

Reconstructing the Distinctive Paradigm of *Maqāṣid al-Sharī'ah* and *Maqāṣid al-Qur'ān*: A Genealogical Inquiry and Its Contemporary Relevance

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Abstract

Contemporary discourse in Islamic legal studies (*uṣūl al-fiqh*) and exegesis faces a growing methodological dichotomy between the legalistic *Maqasid Syari'ah* (MS) and the ethically-universal *Maqasid Al-Qur'an* (MQ). This study aims to explore the paradigmatic distinction, scope, and fundamental function of these two concepts. The methodology employed is a qualitative-analytical approach, grounded in an extensive literature review. Specifically, the research applies genealogical analysis to trace the historical development of MQ, combined with a critical-comparative analysis of key classical works of *Uṣūl al-Fiqh* and the modern thought of MQ scholars. The findings reveal a significant distinctive conclusion: MS is identified as a historically legalistic-normative paradigm with a partial scope, focusing primarily on the preservation of the five essential needs (*al-daruriyyat al-khams*) through the inductive method (*istiqrā'*) based on *fiqh* rulings. Conversely, MQ is identified as an ethical-moral paradigm with a universal scope (*kulliyat*), utilizing a systemic-holistic method to realize the macro-objectives of the Qur'an, such as justice (*al-'adl*) and human dignity (*qīmah insāniyyah*).

Keywords: *Maqasid Syari'ah, Maqasid Al-Qur'an, Genealogical Analysis, Paradigmatic Distinction, Universal Ethics.*

INTRODUCTION

The evolution of the study of the objectives of Islamic law, known as *Maqāṣid al-Sharī'ah* (MS), constitutes one of the most critical agendas in contemporary Islamic thought, aiming to render Islamic law responsive to the challenges of modernity. The traditional MS framework, centered on *al-daruriyyat al-khams* (the five essential principles: religion, life, intellect, lineage, and property), has long served as the primary methodological foundation in *Uṣūl al-Fiqh*. Yet, the twenty-first century has witnessed unprecedented and deeply unsettling social phenomena: accelerating ecological collapse, widening structural inequality, algorithmic governance reshaping human agency, bioengineering interventions redefining the boundaries of life, and artificial intelligence systems increasingly participating in moral decision-making (Ramadhani, 2024). These developments not only challenge legal reasoning but also destabilize inherited ethical categories within Islamic jurisprudence. The growing inability of the traditional MS framework to articulate a comprehensive ethical response to such transformative realities raises fundamental questions about its epistemological sufficiency. Consequently, this crisis has stimulated the search for a more holistic and Qur'an-centered paradigm, such as *Maqāṣid al-Qur'ān* (MQ), which promises a broader normative horizon and greater relevance for addressing contemporary global complexities (Darmawan, 2024).

The urgency of this theme becomes even more pronounced when addressing sensitive socio-political issues, particularly those related to religious freedom and tolerance. In contemporary Muslim societies, the principle of *hifẓ al-dīn* (the preservation of religion) within the MS

framework is often interpreted in a legalistic, defensive manner. Such interpretations, while ostensibly aimed at safeguarding faith, have at times been mobilized to justify restrictions on civil liberties for religious minorities, thereby generating tension between juridical reasoning and universal human dignity (Majid, 2017). This paradox exposes a critical normative dilemma: a framework intended to protect religion may inadvertently undermine broader Qur'anic commitments to justice, mercy, and human dignity. Consequently, there is a pressing need for a renewed theoretical lens capable of transcending these limitations and realigning the protection of religion with the Qur'an's higher ethical vision. Re-examining the dichotomy between *Maqāṣid al-Sharī'ah* and *Maqāṣid al-Qur'ān* becomes crucial to articulate a more inclusive, humanistic, and *rahmatan li al-'ālamīn*-oriented interpretive paradigm (Saiful Hidayat, 2024). Genealogically, *Maqāṣid al-Sharī'ah* emerged from the tradition of *Uṣūl al-Fiqh*, initially systematized by scholars such as al-Ghazālī and culminating in al-Shātibī's *al-Muwāfaqāt* (1920). The paradigm is characterized by its inductive methodology, which derives higher objectives from particular legal rulings (*juz'īyyāt*) to uncover their underlying rationale (*'illah* or *ḥikmah*) (Jauhar, 2023). While this approach demonstrates considerable strength in legislative reasoning and legal codification, its confinement to the juridical domain has rendered MS predominantly legalistic in orientation (Fikriyati, 2018). This reduction of *maqāṣid* to the five necessities has generated a theoretical gap, as it fails to fully encompass the Qur'an's broader ethical, spiritual, and civilizational vision.

The failure of *Maqāṣid al-Sharī'ah* to adequately address the challenges of universal morality and ethics has ignited a theoretical debate and catalyzed the emergence of *Maqāṣid al-Qur'ān* as a counter-discourse. Several previous studies have highlighted this distinction, though they have left room for deeper exploration. Tazul Islam (2013), for instance, in his analysis, affirms that while *Maqāṣid al-Qur'ān* and *Maqāṣid al-Sharī'ah* ultimately converge on common goals, significant semantic and functional differences exist at the operational level. Meanwhile, a study by Siddig Ahmad and Wan Suhaimi Wan Abdullah (2022) reveals conceptual confusion among contemporary scholars who often conflate the three terms *maqāṣid al-Qur'ān*, *maqāṣid al-sharī'ah*, and *tafsīr al-maqāṣidī*, necessitating a clearer reconstruction of understanding. More fundamentally, Mariam al-Attar (al-Attar, 2017) undertakes an epistemological critique by examining the meta-ethical foundations of *Maqāṣid al-Sharī'ah*, which are rooted in Ash'arite theology, and argues that Qur'anic ethics inherently recognize objective moral values accessible to reason, a foundation closer to Mu'tazilite epistemology. The strength of this study, compared to earlier works, lies in its integrative approach. It not only compares the genealogical and methodological aspects of the two paradigms but also concretely tests their distinct applications to specific contemporary issues, namely religious freedom and ecology. Where Tazul Islam's work is more analytically theoretical, and al-Attar's critique focuses on epistemological foundations, this study advances further by operationalizing the paradigmatic differences as a direct response to the inadequacies of the traditional, legalistic, and defensive *hiḏ al-dīn* framework.

