

Beyond Maqasid al-Shariah: The Methodological Transcendence of the Concept of Maqasid al-Quran

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This paper aims to highlight on a new dawn of Maqasid thought called Maqasid al-Quran which yet to be emerged as an independent Islamic science like its predecessor, the concept of Maqasid al-Shariah. Being related, yet distinctive, Maqasid al-Quran was treated by some Muslim scholars as a next generation of maqasid thought after Maqasid al-Shariah. A contemporary Islamic jurist Taha Jabir Alwani has categorically mentioned that the journey of Maqasid al-Shariah should continue until it reaches to Maqasid al-Quran which could have a wider scope of the methodological capacity to go beyond Islamic legal paradigm. Hence, to explore the methodological implications of Maqasid al-Quran, this research will review Alwani's views on the subject. As a result, it could encourage a new thinking of maqasid discourse.

Keywords: Maqasid al-Quran, Maqasid al-Shariah, Shariah, Taha Jabir Alwani, Maqasid, Objectives of Islamic Law, Objectives of the Quran.

Introduction

In contemporary Islamic thought, maqasid discourse becomes increasingly popular. Two distinctive terms namely *Maqasid al-Quran* and *Maqasid al-Shariah* are popularly being used by the scholars of the field. While *Maqasid al-Quran* concerns understanding of the objectives of the Quranic discourse as well as its exegesis, *Maqasid al-Shariah* is confined within understanding the objectives of Islamic law and exploring the legal rulings of the *shariah*. However, some Muslim scholars, from the past and contemporary, like Abu Hamid al-Ghazali (d.1111C.E.), Izz al-Din ibn Abd al-Salam (d.1261C.E.), Ibn al-Qayyim (d.751A.H.), Al-Shatibi (d.1388C.E.), Rashid Rida (d.1935C.E.), Badiuzzaman Said Nursi (d.1960C.E.), Ibn Ashur (d.1973C.E.), Yusuf al-Qaradawi (b.1926C.E.) used both of these terms and outlined their basic concepts, but none of them used them interchangeably.⁶⁶ Therefore, the both terms leads to conceive that *Maqasid al-Quran* and *Maqasid al-Shariah* are not an identical genre. Muhammad Asad (d.1992) notes, "The term *Shariah* is more restricted in meaning than the term *Din*, which comprises not merely the laws relating to a particular religion but also the basic, unchanging spiritual truths which, according to the Quran, have been preached by every one of God's

66 Al-Ghazali, Abi xEmid, *al-Mustafa fE Nilim al-'UfEi*, ed. Muammad NAbd al-SalEm Abd al-ShEqE (Beirut: DEr al-Kutub al-NIlmiyyah, 1413 A.H.), p. 174.

apostles, while the particular body of laws (*Shariah* or *shir'ah*) promulgated through them, and the way of life (*minhaj*) recommended by them, varied in accordance with the exigencies of the time and of each community's cultural development."⁶⁷ Furthermore, the argument that the Quran, instead of presenting the *Shariah* as a whole of *Din*, presents the *Shariah* as part of the whole *Din* or part of the whole Quranic teachings. Although the Quran is primarily a holistic scripture which addresses theology, morality, rite and rituals, etc., and not merely a legal code, it however contains about five hundred verses, which are normative in nature.⁶⁸ These, in much detail, mainly deal with family affairs, civil laws, norms concerning state, economics, and penal laws. Only these, a few Quranic norms and the clear and ambiguous normative rules of the authentic *Sunnah* as a direct and eternal divine guidance (*shar'allah*) deserve the name of *Shariah*.⁶⁹ Moreover, since *Shariah*, in its legal sense, does not necessarily represent the totality of the *Quran* but only its legal portion *Maqasid al- Shariah* is confined only within the legal domain. However, the *Quran* which goes beyond the legal aspects and contains many other issues have no connection with laws such as stories of past nations or historical events, ethos, portrayal of the hereafter, natural phenomena, scientific indications, description of Allah's attributes, etc. In fact, *Maqasid al-Quran* is generally concerned with the intents of Allah (s. w. t.) distributed over the whole of His speech.⁷⁰

