attainment of benefit or the prevention of harm, or both, Iḥsān functions as the ethical engine of the Maqāṣid. It translates divine intent (Iṣlāḥ) into disciplined conduct through the fulfillment of rights and duties.¹¹. Since the ultimate purpose of the Shari'ah is the realization of welfare and the elimination of corruption, the obligation to act with Iḥsān ensures that Ḥuqūq are fulfilled with maximal diligence and minimal deficiency¹². The Prophetic definition of Iḥsān to worship Allah with full awareness of His constant presence extends this standard beyond ritual devotion to encompass all human actions. Accordingly, the fulfillment of Ḥuqūq across all categories constitutes the tangible expression of Iḥsān, establishing the structural interdependence between rights and Maqāṣid al-Sharī'ah¹³.

DISCUSSION

ANALYTICAL FINDINGS I: THE NORMATIVE BASIS OF ḤUQŪQ ALLĀH

This part examines the satisfaction of the rights of the Creator (Ḥuqūq Allāh) as one of the main means by which the realisation of the Maqāṣid al-Sharī'ah is achieved, coming to the normative conclusion that the whole of the benefits ensuing

from a right is due to the human legal subject (Mukallaf) alone. According to the Qur'anic expression of divine self-sufficiency (al-Ghani) and absolute needlessness (al-Ṣamad), Ḥuqūq Allāh was based on the idea that Allah would be free of all creation. Izz al-Dīn b. 'Abd al-Salām clarified this by defining al-Ṣamad as that to which all are dependent and to which none is dependent, and that obedience can do no good to the divine sovereignty, nor can disobedience do any harm, but that all is returned to its doer.¹⁴ This is also ascertained in the hadith Qudsī that all things are left to al-Ṣamad and that Allah is not dependent upon anything and that anything left upon Him is returned on the doer.

Ḥuqūq Allāh are not juristic aims directed toward fulfilling a divine need, but legally binding obligations whose ultimate purpose lies in the moral and spiritual perfection of the mukallaf. Worship, the upholding of ritual practices, and acts that safeguard faith produce Maṣlaḥah specifically for the human subject, resulting in inner reform (Iṣlāḥ) and ultimate salvation.¹⁵ Within Maqāṣid theory, this role is fundamental: the fulfilment of Ḥuqūq Allāh predisposes the individual to the proper fulfilment of subsidiary obligations toward the self and others, thereby rendering these rights a methodological foundation of Maqāṣid al-Sharī'ah.

The extent and form of these rights are explained by the three-fold division that is expressed by Izz al-Dīn bin 'Abd al-Salām. He differentiated exclusive divine rights in terms of belief and creed; compound rights in terms of Zakāh and expiations, where Allah's rights and the rights of the community and Prophet converge in a single legal act, like in the Adhān.

The normative principle of Iḥsān that mandates excellence, sincerity, and accuracy in the performance controls the realization of Ḥuqūq Allāh. Iḥsān is considered to protect both the Fasād and juristically defined as the act of distorting the purpose of an act, and the Quran expressly denounces such corruption as contrary to the aims of the Shari'ah.¹⁶ Practically, this ethical practice cultivates the purification of the inner state (qalb) and guides the regulation of outward actions (badan), thereby achieving the spiritual objective of safeguarding the self (ḥifz al-nafs).¹⁷

This constellated fulfillment of Maqāṣid and Ḥuqūq is well exemplified in the form of obligatory prayer (Ṣalāh), which classical jurists considered as the most virtuous of the actions in which the duties to God, oneself, and society are all fulfilled in a unified system of action. Upon the application of these duties within the framework of Iḥsān, these obligations culminate in divine pleasure (Riḍwān), which the Quran refers to as the ultimate goal of the Shari'ah.¹⁸

ANALYTICAL FINDINGS II: ḤUQŪQ AL-‘IBĀD (HUMAN RIGHTS) AND THE PRINCIPLE OF ACCOUNTABILITY

This part discusses how mutual human rights (Ḥuqūq al-‘Ibād) should be achieved according to the normative principle of accountability, showing that even though individual beneficiaries may waive these rights, they must be bound together under the higher aim of justice and social order (Iṣlāḥ). Classical jurists always had Ḥuqūq al-‘Ibād and the strictly divine rights in distinction from the principle that human rights are, in principle, pardoned and reconciled by their holders. Izz al-Dīn bin ‘Abd al-Salām stressed that no right of the created is independent of the right of obedience and compliance of Allah (Ḥaqq al-Ijābah wa al-Ṭā‘ah), so that the non-observance of human dignity is not turned into a personal conflict but the violation of a moral and legal duty before Allah.¹⁹ This principle is found in the Maqāṣid framework to protect the aims of justice (adl) and maintenance of honor (Ḥifẓ al-‘Ird) by not attenuating them by over privatizing wrongdoing.