Maqāṣid al-Qur'ān is not an entirely novel concept but rather a systematic articulation by contemporary reformist thinkers, with historical roots traceable to Abū Ḥāmid al-Ghazālī through his work, *Jawāhir al-Qur'ān* (Azmy, 2019; Munawaroh, 2019). Key figures like Muḥammad Ṭāhir ibn 'Āsyūr sought to expand the scope of *maqāṣid* beyond the confines of *fiqh*, establishing *fiṭrah* (primordial human nature) as a methodological basis and shifting the paradigm from an individualistic orientation towards collective *maslahah* (public good) (Irfandi, 2016). In contrast to *Maqāṣid al-Sharī'ah*, which is built on induction from partial legal texts (*juz'īyyāt*), *Maqāṣid al-Qur'ān* focuses on the universal objectives contained in the Qur'anic text as a whole, encompassing creed, ethics, and law, thus offering a more holistic and systemic framework. This paradigmatic difference, the legalistic-procedural *Maqāṣid al-Sharī'ah* versus the systemic-teleological *Maqāṣid al-Qur'ān*, presents a sharp methodological dichotomy. Where

Maqāṣid al-Sharī'ah seeks to preserve the five necessities procedurally and defensively, Maqāṣid al-Qur'ān is oriented towards the proactive achievement of universal ethical values, such as social justice (al-'adl), compassion (rahmah), and freedom (hurriyyah). Modern scholars even argue that Maqāṣid al-Qur'ān effectively functions as a "meta-maqāṣid" guiding the application of Maqāṣid al-Sharī'ah, ensuring that the implementation of law does not contradict the Qur'an's highest objectives (al-Attar, 2017). The remaining weaknesses within the contemporary Maqāṣid al-Qur'ān discourse, such as criticisms of its potential for excessive subjectivity or the danger of the text being "hijacked" by secular liberal interests, as warned by traditionalist circles, serve precisely as the departure point for this research to formulate a more meticulous and balanced genealogical analysis.

This study seeks to address two principal questions. First, how does the genealogy of *Maqāṣid al-Sharī'ah* fundamentally differ from that of *Maqāṣid al-Qur'ān* in terms of scope, objectives, and methodology? Second, how do the paradigm differences between the two frameworks generate distinctive and more adequate responses to specific contemporary issues, namely religious freedom and ecological crisis, when compared to the traditional, legalistic, and procedural framework of *ḥifẓ al-dīn*?

METHODOLOGICAL AND CONCEPTUAL FRAMEWORK

This study employs a qualitative library research approach, focusing on the analysis of classical and contemporary scholarly texts to construct a deep, interpretive understanding of the conceptual evolution of maqāṣid. The primary analytical method employed is Genealogical Analysis, which transcends mere chronological tracing of historical development. Drawing upon a Foucauldian-inspired framework, genealogy here is deployed to excavate the conditions of possibility, ruptures, discursive shifts, and transformations in knowledge production, specifically investigating how Maqāṣid al-Sharī'ah (MS) was constituted within the legalistic matrix of Uṣūl al-Fiqh and how Maqāṣid al-Qur'ān (MQ) subsequently emerged as a paradigmatic critique challenging those very epistemological boundaries. This method enables the research to move beyond descriptive history toward a critical interrogation of power-knowledge relations embedded within these interpretative traditions.

Primary data sources encompass foundational texts of the MS paradigm, most notably Abū Ishāq al-Shāṭibī's *al-Muwāfaqāt*, as well as seminal works by contemporary architects of the MQ discourse, such as Jasser Auda and other reformist scholars who have systematically articulated the Qur'an-centered maqāṣid framework. Secondary data consist of peer-reviewed academic journals and recent studies that critically examine the methodological distinctions and practical applications of both paradigms (Darmawan, 2024; Saiful Hidayat, 2024). The analytical process follows a rigorous three-stage model. First, data reduction is conducted through systematic coding to identify key thematic categories and conceptual markers distinguishing MS from MQ. Second, data presentation is executed through a Distinction-Oriented Comparative Analysis, designed to meticulously map the divergent scopes, foundational objectives, and epistemological assumptions underpinning each paradigm. This comparative matrix highlights how MS operates within a framework of procedural legal protection, while MQ advances a broader ethical-teleological vision. The final stage involves verification, wherein the MQ paradigm is empirically tested through its application to two pressing contemporary issues: religious freedom and tolerance. This applicatory test serves not merely to illustrate but to substantiate the claim regarding the ethical superiority and greater explanatory power of the MQ framework in addressing challenges where the traditional MS paradigm, with its defensive interpretation of *ḥifẓ al-dīn*, has demonstrated significant normative inadequacy.

RESULTS AND DISCUSSION

Genealogy of the Maqāṣid al-Sharī'ah Paradigm

Maqāṣid al-Sharī'ah (MS) is not a concept that emerged abruptly in the contemporary period; rather, it has deep genealogical roots in the classical Uṣūl al-Fiqh tradition since the medieval Islamic era. The embryonic traces of this thought can be discerned in early jurisprudential discussions concerning *maṣlaḥah mursalah* (unrestricted public interest) as deliberated by scholars of the various legal schools. Their primary concern centered on how a *mujtahid* could discern the objectives behind legal texts to realize the welfare of humanity (*maṣālib al-'ibād*), even in instances where scriptural evidence (*naṣṣ*) remained silent on a particular matter. This genealogical excavation reveals that classical jurists had already endeavored to reconstruct the divine purposes (*maqāṣid al-shāri'*) from disparate legal sources, demonstrating an early awareness of the necessity for a hermeneutical framework that transcended mere textual literalism.

A pivotal figure in this genealogical trajectory is Imam Abū al-Ma'ālī al-Juwaynī (d. 478 AH), who is among the first scholars to systematically categorize the various gradations of *maṣlaḥah* within a legal context. Al-Juwaynī laid the foundational premise that the very rationale behind legal injunctions (*taḥqīq al-maqāṣid*) is to avert hardship and secure benefit for the legally responsible individual (*mukallaḥ*). His seminal contribution lies in his rigorous conceptualization of *maṣlaḥah mursalah* as a valid source of legal reasoning (*istinbāt*), thereby providing the conceptual architecture upon which later, more refined classifications of *maqāṣid* would be constructed. Although he did not explicitly formulate the doctrine of the five necessities (*al-darūriyyāt al-khams*), his intellectual labor effectively legitimized a purposive, teleological mode of reasoning within the otherwise text-bound discipline of fiqh (Fikriyati, 2018).

The genealogical development of MS reaches its next critical phase through al-Juwaynī's most illustrious student, Abū Ḥāmid al-Ghazālī (d. 505 AH). In his monumental uṣūl work, *al-Mustashfā min 'Ilm al-Uṣūl*, al-Ghazālī not only inherited the conceptual apparatus of *maṣlaḥah* but refined it through a sophisticated taxonomic system. He stratified *maṣlaḥah* into three hierarchical tiers: *ḍarūriyyāt* (essentials), *ḥājīyyāt* (complementary needs), and *taḥsīniyyāt* (embellishments), a tripartite structure that remains paradigmatic to this day. This classification proved profoundly foundational, as it definitively articulated what must be protected absolutely by the Sharī'ah. Without al-Ghazālī's taxonomic intervention, the protective framework, later codified as the five cardinal principles, would lack the requisite theoretical grounding and structural coherence (Jauhar, 2023).

Al-Ghazālī's most enduring contribution, however, was his explicit formulation of the five essential values to be safeguarded under the *ḍarūriyyāt* category. These five religions (*al-dīn*), life (*al-naḥs*), intellect (*al-'aql*), lineage (*al-nasl*), and property (*al-māl*) subsequently crystallized into the canonical doctrine of *al-ḍarūriyyāt al-khams*. This moment represents a watershed in the history of Uṣūl al-Fiqh, wherein the overarching objectives of the Sharī'ah were distilled into a parsimonious, readily applicable framework for legal justification and normative reasoning. Consequently, by this classical period, MS had been definitively situated within a predominantly legalistic paradigm, in which law serves as the primary instrument for preserving and operationalizing these five fundamental principles (Majid, 2017).