Maqasid Al-Qur'an's Transcendence over Maqasid Al-Shari'ah

Looking into the objectives (*maqasid*) of *al-Shariah* and the objectives (*maqasid*) of *al-Quran* could be another distinguishing element for visualizing the distinction between these two terms. According to famous jurists, *Maqasid al-Shariah* refers to issues which aim to legislate the legal laws and execution of juristic rules, for example the five principles that protect life, religion, honor, intellect and asset whereas, in regard to *Maqasid al-Quran*, none of these five issues is defined as Quran's objective by the same scholars who agreed upon these five *Maqasid of al-Shariah*.

The identification of *Maqasid al-Quran* by traditional Muslim scholars, as mentioned above, is mostly imprinted by Islamic theological color. In their views, the major issues of Islamic theology such as *Tawġġd*, Prophethood, reward and requital in the Hereafter, divine Determinism, etc.⁷¹ are detected as universal *maqasid* of the Quran. In contemporary literature, there is paramount conceptual and numerical extension over the identification of *Maqasid al-Quran* in pre-modern era. The numerical variation ranges between one and ten, and the conceptual diversity exceeds the theological boundary and reaches ethics, education (*tarbiyah*), socio-political reforms, Quran's inimitability, civil rights, establishment of Quranic laws and others. A brief detail of these variations is presented in the following paragraphs.

67 Raysġġnġġ, *Imam al-Shġġġġbġġ's Theory of the Higher Objectives and Intents of Islamic Law*, translated from Arabic by Nancy Roberts (Kuala Lumpur: Islamic Book Trust, 2006). P. 19.

68 Al-Ghazġġġġġ, *The Jewels of the Qur'ġġġn*, translated from Arabic by Muhammad Abul Quasem (Kuala Lumpur: University of Malaya Press, 1977), p. 23.

69 Al-Ghazġġġġġ, *The Jewels of the Qur'ġġġn*, p. 26-29.

70 Ibid., p. 33.

71 Ibid., p. 30-32.

According to Abu Hamid al-Ghazali (d.1111 A.D), *maqasid* of the Quran, are six: to introduce Allah (s.w.t.), to introduce the Straight Path, to describe the situation in the Hereafter,⁷² to describe the state of respondents to the call to Allah (swt), to describe of the condition of the deniers, and to teach the way-stations on the journey to Allah (swt).⁷³ Whereas, *maqasid* of the *Shariah* are five: to preserve religion, to preserve life, to preserve the faculty of reason, to preserve chastity, and to preserve material possession.⁷⁴

One can easily discern the various dimensions of difference in Ghazali's views of *Maqasid al-Quran* and *Maqasid al-Shariah*. In terms of nature, according to him, the five objectives of *al-Shariah* are solely normative as they are concerned with legal cases.⁷⁵ In contrast, in the case of *Maqasid al-Quran*, his views manifest a broader theological nature rather than the legal one such as the first *Maqasid* of the *Quran* which he categorizes into three as "knowledge of Divine Being, knowledge of His attributes, and knowledge of His works."⁷⁶ The rest of al-Ghazali's classifications of *Maqasid*, unlike the sixth objective (*maqasid*), are also concerned with metaphysical issues - Hereafter, Angels, Haven, Hell - and the Quranic dialectics⁷⁷ which are totally devoid of normative nature. Yet unlikely, according to al-Ghazali, the "sixth objective [of the Quranic verses] includes those which are termed lawful, unlawful, and the bounds of God."⁷⁸ Furthermore, in this section he mentions the theory of preservation, invoking well-being and repealing the corruptive means (*dar' al-mafsadah*) which are the core theory of *Maqasid al-Shariah*.⁷⁹