This knowledge informs the juristic debate on discretionary punishment (Ta‘zīr) directly. A prevailing academic school of thought holds that victim forgiveness may not always reduce the necessity of society-wide sanction, especially in those situations where the offense poses a threat to societal conventions or that the offense promotes ethical irresponsibility²⁰. By this means, Izz al-Dīn defended that Ta‘zīr is still necessary in order to stop normalization of transgression, which he described as the closing of the door to audacity against God (Ighlāq li-bāb al-jurāḥ)²¹. By this reason, the Shari'ah keeps the order in the

community and prevents Fasād, a fact that he claimed that the safeguarding of individual rights ultimately serves the greater good and the high goals of reform (Iṣlāḥ).

The organizational explanation of these principles can be explained on the basis of the Ḥuqūq al-'Ibād, where the classical theory classifies these rights as those of the person to himself and the rights between the legal subjects among themselves. Banning the self-destruction in the Quran, as well as the Prophetic attestation to the existence of body and soul, which has a right over the individual, operationalizes self-care as part of the ordinary practice of legal duty²². The second and most demanding category, governing social and economic relations, is governed by the overall imperative of Iṣlāḥ, which consists of the achievement of all obligatory and recommended benefits, the avoidance of all forbidden or discouraged harms, and through which, social cohesion is maintained despite individual failure.²³ Qur'anic imperatives to cooperate in righteousness and piety and not to cooperate in sin and aggression are expressions of this twofold logic of attraction and repulsion, as the moral excellence of the Islamic law.

The inviolability of life, property, and honor is the most tangible example of this interdependence between Ḥuqūq al-'Ibād and Maqāsid al-Sharī'ah. The Prophet detailed these three aspects to be sacred in the Farewell Sermon and equated them with the sanctity of the best of times (Ḥifẓ al-Zamān) and the best of abodes.²⁴ The statements by the Prophet gave solid grounds for how the objectives of life preservation (Ḥifẓ al-nafs), property preservation (Ḥifẓ al-Māl), and honor preservation (Ḥifẓ al-'Ird) became enshrined in the structure of enforceable human rights²⁵. The realization of Ḥuqūq al-'Ibād into contemporary times is neither to protect the material interests, but to offer protection to the necessary conditions of human dignity and coexistence, which is reason itself as to why the Shari'ah was revealed²⁶.

ANALYTICAL FINDINGS III: ḤUQŪQ AL-HAYAWĀN (ANIMAL RIGHTS) AND THE PRINCIPLE OF EXPANSIVE SCOPE

This section examines the systematic incorporation of animal rights (Ḥuqūq al-Ḥayawān) within Islamic legal theory and demonstrates how their recognition reflects the comprehensive application of Maqāṣid al-Sharī'ah fī al-Ḥayawān, aimed at realizing universal benevolence (Iḥsān) for all living beings.

1. Through universal Ra'fah and Raḥmah, there is a normative derivation.

Ḥuqūq al-Ḥayawān has a legislative basis of Divine names of al-Ra'ūf (the Compassionate) and al-Rahim (the Merciful)²⁷. With these qualities, the normative duty of Iḥsān is encompassed by all sentient beings including those that have historically been considered as negligible. The Maqāṣid classical theorists held that the divine mercy is beyond human relationships and pervades the overall moral order that regulates creation. The Prophet made it clear that compassion for animals is rewarded by God by stating that in every living creature with a wet liver there exists reward and thus has placed animal welfare in the context of moral responsibility. On the other hand, the mistreatment of animals has very dire moral and eschatological outcomes, as in the case of the report about the woman who was found guilty of starving a cat²⁸.