The apex of the formulation and systematization of Maqāṣid al-Sharī'ah (MS) is undoubtedly the work of Imam Abū Ishāq al-Shāṭibī (d. 790 AH) in his monumental opus, *al-Muwāfaqāt fī Uṣūl al-Sharī'ah*. Al-Shāṭibī transcended his predecessors by elevating *maqāṣid* into an independent theory that functions as a hermeneutical "filter" governing all sources and methods of legal

reasoning within Uṣūl al-Fiqh. He employed a comprehensive inductive methodology (*istiqrāʿ*) across the entirety of scriptural texts and legal injunctions to demonstrate that the ultimate purpose of the Sharīʿah is singular: the realization of human welfare (*maṣāliḥ al-ʿibād*). It is al-Shāṭibī's intellectual labor that conferred upon MS its highest methodological and philosophical authority, establishing it as the dominant theoretical framework for subsequent centuries.

Al-Shāṭibī articulates the purpose of the Sharīʿah with unequivocal clarity, affirming its orientation toward human welfare in both temporal and eternal realms. He writes: “*Inna waḍʿa al-sharāʿiʿ innamā huwa li-maṣāliḥ al-ʿibād fī al-ʿājil wa al-ʿājil.*” This definitive formulation reveals that MS operates within a distinctly teleological logic; the law is not arbitrarily imposed but is undergirded by clear, rational purposes accessible to human reasoning. However, despite its ultimate aim being maṣlaḥah, its operational framework remains firmly anchored to the positive injunctions established by the Sharīʿah. This constitutes the fundamental distinction between MS and Western utilitarian approaches, for maṣlaḥah within the Islamic legal tradition must remain circumscribed by the boundaries delineated by the Lawgiver (al-Shāriʿ) Himself.

Al-Shāṭibī's methodological approach to deriving maqāṣid is fundamentally inductive, proceeding through the observation and synthesis of purposes from a vast corpus of particular legal rulings (*juzʿiyyāt*). This inductive process substantiates the claim that the divine injunctions are not arbitrary or haphazard but rather converge upon recurrent and consistent objectives, namely the preservation of the five necessities (*al-ḍarūriyyāt al-khams*). The inductive character of MS, coupled with its intimate connection to the analysis of effective cause (*ʿillah*), demonstrates its formidable utility within the domain of legal reasoning (*istinbāt*). Yet this very strength simultaneously reveals its inherent limitation: its operation remains confined to the disciplinary boundaries of fiqh. This reinforces the fundamentally legalistic nature of MS, wherein positive law constitutes the central locus of its application.

The axial focus animating the entire MS framework from al-Ghazālī through al-Shāṭibī is the preservation of *al-ḍarūriyyāt al-khams*. These five principles are deemed absolutely indispensable for guaranteeing human existence and the integrity of a healthy social order. The absence or neglect of any one of these five fundamentals would precipitate human life into grave difficulty, if not eventual annihilation. Consequently, every legal ruling in Islam, whether imposing obligations (*fard*) or prohibiting actions (*tahrīm*), can ultimately be traced back to its primary function as an instrument for safeguarding one or more of these five foundational principles (Darmawan, 2024).

Methodology of Maqāṣid al-Sharīʿah

a. Analysis of Maqāṣid al-Khiṭāb (The Objectives of Divine Discourse)

Before embarking upon a discussion of Maqāṣid al-Sharīʿah, it is imperative to distinguish two interrelated yet conceptually distinct levels that are continuous with the ultimate objectives of the Lawgiver (Maqāṣid al-Shāriʿ): namely, Maqāṣid al-Khiṭāb (the objectives of divine discourse) and Maqāṣid al-Aḥkām (the objectives of legal rulings). This analytical separation constitutes a crucial methodological framework that ensures a correct understanding of the text (Khiṭāb) precedes the determination of the purposes underlying legal injunctions (Aḥkām).

The first level, Maqāṣid al-Khiṭāb, refers specifically to cases in which a scriptural text admits two possible meanings, one of which is not intended by the Lawgiver. At the same time, the other constitutes the Lawgiver's actual intent. The initial, readily apparent meaning that which immediately presents itself to understanding (*al-mutabādar ilā al-fahm*) represents the literal import of the text (*zābir al-lafẓ*). However, through rigorous deliberation (*taʿammul wa al-tadbīr*) and the application of contextual indicators (*qarāʿin tafsīriyyah*), it becomes evident that the text possesses a deeper intended meaning that may diverge from its surface-level signification. It is upon the basis of this authentically discovered intent of the divine discourse that the actual legal ruling

(*ḥukm*) is established, and its fields of application (*majālātuhu al-taṭbiqīyyah*) become delineated. Moreover, this hermeneutical process proves indispensable for tracing the efficient cause (*'illah*) underpinning a given legislation, as well as discerning the wisdom (*ḥikmah*) that the Lawgiver seeks to realize.

As an illustrative application of this methodology, consider the divine address in the Qur'an: 9:103 "*Khudh min amwālibim ṣadaqah.*" At the level of literal interpretation (*ẓāhir al-naṣṣ*), this text appears to be a command directed specifically to the Prophet Muhammad to take an unspecified portion of wealth from his community in the form of charitable alms. However, this surface reading merely represents the apparent meaning of the words (*ẓāhir al-alfāz*).

Upon deeper analysis through the lens of *Maqāṣid al-Khiṭāb*, a more nuanced understanding emerges. Although the address is literally directed to the Prophet Muhammad, its meaning and implementation are universally intended for the entire Muslim community. This analysis reveals that the command is specifically directed to those who hold authority over the affairs of Muslims (*wulāt umūr al-muslimīn*), who inherit the prophetic function of administering the alms system. Furthermore, the discourse implicitly verifies that the wealth in question refers to a specific minimum threshold (*niṣāb*) within particular categories of wealth, that taking such wealth constitutes a legal obligation (*'alā sabīl al-wujūb*), and that specific conditions and limitations circumscribe this obligation. The ultimate purpose is the distribution of these alms to the entitled recipients (*mustaḥiqqūn*) as designated by Allah in other Qur'anic verses. This discovery of layered meaning moving from the literal address to the Prophet, to the general obligation upon Muslim authorities, to the specific conditions of *niṣāb* and *mustaḥiqq* is precisely what constitutes the object of inquiry in *Maqāṣid al-Khiṭāb*.

b. Maqāṣid al-Aḥkām (The Objectives of Legal Rulings)

Once the objective of the divine discourse (*maqāṣid al-khiṭāb*) has been authentically established, the subsequent analytical stage concerns *Maqāṣid al-Aḥkām*. It is at this level that the traditional focus of *Maqāṣid al-Sharī'ah*, as conventionally understood, resides. The analytical gaze here shifts from what is demanded of us (*al-muqtada*), the specific obligation or prohibition, toward the ultimate ends and benefits (*al-ghāyat wa al-fawā'id*) realized through the implementation of that ruling. This constitutes the very essence of MS: the inquiry into the objectives of legislation (*maqāṣid al-tashrī'*) itself, articulated through the fundamental question: "What purposes does the Lawgiver seek to achieve, and what benefits accrue to humanity from the observance of this ruling?"