Ibn Ashur's thesis of *Maqasid al-Quran* covers a wide range of major Quranic themes such as reformation of belief system, purification of morals, legislation of laws, stories of ancient nations, reward and requital, and Quran's inimitability (*i'jaz*). Like al-Ghazali, he regards the legal portion of the *Quran* as one of its many objectives. Evidently, his classification of *Maqasid al-Quran* goes beyond the range of his classification of *Maqasid al-Shariah* as the former is enumerated in eight and the latter in three. As far as his theory of *Maqasid al-Shariah* is concerned, it is totally devoted to the legal implications and he necessitates the jurists to have knowledge of this art for five reasons which are entirely concerned with giving rulings in analogical issues and knowing the reason and wise purpose behind the legislation of any law by the Lawgiver.⁸⁰ While discussing *Maqasid al-Shariah*, nowhere does he deal with any moral, theological, historical or metaphysical issues as he did for *Maqasid al-Quran*. He completely relates this art of knowledge to the technical functionalities of determining a legal ruling whose legal status is vague, undermined, unknown, or incompatible with time and space. He concerns

72 Ibn NŌshĒr, *MaqĒlĒd al-SharĒ'ah al-IslĒmiyyah* (Beirut: DĒr al-LubnĒn, 2004), p. 135.

73 Al-QaraĒwĒ, YusĒf, *Kayfa Nat'Ēmal Ma'a Al-Qur'Ēn Al-ADĒm* (Qatar: Markaz Al-BuhĒth Al-Sunnah wa Al-SĒrah, University of Qatar, 1997), 63.

74 Muhammad RashĒd RĒla, *Al-WaĒy Al-MuĒammadĒ* (Beirut: Foundation of 'Izz Al-DĒn, 1306 H), 191.

75 Muhammad Iqbal, *Reconstruction of Religious Thought in Islam*, ed. M. Saeed Sheikh (Lahore: Institute of Islamic Culture, 1996), 7.

76 Al-DhahabĒ, MuĒammad HusaĒn, *Al-WaĒy wa Al-Qur'Ēn Al-KarĒm* (Cairo: Maktab Wahbah, 1986), 39.

77 Abul A'la MawdĒdĒ, *Fundamentals of Islam* (Pakistan: Lahore, Islamic Publication, 1982).

78 MaĒmĒd ShaltĒt, *'Ila Al Qur'Ēn Al-KarĒm* (Cairo: DĒr al-ShurĒq), 5-6.

79 Bediuzzaman Said Nursi, *Signs of Miraculousness*, p. 19.

80 *asan Al-BannĒ', *adĒth Al-ThulĒthĒ', compiled by ĀĒmad NŌsa NŌshĒr (Cairo: Maktabah Al-Qur'Ēn).

his theory of *Maqasid al-Quran* with the interpretation of Quranic verses where Allah's (swt) intents should be exposed and the instances of such interpretation can be seen in his *tafsir* work, *al-Tahrir wa al-Tanwir*.

Yĕsuf al-Qaradawi (b.1926) also identifies the following eight purposes: The correction of beliefs, and of the conceptions of the Deity, prophethood, and requital; the acknowledgement of man's position on the earth and rights, particularly those of the weak; inspiring humanity to worship God and fear Him; inviting men to purify their souls; the establishment of a sound family structure, and the preservation of women's rights; the building of a model *Ummah*; and summons to mutual assistance in the world of humanity.⁸¹

Rashid Rida (d.1935) identifies ten purposes: Exposition of the basic pillars of the religion; Prophethood and Divine messengership, and those of assignments of the prophets; perfection of man's mind; the humanistic, socio-political and national reforms; exposition of responsibility in Islam and the general advantages of its prohibitions; explanation of the manners, foundations and general principles of universal Islamic political ruling; guidance to financial reform; reforming of war policy and philosophy and eliminating its evils and predicaments; giving women all human, religious and civil rights; and guidance of Islam to rid of slaves.⁸²

Muhammad Iqbal (d.1938) detects only one main purpose of the Quran which is to awaken in man the higher consciousness of his manifold relations with God and the universe.⁸³