These predictive precedents declare that the kindness to animals is not just any supererogatory virtue but also an obligatory actualization of the Maqṣad of universal mercy. This moral obligation has a direct relation to personal responsibility in the next world²⁹. Sayyid Sulayman Nadwi concludes that the normative connection embodied in Ḥuqūq al-Ḥayawān is morally mandatory to allow animals to serve the purposes they were created for through the provision of proper care, food, and rest, arguing that neglecting the normative connection is dangerous to the ethics of responsibility as well as the natural benefits of animals³⁰.

1. Legislative Functions and Usage of Jalb al -Maṣāliḥ as well as Dar' al-Mafāsid.

The methodological relationship of Maqāṣid al-Shari'ah and Ḥuqūq al-Ḥayawān is best illustrated in the elaborate legislative obligations of classical jurists to guarantee good (Jalb al-Maṣāliḥ) and to avert evil (Dar' al-Mafāsid). One of the most systematic approaches is that of Izz al-Dīn ibn 'Abd al-Salām, in whose works an animal welfare based on purposive legal reasoning is offered in line with positive duties on human agents.³¹ Along with protection against excessive load and avoidable damage, jurists demanded proper feed and water even to animals who are sick, old, or no longer economically viable, and to food that is not easily obtainable. Humane slaughter (Iḥsān al-Ḍabḥ) was stipulated by very specific moral restrictions, including the limitation of mutilation before death and the impossibility of slaughtering children in front of their mothers.³² Moreover, continuing maintenance of welfare, e.g., proper shelter, elimination of parasites, and allowance of natural fertilization. To strengthen these obligations, al-Qarafi anchored them on the fact that harm, irrespective of the object, violates the aims of the Shari'ah.³³

Such an elaborately prescriptive set of obligations is evidence that Maqāṣid al-Shari'ah is an all-encompassing ethical requirement that places humans structurally liable to the broader creation, such that they are responsible, restrained, and just in their stewardship of the wider creation. These rights being realized are therefore fundamental to the realization of the objective of universal Iḥsān, and in this way the breadth and coherence of the Maqāṣid framework becomes confirmed in classical theory as well as in modern application.

2. Synthesis: The Scope of Maqāṣid as The Coherent System

The comparison between Ḥuqūq Allāh, Ḥuqūq al-'Ibād, and Ḥuqūq al-Ḥayawān supports the fact that the normative relationship is an interdependent whole that exists between Maqāṣid and Ḥuqūq. The functional achievement of legislative purposes, causing the acquisition of benefit and the

rejection of the harm, is determined by the good faith performance of the rights in all three fields. Failures in either category, be it through shirk (neglect of Ḥuqūq Allāh), injustice towards humans (neglect of Ḥuqūq al-‘Ibād), or brutality towards animals (neglect of Ḥuqūq al-Ḥayawān), are all consistently termed as Fasād (corruption). Because any types of Fasād are explicitly forbidden in the Quran,³⁴ the fulfillment of Ḥuqūq becomes the objective, real, and obligatory manifestation of the overall goal of Iṣlāḥ.³⁵

Thus, it is clear that, on this basis, Maqāṣid al-Sharī'ah can be described as the essential methodological system of deriving, validating, and ranking the lawful and ethical rights in the Islamic system. The detailed discussion is adequate to prove that the achievement of Jalb al-Maṣāliḥ and Dar al-Mafāsīd is structurally realized upon the achievement of categorized Ḥuqūq, which is further synthesized.

CONCLUSION

This paper examines the normative interdependence between Maqāṣid al-Sharī'ah and the realization of Ḥuqūq within Islamic legal philosophy. The analysis demonstrates that the objectives of Sharī'ah are realized not merely as abstract ethical commitments but through the systematic fulfillment of categorized rights. By analytically differentiating Ḥuqūq Allāh, Ḥuqūq al-‘Ibād, and Ḥuqūq al-Ḥayawān, the study establishes that these categories constitute an operative structure through which the Sharī'ah secures benefits (Jalb al-Maṣāliḥ) and prevents harms (Dar' al-Mafāsīd).

The results prove that fulfillment of Ḥuqūq Allāh is mainly used to purify and maintain the human legal subject, due to the Divine features of being sufficient and transcending. Concurrently, the paper explains that Ḥuqūq al-‘Ibād, though individually negotiable in certain contexts, are inextricably attached to divine accountability, thereby safeguarding the ends of justice, order, and social reform.