The conceptual distinction between *maqāṣid al-khiṭāb* and *maqāṣid al-aḥkām* can be precisely illustrated through the same divine address examined previously in Qur'an 9:103 "*Take from their wealth a charity*" At the literal level, this text is a command to the Prophet Muhammad to collect charitable alms from the community's wealth. Through the lens of *maqāṣid al-khiṭāb*, however, analysis reveals that despite its specific address to the Prophet, its meaning encompasses the community as a whole. The command is directed to those holding authority over Muslim affairs (*wulāt umūr al-muslimīn*), who inherit the prophetic function of administering the alms system. It mandates the collection of a specific minimum threshold (*niṣāb*) from designated categories of wealth, constituting a legal obligation (*wujūb*) rather than a mere voluntary charity, and is to be distributed to specifically entitled recipients designated elsewhere in the Qur'an.

The critical point, however, is that once *maqāṣid al-khiṭāb* has verified the legal nature of the ruling, its obligatory character, and its addressees, *maqāṣid al-aḥkām* proceeds to pose deeper philosophical-juridical questions: "Why is this specific portion of wealth taken from its legitimate owners?" and "Why must these collected funds be disbursed to the particular categories of recipients (*al-aṣnāf al-makhṣūṣah*) that Allah has explicitly designated?" The answers to these essential inquiries constitute the very substance of *Maqāṣid al-Aḥkām*. The philosophical

rationale includes: the purification of wealth from any taint of greed or illegitimacy (*taḥhīr al-māl*), the spiritual purification of the soul from avarice (*tazkiyat al-naḥs*), the cultivation of social solidarity and mutual responsibility (*al-takāful al-ijtimā'ī*), and the systematic alleviation of poverty within the community. These purposes, in turn, are ultimately subsumed under the broader framework of preserving the five necessities (*al-ḍarūriyyāt al-khams*): the protection of religion (through fulfilling a fundamental obligation), life (through poverty alleviation), intellect, lineage, and property (through the legitimate redistribution of wealth). This layered methodology ensures that the implementation of positive law remains consistently aligned with the Sharī'ah's highest moral and social objectives.

c. The Hierarchy of Maṣlaḥah: The Three Levels of Necessity (Ḍarūriyyāt, Ḥājiyyāt, and Taḥsīniyyāt)

The methodology of Maqāṣid al-Sharī'ah (MS) establishes that the means of preserving the five essential values (*al-umūr al-khamsah*) are classified into three distinct levels based on their philosophical urgency, a hierarchical system fundamentally institutionalized by al-Shāṭibī. These three classifications, Ḍarūriyyāt (essentials), Ḥājiyyāt (complementary needs), and Taḥsīniyyāt (embellishments), function as the operational framework for assessing both benefit (*maṣlaḥah*) and harm (*maḥsadah*), ensuring that Islamic law not only safeguards the basic existence of human life but also guarantees its quality and facility. This principle proves indispensable, for it governs how legal rulings must be prioritized when conflicts between competing interests arise, an unavoidable condition within the complex realities of social existence (Shāṭibī, 1920).

The first and foundational level, Maqāṣid al-Ḍarūriyyah (Essential Objectives), encompasses the five absolute necessities upon which the welfare of humanity in both this world and the next depends: religion (*ḥifẓ al-dīn*), life (*ḥifẓ al-naḥs*), intellect (*ḥifẓ al-'aql*), lineage (*ḥifẓ al-nasl*), and property (*ḥifẓ al-māl*). The legal rulings established at this level are definitive and imperative, designed to protect the very existence of these five fundamentals. Examples include the obligation of jihād to safeguard religion, the provision of sustenance to preserve life, the prohibition of intoxicants to protect intellect, the regulation of marriage to preserve lineage, and the prohibition of theft to protect property. The neglect or violation of any ruling at this level threatens the very fabric of human existence and social order.

The second and third levels are complementary and derivative, deriving their normative force from their relationship to the essentials. Maqāṣid al-Ḥājiyyah (Complementary Objectives) refer to those interests required to provide ease, remove hardship, and prevent constriction and distress (*al-ḍīq wa al-ḥaraj wa al-mashaqqah*) in the observance of religious obligations and daily transactions. While their absence does not threaten the fundamental existence of the five essentials, their neglect creates significant difficulties. Examples include the dispensations (*rukhaṣ*) permitting the breaking of fast for travelers or the sick, licenses for various contractual forms to facilitate commerce, and concessions in worship to accommodate those with legitimate excuses. These provisions ensure that the Sharī'ah remains a source of ease (*yusr*) rather than hardship (*'usr*), in accordance with the Qur'anic principle that in Qur'an 2:185 "*Allah intends for you ease and does not intend for you hardship*"

Maqāṣid al-Taḥsīniyyah (Embellishment Objectives) constitute the tertiary level, about the refinement of customs (*maḥāsīn al-'ādāt*), the cultivation of noble character (*makārim al-akhlāq*), and the pursuit of aesthetic and ethical excellence in all aspects of life. These objectives address what is commendable and beautiful, elevating human existence beyond mere survival or convenience toward genuine flourishing. Examples include the recommended practices (*sunan*) of proper etiquette in eating and drinking, the virtues of cleanliness and adornment for prayer, the encouragement of charitable giving beyond the obligatory alms, and the cultivation of virtues such as honesty, generosity, and compassion in interpersonal relations.

The hierarchical relationship among these three levels is both logical and practical. While the neglect of Taḥsīniyyāt does not undermine the essential foundations of life or even cause significant hardship, its observance perfects human existence. It reflects the comprehensive mercy of the Sharī'ah. Conversely, the neglect of Ḥājiyyāt, though not catastrophic, generates considerable difficulty (mashaqqah) that may ultimately threaten the essentials themselves if left unaddressed. This tripartite hierarchy thus provides a sophisticated mechanism for legal prioritization and moral reasoning, enabling jurists to navigate conflicts of interest and balance competing claims in accordance with the overarching purposes of the divine law.

A strict principle of hierarchical Priority governs the operational logic of Maqāṣid al-Sharī'ah: the essential (*ḍarūri*) must always take precedence over the complementary (*ḥājī*), and the complementary over the embellishment (*taḥsīnī*). This means that lower-level interests must be set aside when necessary to preserve higher, more vital forms of maṣlaḥah. A concrete illustration can be observed in the question of congregational prayer: performing prayer in congregation (*ṣalāt al-jamā'ah*) is classified within the Ḥājiyyāt level, while ensuring the moral integrity of the prayer leader (*imām*) pertains to the Taḥsīniyyāt level. According to the principle of hierarchical Priority, it would be methodologically incorrect to abandon congregational prayer (a Ḥājī interest) merely to avoid praying behind a morally compromised imām (a Taḥsīnī concern), unless the complementary interest itself has a critical impact on a necessity. Beyond this vertical hierarchy, conflicts may also arise between two interests at the same level (*muta'alliqatayn bi kulli waḥid*), in which case the governing principle is that of Priority Based on Universal Scope (*al-a'ammu shumūlan*): the interest with broader applicability and greater communal impact (*a'amm*) must be prioritized over the narrower (*adyaq*). Examples include prioritizing public access to common pastures over individual claims, and prioritizing the pursuit of obligatory collective knowledge (*farḍ kifāyah*) over supererogatory worship (*nawāfil*). These twin principles constitute the sophisticated machinery of maqāṣid-based reasoning, ensuring that legal determinations remain both faithful to the textual sources and responsive to the complex realities of human social existence.