Muhammad Husain Al-Dhahabi (d.1977) identifies two universal purposes of the Quran: first, to be the miracle (*M'ujiza*) for the Prophet (pbuh) and giving testimony to the authenticity of *D'awah* and his messengership; secondly, to be a constitution for the Islamic *Ummah* where *hidayah*, righteousness, dignity in this world and happiness in the hereafter are derived from.⁸⁴

Abul Ala Mawdudi (d.1989) is the proponent of three fundamental purposes of Quran: establishing God's law on His earth; making mankind true vicegerents according to His guidance on the earth; and making Quranic observers superior in this world.⁸⁵

Mahmud Shaltut (d.1963) also finds three purposes: 1. Belief system: it purifies the mind from the seeds of polytheism and paganism, encompasses it with the policy of pure spirituality and it comprises what is obligatory to believe in Allah and His attributes, Revelation, angels, divine Books, prophets, resurrection and requital, 2. Ethics: it disciplines mind, upraises honor of persons and society, strengthens brotherhood and cooperation among mankind, it includes truthfulness, patience, fulfilment of covenant, tolerance, etc, 3. *Ahkam*: the rulings of Allah (swt) mentioned in the Quran. It includes sets of worships, social norms, judicial laws, financial interactions, military rules, etc.⁸⁶

Said Nursi (d.1960) sees the universal purposes of the Quran as *tawhid*, Prophethood, Resurrection and Justice.⁸⁷

81 Muĕammad ņAbduh, *Fĕ Tafsĕr al-Qur'ĕn* in *Al-Aĕmal al-Kĕmilah li al-Imĕm Muĕammad ņAbduh*, ed. by Muĕammad ņImĕrah (Cairo: Dĕr al-Shurĕk, 1993), vol. 4: 23.

82 ņAwwĕ, Muĕammad Salĕm, *Dawr al-Maqĕĕid jĕ al-Tashrĕĕt al-Mu'ĕĕarah* (London: Wimbledon, Al-Furqan Islamic Heritage Foundation, 2006), p. 10.

83 Ibn Bayyah, ņAbdallah ņAlĕqah *Maqĕĕid al-Sharĕ'ah bi al-Usĕl al-Fiqh*, p. 21-22.

84 *Ibid.*, 21.

85 Ibn ņŌshĕr, *al-Taĕrĕr wa al-Tanwĕr*, vol.1: 39.

86 *Ibid.*, vol.1: 40.

87 *Ibid.*, vol.8: 8.

Hasan al-Banna' (d.1949) is also a proponent of four purposes: Exposition of Islamic rulings comprehensively and practically in conjunction with contemporary style; introduction of Islam as a complete social code, not merely a theoretical dogmatic religion; preservation of true belief in Allah (swt) in times of atheism; and helping human mind in the period of transgression of materialism.⁸⁸

Muhammad Abduh (d.1905) points out the main purposes are divine unity; the promise of a generous reward for embracing the Quran, and admonition of those who do not embrace it and threatening them with punishment; worship, which revives the heart with the affirmation of Divine unity and establishes it firmly in the soul; explanation of how that path should be followed, which is the way of happiness and leads to the bounties of the hereafter; stories of those who obeyed the path of Allah and those who did not.⁸⁹

Thus, in the prominent Muslim scholars' views, both subjects are respectively distinctive and differ from each other in their classifications, functional scopes, implications and nature; it should therefore, be logical to argue that they are not identical.

Methodological transcendence of Maqasid al-Quran

The necessity of *Maqasid al-Shariah* rests on understanding the rulings (*ahkam*) derived from the Quran and the authentic *Sunnah* of the Prophet (pbuh) as well as pursuing juristic *ijtihad* in pursuit of bringing about public welfare and deterring the detriments towards it.⁹⁰ In terms of functional scope, *Maqasid al-Shariah* is a philosophy of Islamic legislation as it presents answers to the three fundamental questions which every legislation encounters. The questions are: (1) what is the dimension of Islamic legislation in responding to the newly raised human affairs? (2) What is the dimension of legislative compatibility to the public welfare and vitals of life? And (3) what is the recognized status of human *ijtihad*?⁹¹ In descriptive terms, it is strictly conditioned that *Maqasid al-Shariah* must not be conflicting to any recognized principles or reliable sources of *Shariah*, thus the scopes of *Maqasid al-Shariah* therefore fundamentally remain within the field of *ijtihad* where no clear-cut ruling (*hukm*) from any recognized sources is available. It further works in determining the preferable ruling from several rulings given by Muslim jurists on any issue. These functional scopes again show that *Maqasid al-Shariah* does not go beyond the legal dimensions of Islam.