Ḥuqūq al-Ḥayawān also shows the wide range of the Maqāṣid al-Sharī'ah, and the extension of the task of Iḥsān not only to human beings in society, but to the entire sentient creation. By standardizing the classical juristic structure of right as a methodological tool to evaluate the law and morality, this study adds to the

Maqāṣid scholarship. It emphasizes that the disregard of any form of rights is Fasād, which is a direct contradiction of the initial purpose of Iṣlāḥ, which the Islamic law is based on. In this regard, the fulfillment of Maqāṣid al-Sharī'ah depends on the totality and self-discipline in the discharge of all the respective Ḥuqūq. Future research should focus on applying this integrated Maqāṣid–Ḥuqūq framework to modern legal and policy dilemmas, particularly in areas where conflicting rights require principled prioritization, such as environmental ethics, regulation of public welfare, and discretionary criminal sanctions (Ta'zīr). Addressing these issues would enhance the relevance of Maqāṣid al-Sharī'ah to contemporary Islamic law.

REFERENCES

¹ Quran. al-Nur 14:1

² Codingest, "Lisan Al-Arab: A Masterpiece of Arabic Lexicography," Islamonweb English, September 23, 2024.

³ Mohamad El-Merheb, "The Late Ayyubid and Early Mamluk Context: Ibn Talha and al-Qarafī," in *Political Thought in the Mamluk Period*, by Mohamad El-Merheb (Edinburgh University Press, 2022), p.05.

⁴ Sira Rahman, "Religion and Animal Welfare—An Islamic Perspective," *Animals* 7, no. 2 (2017): 11, p. 91.

⁵ Ismail Lala, "An Analysis of Muḥammad Ibn 'Alī Al-Tahānawī's Approach in 'Kashshāf Iṣṭilāḥāt al-Funūn' – The Entry of 'Huwiyya,'" *Journal of Arabic and Islamic Studies* 17 (January 1970): 14–34, p.30.

⁶ al-Bukhari 1994; Muslim 1991

⁷ (Quran. 2:29)

⁸ Syarifah Reny Anggraini et al., "MAQASHID SYARIAH PEMIKIRAN AT-TAHIR IBN ASHUR," *Holistik Analisis Nexus* 2, no. 9 (2024): 16–21, p.93.

⁹ "Tafsir Izz Ibn Abd Al-Salam (2 Vol.)," Jarirbooksusa - Arabic Books & More - For All Interests & Ages, accessed December 30, 2025, p.56.

¹⁰ Hassan Suleimān et al., "EXAMINING THE REFORMIST THOUGHTS OF AL-TAHIR IBN 'ASHUR," *Malaysian Journal of Syariah and Law* 12, no. 2 (2024): 272–81, vol12no2.467.

¹¹ Marina Abu Bakar and Ahmad Khilmy Abdul Rahim, "Maqasid Al-Shariah Theory: A Comparative Analysis Between the Thoughts of Al-Shatibi and 'Izz Al-Din Ibn 'Abd Al-Salam," *International Journal of Academic Research in Business and Social Sciences* 11, no. 8 (2021): 180–93, p. 83.

¹² Abdul Hakim I Al-Matroudi, *The Hanbali School of Law and Ibn Taymiyyah*, 0 ed. (Routledge, 2006), p.78

¹³ Gibril Fouad Haddad, "Tropology and Inimitability: Ibn 'Āshūr's Theory of *Tafsīr* in the Ten Prolegomena to *al-Tahrīr Wa'l-Tanwīr*," *Journal of Qur'anic Studies* 21, no. 1 (2019): 50–111, p.68.

¹⁴ Sunnah: Book 7, Hadith 145 English translation, Book 7, Hadith 903 Arabic referenc, Book 7, Hadith 899

¹⁵ Munadi Usman et al., "Fuqaha' Perspective on Government Authority in Formulating Ta'zīr Penalty," *Siyasah Wa Qanuniyah: Jurnal Ilmiah Ma'had Aly Raudhatul Ma'arif* 3, no. 1 (2025): 42–57, p.42.