d. The Foundational Constraint: Maqāṣid Cannot Contradict Naṣṣ

The second fundamental principle governing the application of Maqāṣid al-Sharī'ah (MS) is a strict epistemological constraint: the maṣlaḥah (public interest) derived through maqāṣid reasoning must never directly contradict the Naṣṣ (authoritative texts) of the Qur'an and Sunnah. This restriction is imperative (*ḍābiṭ lāzīm*), for knowledge of the divine purposes (*maqāṣid*) is itself derived from and constructed upon the very legal rulings extracted from detailed textual evidence. In other words, Maqāṣid constitute the logical implications (*madlūl*) of the sacred texts (*dalīl*); consequently, invoking Maqāṣid to oppose Naṣṣ would be tantamount to allowing the consequence to invalidate its own source. This principle of subordination preserves the integrity of revelatory sources from the encroachment of unbridled rationality. When an apparent conflict (*takhāluḥ*) arises between a claimed maṣlaḥah and a textual ruling, jurists distinguish two possibilities. First, if the opposition is total and irreconcilable (*takhāluḥ mu'araḍah*), the maṣlaḥah must be dismissed entirely, for no valid public interest can exist in defiance of definitive revelation. Second, if the conflict is partial (*takhāluḥ juḡ'i*), reconciliation remains possible through mechanisms such as specification (*takhṣīṣ*) or other hermeneutical strategies that harmonize the competing considerations. This latter category falls within the legitimate domain of ijtihād, understood not as an attempt to suspend textual authority but as an effort to achieve harmonious interpretation (*tanfiq al-nuṣūṣ*) between interrelated evidences.

This principle has commanded universal consensus (*ijmā'*) across the Islamic tradition, from the Companions and Successors through the founders of the legal schools, ensuring that the authority of divine revelation remains unshaken as the foundation of legislation. However, a

dissenting view emerged in the early seventh century AH through Najm al-Dīn Sulaymān ibn 'Abd al-Qawī al-Ṭūfī al-Ḥanbalī (d. 716 AH), who controversially prioritized maṣlaḥah absolutely over both Naṣṣ and Ijmā' when conflicts arose. Al-Ṭūfī grounded his position in the prophetic tradition "*lā ḍarara wa lā ḍirār*" ("No harm shall be inflicted or reciprocated"), arguing that this imperative necessitates prioritizing the realization of benefits and prevention of harms above all other considerations. This anomalous view was vehemently rejected by the overwhelming majority of scholars, a rejection reinforced by criticisms of al-Ṭūfī's academic and religious credibility. Ibn Rajab al-Ḥanbalī characterized him as weak in hadith and prone to confusion (*takhhīṭ kathīr*), while Ibn al-'Imād noted his sectarian deviations. Such critiques reinforce the consolidated consensus that maṣlaḥah must always be grounded in textual evidence, whether explicit or implicit (through Ijmā' or Qiyās), and can never function as an independent source of law. Al-Shāṭibī further strengthened this position by insisting that the foundation of the three maṣlaḥah categories Ḍarūriyyāt, Ḥājiyyāt, and Taḥsīniyyāt must rest upon definitive (*qaṭ'ī*) rather than speculative (*ẓannī*) evidence. While Ijmā' is generally recognized as a definitive source, scholars rejected its sufficiency as the sole foundation for these essential categories, for even consensus requires its own grounding in definitive texts. Thus, the ultimate epistemological anchor for all maqāṣid-based reasoning remains the authoritative texts themselves, ensuring that the pursuit of human welfare never escapes the orbit of divine revelation.

e. The Naṣṣ The Dual Dimensions of Maqāṣid Protection: Wujūd (Affirmative Establishment) and 'Adam (Preventive Elimination)

Imam al-Shāṭibī formulated a comprehensive framework for protecting the five essential objectives of the Sharī'ah (*al-Ḍarūriyyāt al-Khams*) through two complementary modes of action that together encompass the entire spectrum of divine address (*taklīf*). He explicitly articulates this dual structure, stating: "Protection of these essentials is achieved through two means: first, that which establishes their pillars and consolidates their foundations and this refers to their observance from the dimension of existence (*wujūd*)." This affirmative dimension encompasses all positive injunctions that actively construct, sustain, and reinforce the five necessities within individual and collective life. The second, defensive mode focuses on the dimension of non-existence (*'adam*): "and second, that which repels from them the disorder that has occurred or is anticipated and this refers to their observance from the dimension of non-existence." This preventive dimension comprises all measures designed to eliminate threats, remove impediments, and deter violations that would undermine the essential objectives. Together, these twin dimensions, the constructive and the protective, ensure that the maqāṣid are not merely theoretical principles but operative realities actively maintained through the entire legal system. The entire corpus of Islamic legal rulings can be systematically mapped onto these two dimensions, revealing the internal coherence of Sharī'ah in its pursuit of human welfare. The category of worship (*al-'Ibādāt*) is entirely oriented toward the preservation of religion (*ḥifẓ al-dīn*) from the dimension of *wujūd*, as acts such as the declaration of faith, prayer, almsgiving, fasting, and pilgrimage constitute the affirmative pillars that establish and perpetuate religious life. The category of customs (*al-'Ādāt*) primarily functions to preserve life (*ḥifẓ al-naḥs*) and intellect (*ḥifẓ al-'aql*) from the dimension of *wujūd* through regulations governing food, drink, clothing, and shelter. These positive provisions sustain physical existence and cognitive function. The category of transactions (*al-Mu'āmalāt*) operates to preserve lineage (*ḥifẓ al-nasl*) and property (*ḥifẓ al-māl*) from the dimension of *wujūd* through the regulation of marriage, commerce, and contracts, thereby constructing the social and economic infrastructure necessary for civilizational flourishing. Finally, the category of criminal sanctions (*al-Jināyāt*) represents the most explicit manifestation of protection from the dimension of *'adam*, as penalties such as retaliation (*qiṣās*),

discretionary punishment (*ta'zīr*), and compensation (*damān*) serve as deterrents that repel and eliminate threats to all five essentials. Through this elegant bipartite structure, al-Shāṭibī demonstrates that the Sharī'ah is not merely a collection of disparate rulings but a coherent system wherein every legal provision serves either to erect the edifice of human welfare or to defend it against encroachment.

f. The Application of Maqāṣid al-Sharī'ah to Ecological Preservation: The Dimension of Wujūd (Affirmative Establishment)