However, *Maqasid al-Quran* could function more widely in exploring and understanding the *maqasid* of the whole Quranic discourse no matter whether it is legal and non-legal. Its prime concern lies in interpreting the verses of the Quran in the light of their objectives and shows the ways by which these objectives could be achieved.

⁸⁸ Taha Jabir Alwani, *Nahwa al-Tajdid wa al-Ijtihad*, Egypt: Dar Tanwir, 2008, P. 177

⁸⁹ Ibid, P. 178

⁹⁰ Ibid, P. 179

⁹¹ Ibid, P. 178

Ghazali's use of Higher objectives of the Quran as Method for classification of Knowledge:

Al-Ghazālī's classification of knowledge in his *Jawāhir al-Qur'ān* is concerned with a concept what he called *maqāṣid al-Qur'ān* (basic objectives of the Qur'ān). In this theory, he identifies six basic objectives of the Qur'ān which are divided into two categories as "main" and "secondary". The main objectives of the Qur'ān and their categorization are the foundation of al-Ghazālī's classification of religious sciences. In his understanding, both are mutually integrated. This integration promotes a theoretical relationship as the Islamic sciences are classified as per the categorization of these objectives. While the six main objectives are categorized into two, main and secondary, the Islamic sciences are coherently classified into two, core and peripheral. More precisely, the sciences of the core (*'ulūm al-Lubāb*) derives from the main objectives of the Qur'ān and the sciences of the periphery are drawn from the secondary objectives. As al-Ghazālī asserts, the secondary objectives follow, enrich and complete the main objectives while the sciences of the core are similarly complemented or followed by peripheral sciences.⁹² However, the sciences of the core are named so because they are used as tools of understanding the main objectives of the Qur'ān. Likewise, the sciences of the periphery are called so because they are used as tools of understanding the secondary objectives. Al-Ghazālī's argument on the role of the objectives of the Qur'ān in classifying the Islamic sciences appears logically sound and persuasive.

Ibn Ashur's use of Higher objectives of the Quran as a method of tafsir:

Ibn Ashur is one of the few Muslim scholars who argue for *Maqasid al-Quran* to be a criterion or a principle of *tafsir*. He states that the aim of a commentator of the Quran is to explain his understanding of God's intention in His Book and introduce the meaning and semantic connotation in pursuit of finding the *Maqasid al-Quran*. He should have knowledge about the general *maqasid* of the Quran.⁹³ Ibn Ashur then classifies the approaches of commentators into three; firstly, being narrow, superficial and outward meanings of the texts; secondly, inventing indirect meanings that the context and indication of the words demand but would not be contradictory to the *maqasid* of the Quran; and thirdly, explains derived issues. For the second category, the scholars expound *ahkam* and delve into deep study as they deliberate over minute details of ethics.⁹⁴ Ibn Ashur views the *maqasid* as highly significant in his *tafsir, al-Tahrir wa al-Tanwir*. In the beginning of all *surahs*, he gives a brief outline of the *maqasid* of each *surah* and then he interprets the verses in light of the demands of those defined *maqasid*. Regardless of *surahs*, most of the time, he pays attention to find out the *maqasid* of the verses. For example, *Surah al-Araf*, for which he identifies the following *maqasid*: Prohibition from adopting partners except Allah (swt); warning pagans of the consequence of paganism in this world and the hereafter; describing that pagans and those who falsify the Prophets face the wrath of Allah (swt) even in this world; reminding people in general of the favors of Allah (swt) they are enjoying; helping people to stay away from satanic deviation; portraying the plight of criminals and the honors for righteous people on the Day of Judgment;