- ¹⁶ Abdurrohman Kasdi, "Actualizations of Maqashid Al-Shariah in Modern Life: Maqashid al-Shariah Theory as a Method of the Development of Islamic Laws and Shariah Economics," *Justicia Islamica* 16, no. 2 (2019): 247–68, p.96.
- ¹⁷ Abdulsatar Shaker Salman, "Mass Surveillance and the Maqasid Al-Shari'ah: Balancing Security and Human Rights in Contemporary Islamic Discourse," *International Journal of Sharia and Law* 1, no. 1 (2025): 65–80, p.65.
- ¹⁸ M. Khusnul Khuluq and Asmuni Asmuni, "Hifz Al-Bi'ah as Part of Maqashid Al-Shari'ah and Its Relevance in the Context of Global Climate Change," *Indonesian Journal of Interdisciplinary Islamic Studies* 7, no. 2 (2025), p.83.
- ¹⁹ Usman et al., "Fuqaha' Perspective on Government Authority in Formulating Ta'zir Penalty."
- ²⁰ Andrew F. March, "Islamic Legal Theory, Secularism and Religious Pluralism: Is Modern Religious Freedom Sufficient for the Shari'a 'Purpose [Maqsid]' of 'Preserving Religion [Hifz Al-Din]?'", *SSRN Electronic Journal*, 2009, p, 95.
- ²¹ "Jadal-al-Madhab-14-12-2023.Pdf," n.d., accessed December 29, 2025, <https://mahajjah.com/wp-content/uploads/2023/09/Jadal-al-Madhab-14-12-2023.pdf>, p.34
- ²² Mutawalli Mutawalli, "Maqāṣid Al-Sharāḥ: Paradigma Istinbāt Hukum Islam," *Istinbath: Jurnal Hukum Islam IAIN Mataram* 14, no. 2 (2015).p.76
- ²³ Showkat Ahmad Dar, "M.A Muqtedar Khan, Islam and Good Governance: A Political Philosophy of Ihsan," *ICR Journal* 10, no. 2 (2019): 306–9, p.215
- ²⁴ Tika Widiastuti et al., "MEASURING THE CORRUPTION MEASUREMENT MODEL (CMM) BASED ON MAQASID SHARIAH FRAMEWORK," *Humanities & Social Sciences Reviews* 7, no. 2 (2019): 282–86.
- ²⁵ al-Tirmidhī, Sunan al-Tirmidhī, Kitāb Ṣifat al-Qiyāmah, ḥadīth no. 2417.
- ²⁶ Muḥammad al-Ṭāhir Ibn 'Āshūr, Treatise on Maqāṣid al-Sharī'ah, trans. Muḥammad el-Tahir el-Mesawi (London: International Institute of Islamic Thought, 2006).
- ²⁷ The Qur'ān. Sūrat al-A'rāf 7:156.
- ²⁸ al-Bukhārī, 1984
- ²⁹ Rahman, "Religion and Animal Welfare—An Islamic Perspective." P,17
- ³⁰ Sayyid Sulayman Nadvi, Seerat-un-Nabi: The Life of the Prophet, trans. Saeed-ul-Haq Sideeqi, vol. 6 (Karachi: Darul Ishaat, 1999), p.89.
- ³¹ Abdulsatar Shaker Salman, "Mass Surveillance and the Maqasid Al-Shari'ah."
- ³² Michal Moch, "Naṣr Abū Zayd: A Critical Rereading of Islamic Thought," *Kazimierz Wielki University Publishing Office*, January 1, 2017, [AB_Zayd_A_Critical_Rereading_of_Islamic_Thought](#).
- ³³ Hidayat Hidayat et al., "The Concept of Structural Legal Aid in Combating Corruption from the Maqashid Shariah Perspective," *AT-TURAS: Jurnal Studi Keislaman* 11, no. 1 (2024): 25–37, p.16.
- ³⁴ Akilu Aliyu Shinkafi and Nor Aini Ali, "Contemporary Islamic Economic Studies on Maqasid Shari'ah : A Systematic Literature Review," *Humanomics* 33, no. 3 (2017): 315–34, p.223.
- ³⁵ "Maqashid Sharia as a Framework for Innovation in Corruption Prevention," *International Journal of Islamic Thought and Humanities* 4, no. 1 (2025): 38–50, p.13.