The application of Maqāṣid al-Sharī'ah (MS) to contemporary environmental and ecological issues is rooted in the foundational principle of protecting the necessities (*ḥifẓ al-darūriyyāt*). Yet, it expands through the two fundamental dimensions of *wujūd* (affirmative establishment) and *'adam* (preventive elimination). Within the dimension of *wujūd*, the Sharī'ah aims to establish, sustain, and develop all elements of the environment, affirming that ecological preservation is an active, positive requirement of the faith. The imperative to protect the environment is integrally connected to the preservation of life (*ḥifẓ al-naḥs*) and property (*ḥifẓ al-māl*), given that the quality of human existence is fundamentally contingent upon a healthy and sustainable ecosystem. The *wujūd* aspect of environmental protection is further subdivided based on the level of legal demand (*ṭalab*): obligatory (*wājib*) and recommended (*mandūb*). Obligatory actions encompass those unequivocally required by the Sharī'ah, such as compliance with environmental regulations established by legitimate authority (*walī al-amr*) to prevent widespread harm. Recommended actions, while not legally binding, carry spiritual merit and include voluntary initiatives to beautify and enhance the natural environment. The affirmative demand to establish and develop ecosystems through *wujūd* manifests in various practical activities, including tree planting (*al-tashjīr*), expanding green spaces (*tawṣī' al-ghilāf al-akhdar*), agriculture (*al-ḥirā'ah*), and reforestation (*al-ghars*). This principle extends to the maintenance of existing natural environments, such as forests (*al-ghābāt*) and oceans (*al-muḥīṭāt*), and to the preservation of biodiversity among animal and plant species (*al-sulālāt al-ḥayawāniyyah wa al-nabātiyyah*).

Textual evidence abundantly supports this affirmative ecological dimension, particularly in scriptural injunctions emphasizing humanity's active role in cultivating and sustaining the earth. A foundational ethical proof-text is the hadith that elevates cleanliness to a divine attribute: "Verily, Allah is Good and loves goodness; He is Clean and loves cleanliness; He is Generous and loves generosity; He is Charitable and loves charity. So clean your courtyards, and do not imitate the Jews" (al-Tirmidhī). This tradition elevates environmental cleanliness and beauty from mere customary etiquette to a religious imperative grounded in divine ontology. The most explicit manifestation of *wujūd* in relation to long-term sustainability is the prophetic emphasis on ecological investment that transcends individual benefit. The Prophet Muhammad declared: "There is no Muslim who plants a tree or sows a seed, and then a bird, a human, or an animal eats from it, except that it is considered for him as a charity" (al-Bukhārī). This hadith provides perpetual spiritual incentive (*ṣadaqah jāriyah*) for every productive action that benefits the ecosystem, even when the actor derives no direct personal advantage, constituting nothing less than a prophetic endorsement of intergenerational sustainability. The culmination of the *wujūd* imperative is the ethical principle that rejects despair and mandates proactive action until the very end, as enshrined in the famous tradition: "If the Day of Resurrection arrives and any of you holds a palm seedling in his hand, let him plant it" (Aḥmad). This hadith demonstrates the Sharī'ah's uncompromising imperative to continue developing the environment, specifically through planting, even in the final moments of earthly existence. It represents the highest ethical instruction, ensuring that environmental benefit (*al-fā'idah al-bi'iyah*) remains available for others, thereby affirming that ecological stewardship is an active process encompassing creation (*ijād*), care (*'ināyah*), preservation (*muḥāfazah*), and continuous development.

g. The Application of Maqāṣid al-Sharī'ah to Ecological Preservation: The Dimension of 'Adam (Preventive Elimination)

The dimension of 'adam (preventive elimination) addresses environmental protection by prohibiting harm (*ḍarar*) and corruption (*fasād*). This protective framework operates through two categories of prohibition: the strictly forbidden (*ḥarām*), which carries legal sanctions, and the reprehensible (*makrūh*), whose avoidance is meritorious but not legally binding. Within Islamic legal methodology, prohibitions receive priority over commands because repelling harm (*dar' al-mafāsīd*) takes precedence over securing benefits (*jalb al-maṣāliḥ*), as reflected in the prophetic instruction: "What I have forbidden you, avoid completely; and what I have commanded you, do as much as you are able" (al-Bukhārī). This dimension fundamentally rests on the universal principle *lā ḍarara wa lā ḍirār*, meaning no harm shall be inflicted or reciprocated, which encompasses all forms of ecological degradation, as environmental harm inevitably affects present and future generations. The Qur'an reinforces this in Sūrat al-A'rāf: "And do not cause corruption upon the earth after its reformation" (7:56), establishing environmental destruction as religiously proscribed.

Practical applications of this prohibition abound in classical sources. The Prophet Muhammad forbade the three acts that invite curses (*al-malā' in al-thalāth*): relieving oneself in water sources, on pathways, or in shaded areas clearly designed to preserve public health and environmental cleanliness. He likewise forbade urinating in stagnant water intended for bathing. The Qur'an declares: "Corruption has appeared on land and sea because of what the hands of people have earned" (al-Rūm: 41), directly attributing environmental degradation to human agency. The prohibition of excess (*isrāf*) extends to resource consumption, as in the Prophet's rebuke to Sa'd ibn Abī Waqqāṣ for excessive water use in ablution: "What is this extravagance? ... Even if you are upon a flowing river" (Ibn Mājah). Remarkably, this protective framework applies even in armed conflict, as demonstrated in Abū Bakr's instructions to his commander: "Do not cut down fruit-bearing trees, nor palm trees, and do not burn them; do not demolish inhabited structures; and do not slaughter sheep or cattle except for sustenance" (al-Muwaṭṭa'). Additional prohibitions include forbidding the slaughter of productive livestock, killing animals for sport, and allowing diseased animals to mix with healthy ones. Thus, the 'adam dimension demands total avoidance of all environmentally destructive actions, from industrial emissions to hazardous waste, affirming that the Sharī'ah's preventive framework comprehensively governs human interaction with the natural world.

Genealogy and Construction of the Maqāṣid al-Qur'ān Paradigm

Maqāṣid al-Qur'ān (MQ) emerged in modern Islamic discourse as a methodological response to the legalistic limitations of Maqāṣid al-Sharī'ah (MS), which had been largely reduced to the preservation of the five necessities (*al-ḍarūriyyāt al-khams*). Critics argue that this narrow framework fails to capture the Qur'an's comprehensive ethical, moral, and spiritual vision as a universal guide. Genealogical reconstruction thus becomes essential to demonstrate that these higher objectives are not novel inventions but latent within the Islamic intellectual tradition, awaiting systematic articulation. Such genealogy legitimizes MQ as both authentic and a logical continuation of the enduring effort to comprehend the Qur'an's deeper purposes (Aṭ-Ṭabari, 1978; Ramadhani, 2024).

The development of MQ unfolds across five distinct phases. The first, the Pre-Conceptual Applicative Phase, witnesses practical application of Qur'anic objectives within classical exegesis (*tafsīr*), long before formal terminology existed. Imam al-Ṭabarī, in his *Jāmi' al-Bayān*, consistently elucidated the ultimate purposes (*ghāyah*) underlying Qur'anic narratives, demonstrating implicit awareness of suprallegal intentions. The second, Formative-Conceptual Phase, marks a deliberate

articulation using terms such as *al-ahdāf* (targets) and *al-maqāṣid al-kubrā* (greater objectives), shifting from practical application to theoretical groundwork.