⁹² Ibid, P. 179

⁹³ Ibid, P. 182-183

⁹⁴ Ibid, P. 183

reemphasizing the fact of revival after death with proofs; prohibiting corruption on earth which Allah (swt) has made for the welfare of mankind; referring the means He has created to reform earth; and stressing what Allah (swt) has instilled in humans a tendency to accept the call of the prophets to righteousness and reform.⁹⁵

Methodological Transcendence of higher objectives of the Quran in Alwani's view:

According to Alwani, there are two measures were considered in order to reestablishing connection between Islamic teachings and practical life of the Muslims.

1. Illustrating the *raison d'être* of Laws, objectives of Islam and shariah.
2. Re-arranging the priority in shariah and emergence of *maqasid* thoughts.

Muslim scholars have developed the idea that every Islamic law existed for a *raison d'être* or objectives and all the laws aimed to bring human well-being or prevent harmfulness.⁹⁶

Again, some of them have highlighted on re-arranging the priorities. And they both are in a dialectic relationship. While 'maqasid discourse' enables to 'understand the revelation', the 'jurisprudence of priority' helps to 'understand the real world'.⁹⁷ the 'jurisprudence of priority' is based on subtle understanding of the role of religiosity (*tadayyun*). Thus, *tadayyun* is a human effort of harmonizing real life with divine revelation.⁹⁸

The *maqasid* discourse was developed based on Islamic legal maxims and search for objectives and apply them in understanding and redirecting the partial scripture which is called induction (from branches to the core).⁹⁹ It begins with a comprehensive inductive methodology which tries to make a relationship between individual units of laws and the terms of general law with several evidences. Hence, a legal maxim is considered as an objective of shariah. Therefore, it reigns over an individual unit of law. *Maqasid* methodology departs with an idea that all the content of shariah have a logical meaning, lofty wisdom.¹⁰⁰

Some reasons for less attention to maqasid discourse and jurisprudence of priority in the early period:

1. Dominance of mere theological tendency

⁹⁵ Ibid, P. 185

⁹⁶ Ibid, P. 185-209.

⁹⁷ Mutawātir adalah periwayatan satu kumpulan daripada satu kumpulan dalam setiap generasi ke generasi yang mustahil berlaku kesepakatan mereka akan berbohong. Lihat al-Qaṣṣallānī, *Laṭā'if al-Isharāt Li Funūn al-Qirāāt* (al-Su'ūdiah: Mujamma' Malik Fahd Li Ṭibā'ah al-Muṣḥaf al-Sharīf, 1434H), 1:124.

⁹⁸ Lihat Ibn al-Jazarī, *al-Nashr Fī al-Qirāāt al-'Ashr* (Beirut: Dār al-Kutub al-'Ilmiyah, 2006), 1:12-13.

⁹⁹ Lihat 'Iṣāmuddin Aḥmad Bin Muṣṭafa Bin Khalīl, *Sharḥ al-Muqaddimah al-Jazariyyah* (al-Su'ūdiah: Mujamma' Malik Fahd Li Ṭibā'ah al-Muṣḥaf al-Sharīf, 1421H), 106, dan Zakaria al-Anṣārī, *Al-Daqāiq al-Muḥkamah Fī Sharḥ al-Muqaddimah* (Iskandariah, t.t), 15.

¹⁰⁰ Muḥammad Bin Muḥammad Ibn al-Jazarī, *Al-Muqaddimah al-Jazariyyah* (Jeddah, Dār Nūr al-Maktabāt, 2006), 3.