The third, Affirmative-Critical Phase, features twentieth-century thinkers like Muhammad al-Ghazali (d. 1088 CE), who explicitly critiqued fiqh-centric reductivism while affirming MQ's necessity. Al-Ghazali insisted that Qur'anic objectives must encompass spiritual purification (*taẓkiyah*) and ethical morality, arguing that excessive focus on legal rulings obscured the Qur'an's broader vision of justice. The fourth, Transformative-Interpretative Phase, centers on Muhammad Ṭāhir ibn 'Āshūr (1984), who radically expanded the maqāṣid by incorporating universal objectives such as freedom (*hurriyyah*) and equality (*musāwāh*). Ibn 'Āshūr effected a paradigm shift from protection (*ḥifẓ*) to actualization (*taḥqīq*) of values, delineating eight primary Qur'anic objectives and liberating maqāṣid from the strict confines of Uṣūl al-Fiqh (Mufid, 2020). The fifth, Systemic Meta-Maqāṣid Phase, employs systems theory to position MQ as a holistic framework synthesizing all Qur'anic values justice (*al-'adl*), freedom, and universality (*al-'ālamīyyah*). Here, maqāṣid become a dynamic network rather than a static list, elevating MQ to "meta-maqāṣid" that directs the instrumental mechanisms of MS. In substance, MQ insists that legal objectives must remain subordinate to the Qur'an's moral ends: social justice and universal compassion (*rahmah*). This shifts the paradigm from MS's defensive, legalistic approach to religion to MQ's inclusive pursuit of justice, a distinction essential for addressing complex contemporary issues like religious freedom (Darmawan, 2024).

The genealogy thus reveals a clear trajectory: from latent awareness in classical tafsīr, through terminological articulation, methodological critique, theoretical expansion, to systematic codification as contemporary Islamic legal philosophy. This value-centered paradigm fundamentally challenges narrow MS interpretations, legitimizing MQ as a credible foundation for engaging modernity. The fundamental divergence between MS, rooted in legal reasoning (*istinbāṭ*) within Uṣūl al-Fiqh, and MQ, rooted in value discernment within 'Ulūm al-Qur'ān, explains their markedly different responses to issues that demand flexible, humanistic ethical frameworks.

The Application of Maqāṣid al-Qur'ān Criticism in the Tafsīr of Ṭāhir Ibn 'Āshūr

Muhammad Ṭāhir Ibn 'Āshūr (1984) regarded the primary purpose of the Qur'an's revelation as providing universal guidance directing humanity toward comprehensive welfare (*al-maṣlaḥah*). His maqāṣid al-Qur'ān methodology serves as a critical instrument against rigid and restrictive interpretations, particularly regarding verses often invoked to formalize Islamic law. Through this approach, Ibn 'Āshūr seeks broader meanings beyond literal textualism, refusing to absolutize particular readings while pursuing conclusions that are both profound and universally applicable (Lufaefi, 2020).

A concrete illustration of Ibn 'Āshūr's maqāṣid-oriented exegesis appears in his interpretation of the Quran. 4:59 concerning obedience to those in authority: "O you who believe, obey Allah and obey the Messenger and those in authority among you." Ibn 'Āshūr specifies that those in authority (*ulū al-amr*) must possess both knowledge and piety. Notably, he refrains from absolutizing any particular form of leadership, whether the caliphate or other political systems, leaving humanity free to determine the most beneficial (*al-maṣlaḥah*) structure of governance according to contextual needs. This interpretive flexibility reflects the Qur'anic objective of achieving collective welfare through political arrangements that serve the people, demonstrating how MQ prioritizes substantive outcomes over fixed institutional forms (Fikriyati, 2018).

A second application emerges in his treatment of the Quran. 2:143, which describes the Muslim community as a "middle nation" (*ummah wasaṭan*). Thus, we have made you a middle nation that you may be witnesses over humanity." Ibn 'Āshūr interprets moderation (*wasath*) not merely as balance but as an imperative to consider public welfare when implementing legal rulings. He insists that no applied law should harm individuals, offering implementation alternatives that

transcend rigid textual adherence. This approach embodies tolerance as an inherent quality of Islamic teaching, reinforced by the prophetic tradition he cites: "Indeed, religion is ease, and no one will ever make religion difficult without being overwhelmed" (al-Bukhārī). Through these examples, Ibn ʿĀshūr demonstrates that MQ operates as a hermeneutic of flexibility, ensuring that legal applications remain aligned with the Qur'an's higher purposes of justice, compassion, and human welfare.

Distinctive Mapping of Maqāṣid al-Sharīʿah and Maqāṣid al-Qurʿān: A Paradigmatic Analysis

The discourse on maqāṣid has evolved from a mere instrument for legal justification into a comprehensive hermeneutical methodology. Genealogically, Maqāṣid al-Sharīʿah (MS) represents a classical paradigm deeply rooted in Uṣūl al-Fiqh, functioning to rationalize and legitimate existing legal rulings by ensuring their alignment with reason and public benefit (*maṣlaḥah*). By contrast, Maqāṣid al-Qurʿān (MQ) emerges as a contemporary paradigm, arising from methodological critique of the stagnation caused by overly legalistic and atomistic exegesis, as articulated by modern scholars such as Ṭāhā Jābir al-ʿAlwānī. This paradigmatic distinction positions MS as a framework for regulating social life through positive law, while MQ constitutes a holistic framework for discerning the universal purposes of revelation itself.

The most fundamental distinction lies in their respective scope of inquiry. MS operates within a partial (*juẓʿī*) domain, tethered to the juridical sphere and focused on the preservation of the five necessities (*al-darūriyyāt al-khams*): religion, life, intellect, lineage, and property. This scope is inherently defensive, aimed at safeguarding these essentials from violation. MQ, conversely, encompasses a universal (*kullī*) and holistic purview, embracing the entirety of Qurʿanic teachings and their theological, ethical, political, and civilizational dimensions. It approaches the Qurʿan as a unified thematic whole (*mawḍūʿ al-Qurʿān*), with the ultimate objective of constructing a civilization founded upon comprehensive justice and welfare.

Equally significant is their divergence in their orientation to purpose. MS exhibits a legalistic-normative orientation, prioritizing the practical regulation of human conduct through effective legal determination. MQ, however, is oriented toward ethical moral values (*qīmab*), seeking the transcendent wisdom and spiritual purposes underlying every legal injunction. Within the MQ framework, law (*sharīʿah*) constitutes a means rather than an end; the ultimate ends are universal values such as justice (*al-ʿadl*), freedom (*al-ḥurriyyah*), and compassion (*al-rahmah*), which the law must actively realize. A legal system's failure to actualize these values signifies its deviation from the very maqāṣid of the Qurʿan.

Their methodological approaches further accentuate this paradigmatic divergence. MS employs the inductive method (*istiqrāʾ*), a bottom-up approach systematized by al-Shāṭibī, which collects partial legal evidence from Qurʿanic rulings and prophetic traditions and distills it into the five universal principles. This process often operates retrospectively, legitimating pre-existing legal determinations. MQ, by contrast, adopts a systemic and holistic (*ṣyāqī*) method, a top-down approach that commences with the macro-purposes of the Qurʿan as a whole, proceeds to the objectives of individual sūrahs, and interprets particular verses only then. Ṭāhā Ibn ʿĀshūr, a pivotal figure in MQ, formulated the concept of sūrah objectives as a critical lens for interpreting its constituent verses, thereby ensuring ethical consistency throughout the exegetical process.