2. Dominance of partial jurisprudential tendency which search for partial evidence for any unit or issue.
3. Dominance of isolated (unintegrated) reading of revelation.
4. Exclusive focus on linguistic tools or linguistic context for legal discourse.
5. Monotonous thinking that does not maintain time-space relativity.
6. Indulging into developing theory and hypothesis and making distance from real functional life..
7. Influence of some trends that were originated from previous legal paradigm like shariah of Bible.
8. Absence of differentiation between bondage/servitude to Allah which is based on wisdom and bondage/servitude to human; and hypothetical parallelism.
9. Failure to account the characteristics of Islamic shariah as the methodological determinants and belimit them a mere commendable characteristic.¹⁰¹

Though maqasid perspective was available to prominent traditional muslim scholars since the very first era of muslim nation includes the companions of the prophet, Maqasid did not emerge an independent branch of knowledge. The “fundamentals of islamic jurisprudence” (ilm usul al-Fiqh) should have been based on the concept of maqasid. Or at least should have been stood by it.¹⁰²

Maqasid al-Shariah has become an independent branch of knowledge, not merely a chapter in Usul al-Fiqh (Principles of Islamic Jurisprudence). Yet, this outreach should been earned in the very early period until the concept of “Higher objectives of the Quran” was discovered and implemented to real life of the people.¹⁰³

Higher objectives of the Quran as a methodological tool:

1. **Higher objectives of the Quran are the absolute fundamentals:** sources of Higher objectives of the Quran, in terms of their essentiality, generality, absoluteness, universality, and legislation are restricted to only one single source which is the Quran. This is achieved through reading, understanding and thinking in an integrated way where reading of revelation and reading of the universe are collaborated. This integration must lay its principles and methods so that it can facilitate approach to it and eventually be used as a Quranic methodological factor/instrument.
2. **Higher objectives of the Quran and the relation between Quran and sunnah:** for the Quran, sunnah is an applied and functional manifesto. In fact, sunnah and sirah function two practical and applied forces for Quranic guidance under its higher objectives. Therefore, sunnah stands by the Quran in its unitary construct. As a result, it should be read and understood in the light of this unity. With this consideration, sunnah is a practical method

¹⁰¹ Ibn al-Jazarī, *Munjid al-Muqriin* (Ṭanta: Dār al-Ṣaḥābah, 2007), 21. Lihat juga al-Suyūṭī, *al-Itqān Fī ‘Ulūm al-Quran* (Kaheerah, Dār al-Fajr Li al-Turath, 2006), 1:276.

¹⁰² Ibn Manzur, *Lisan al-‘Arab* (Beirut, Dār Ṣādir, t.t), 128.

¹⁰³ Ibn al-Jazarī, *Munjid al-Muqriin* (Ṭanta: Dār al-Ṣaḥābah, 2007), 8.

for bring the Quranic teachings to real life. This method could be effective in solving the partial reading of the narrations. Through the 'higher objective' framework, sunnah clearly appears as a method and source which represents as practical explanatory regulation for constitutional articles in legislative sphere. And the legislative aspect does not represent except only one dimension or one aspect from many other aspects of the Quran.

3. **Higher objectives and holy books of the prophets:** Higher objectives cannot be considered as a fundamental unless they are found commonly in the holy books of prophets. Higher objectives comprise the connotation of 'objectives of shariah' as it is prevalent to the Islamic jurists who have reduced its role to describing the underlying reason or wisdom behind a ruling of law. The aim was to ensure the subjects of the law that whatever was ordered to them was in fact to ensure three categories of well-being: beginning with the essentials (daruriyyah), the needs (hajjiyyah) and the luxuries (tahsiniyyah).
4. **Higher objectives of the Quran and regulating the sub-laws:** higher objectives must be able to rule over the sub-laws and regenerate them as per all kind of human necessitates. As a result, there prevails a connection between the fundamental and sub-laws.
5. **Higher objectives and constitutional principles:** In terms of legislation, higher objectives of the Quran like constitutional principles as they have the capacity to lay out constitutional articles and legal principles and the importance of their connection to the higher objectives.
6. **Higher objectives and the prospects of self-renewal of Islamic jurisprudence:** application of higher objective system would lead to compatibility of self-renewal in the fundamentals of Islamic jurisprudence and well as jurisprudence. It can save them from shortcomings.
7. **Higher objectives of the quran and effectiveness of tajdid and ijihad:** higher objectives of the quran are not only dalil (legal evidence) or fundamental of jurisprudence but the baseline for reconstruction of principles of jurisprudence, its renewal and developing "grand jurisprudence" on it. It will then help to revisiting Islamic jurisprudential tradition, correcting it from decades-long impurities, putting it under Quranic ratification and liberating it from the effect of locality and nationality so that it can be promoted to the universal standard and be capable to participate in the articulation of a "joint global culture".
8. **Higher objectives of the quran and creating a critical sense:** higher objectives would create a critical sense among the scholars which develops a criterion of all kinds of knowledge by which it could be filtered what goes with these objectives and what goes against them.
9. **Higher objectives of the Quran and activation of the characteristics of shariah as a methodology:** Applying system of objectives of the Quran would add liveliness and sound effectiveness to the characteristics of shariah to work with the 'system of maqasid' in order to purify Islamic juristic tradition.
10. **Higher objectives of the Quran and theory of education:** Higher objectives of the Quran can help to develop the general theory of education for all the sciences of islam as well as social sciences. This theory has the capacity to function in description, categorization and

interpretation. It can also work as a methodology which can be utilized in testing results by advanced criteria. It could also be effective in developing local and national culture. It would be capable in bringing about an unified civilization which could form an universal society that overcomes distinctive cultural, regional and national temperament; and establish a just and rightly guided society. It is, as a system, capable to develop a principle for a global universal thought because it can deal with scientific method.¹⁰⁴

Conclusion

According to the above discussion, evidently the *Maqasid al-Quran* and *Maqasid al-Shariah* are strongly connected to each other, but at the same time two distinctive themes of Islamic revealed sciences. The distinction between them could be primarily understood from the semantic sense of the very terms Quran and *shariah* in the Quranic use. In the Quran, the term *shariah* and its verbal form are used in normative sense. Thus, it represents only the normative contents of the Quran. Whereas, the word Quran is used for *Din* which transcends the normative boundary and includes all the divine discourses that were revealed to the Prophet Muhammad (pbuh). While *Maqasid al-Shariah* is defined as the purpose of *shariah* and the underlying reasons that the Lawgiver attached with each of its rulings (*ahkam*) and *Maqasid al-Quran* as a science of understanding the Quranic discourse in light of its purposes (*maqasid*), the particularity and comprehensiveness of both further demarcate the spectrum of distinction between the two. Moreover, in determining the higher objectives (*maqasid*) of both the Quran and *shariah*, the prominent Muslim scholars who pioneered in both disciplines never used them interchangeably. They rather maintained an explicit distinction between them in number of the objectives as well as in the concepts. In addition, functionally, *Maqasid al-Shariah* basically remain within the field of *ijtihad* where no clear-cut ruling (*hukm*) from any recognized sources is available or to determine a preferable ruling in any case where several possible rulings are given by Muslim jurists. However, the prime concern of *Maqasid al-Quran* remains within interpreting the verses of the Quran in the light of their objectives and shows the ways by which these objectives could be achieved. Again, *Maqasid al-Shariah* can transcend the boundary of the Quranic text and can consult with the sources other than Quran such as *Sunnah (traditions of the Prophet Muhammad)*, *Ijma' (Juristic consensus)* and *Qiyas (legal analogy)*, but the functions of *Maqasid al-Quran* remain strictly within the Quranic textual orbits. Apparently, the spectrum of *Maqasid al-Quran* appears broader than *Maqasid al-Shariah* because its functional scope, subject matters and objectives are wider than the *Shariah's*. Thus, these two phrases are different and distinctive in terms of their concepts and contents. It is expected that the findings of this study would encourage conducting some further researches on other scholars' views of the topic. Moreover, *Maqasid al-Shariah* can function in an issue in which there is no clear textual evidence from the Quran, but the functions of *Maqasid al-Quran* remain within its textual orbits.

¹⁰⁴ Ibn Manzur, *Lisan al-'Arab* (Beirut, Dār Ṣādir, t.t), 129.

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