Functionally, MQ serves as a distinctive critical apparatus vis-à-vis traditional MS. It emerged precisely because MS was perceived as failing to capture the higher ethical and moral purposes of revelation, remaining excessively fixated on partial, non-essential juridical concerns. In contemporary contexts, MQ consciousness is increasingly recognized as an indispensable tool for countering radical interpretive tendencies. By shifting focus from rigid legal formalization

toward universal values, MQ offers a more flexible and humanistic framework for navigating the challenges of pluralistic societies.

In synthesis, while MS and MQ share their ultimate source in divine revelation, they represent distinct phases and functions within the Islamic intellectual tradition. MS remains indispensable for establishing detailed legal provisions within the social sphere. At the same time, MQ provides the ethical compass ensuring that all such clauses remain aligned with the cosmic justice and universal compassion envisioned by the Qur'an. MQ thus ensures that law (*shari'ah*) perpetually functions as an instrument for realizing greater purposes (*maqāṣid*), never becoming an end in itself.

Table 1. Distinctive Mapping of Maqāṣid al-Sharī'ah and Maqāṣid al-Qur'ān

Aspect of Distinction	Maqāṣid al-Sharī'ah (MS)	Maqāṣid al-Qur'ān (MQ)
Intellectual Tradition	<i>Uṣūl al-Fiqh</i> (classical legal theory)	Tafsīr and Modern Hermeneutics
Scope of Inquiry	Partial (<i>Juz' iyyāt</i>) – Confined to the five essential necessities (<i>al-darūriyyāt al-khams</i>): religion, life, intellect, lineage, property	Universal (<i>Kulliyāt</i>) – Encompasses all Qur'anic dimensions: theology, ethics, law, and civilization
Orienting Purpose	Legalistic-Normative – Focuses on legal rulings (<i>ḥukm</i>) and social regulation	Ethical-Moral – Focuses on values (<i>qimah</i>) and the realization of universal justice
Method of Derivation	Inductive (<i>Istiqrā'</i>) – Bottom-up approach, moving from partial evidences to general principles	Systemic-Holistic – Top-down approach, moving from macro Qur'anic purposes to interpretation of particular verses.
Primary Function	Justification and legitimation of existing fiqh rulings	Methodological critique of exegesis and instrument of renewal (<i>tajdid</i>)

CONCLUSION

This study demonstrates that Maqāṣid al-Sharī'ah (MS) and Maqāṣid al-Qur'ān (MQ), despite sharing theological roots in divine revelation, represent two fundamentally distinct scholarly paradigms. MS emerges from classical Uṣūl al-Fiqh as a legalistic-normative framework employing inductive methodology (*istiqrā'*) to preserve the five essential necessities (*al-darūriyyāt al-khams*). Its strength lies in providing systematic coherence for legal rulings and social regulation. However, its primary limitation is this very legalistic confinement: by reducing Qur'anic purposes to five protective categories, MS fails to capture the broader ethical and civilizational vision of the Qur'an as universal guidance.

MQ, by contrast, constitutes a paradigm of critique and renewal (*tajdid*) with universal (*kullī*) scope and ethical-moral orientation centered on values (*qimah*). Employing systemic-holistic methodology that proceeds top-down from macro-purposes to particular verses, MQ corrects the stagnation of classical exegesis by refocusing interpretation on overarching objectives of justice, human dignity (*al-karāmah*), and compassion. Its principal contribution lies in providing an ethical compass, ensuring that legal instruments remain aligned with revelation's higher moral purposes. Its potential limitation involves risks of subjective interpretation or ideological appropriation, where appeals to "higher objectives" might circumvent textual authority.

The study's significance resides in systematically mapping paradigmatic distinctions between MS and MQ across genealogical roots, scope, orientation, methodology, and function, demonstrating how these frameworks generate markedly different responses to contemporary issues like

religious freedom and ecological preservation. However, limitations include its primarily theoretical focus without extensive empirical application, and predominant engagement with reformist voices requiring fuller integration of traditionalist critiques.

Future research should pursue empirical testing of MQ's applicability across diverse socio-political contexts, comparative analyses with hermeneutical developments in other traditions, deeper investigation of *sūrah* objectives (*maqāṣid al-sūwar*), and critical engagement with traditionalist objections concerning textual authority and interpretive subjectivity. This study thus establishes foundational cartography of the MS-MQ distinction, inviting subsequent exploration of the rich terrain this paradigmatic shift opens for contemporary Islamic thought.

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Author Contribution

As the first author, Intihaul Fudola served as the main initiator and conceptualizer of this research, who visionarily identified the existing methodological dichotomy between *Maqāṣid al-Sharī'ah* and *Maqāṣid al-Qur'ān* in contemporary Islamic studies discourse. She was not only responsible for formulating the overall research framework using a genealogical-analytical approach but also for constructing the core arguments that distinctly differentiate the two paradigms from ontological, epistemological, and axiological perspectives. Without Intihaul Fudola's intellectual initiative and leadership in mapping out this academic problem, the research reconstructing the fundamental distinction between MS and MQ would not have achieved the depth and clarity presented in this article.

Achmad Fuaddin made a significant contribution through his mastery and in-depth analysis of classical *Uṣūl al-Fiqh* literature, particularly in tracing the genealogical roots of *Maqāṣid al-Sharī'ah* as a legalistic normative paradigm. His expertise in reading and interpreting fundamental texts by classical *uṣūlī* scholars enabled this research to strongly confirm that MS indeed focuses partially on the preservation of the five essential needs (*al-daruriyyat al-khams*) through the inductive method (*istiqrā'*) based on *fiqh* rulings. Achmad Fuaddin's contribution serves as a crucial foundation for demonstrating that the distinction raised in this research is rooted in the authentic tradition of Islamic scholarship rather than a mere contemporary academic construct.

Ummi Hasanah played a key role in articulating the ethical-universal dimension of *Maqāṣid al-Qur'ān* as a complete and independent paradigm, separate from the legalistic framework of MS. She specifically explored and formulated the macro values of the Qur'an, such as justice (*al-'adl*) and human dignity (*qīmah insāniyyah*), as the core of *Maqāṣid al-Qur'ān*, while demonstrating how these values can be operationalized through a systemic-holistic approach (*kulliyyat*). Ummi Hasanah's contribution is highly significant in enriching contemporary thematic exegesis discourse, while simultaneously providing academic legitimacy for employing the MQ paradigm in responding to modern humanitarian issues.

Tiara Nur Mulyawati contributed substantially by conducting a critical comparative analysis between the thoughts of modern scholars on *Maqāṣid al-Qur'ān* and the classical concept of *Maqāṣid al-Sharī'ah*. She was responsible for identifying points of intersection and fundamental differences between the two paradigms through the study of contemporary works, thereby strengthening the argument that MQ indeed possesses distinct paradigmatic characteristics that cannot be reduced to a mere extension of MS. Tiara Nur Mulyawati's contribution ensures that

this research is not only historically robust but also relevant to contemporary developments in Islamic thought.

Fahmia Nuha Tsabita made an important contribution to the methodological aspects of the research, particularly by applying genealogical analysis to trace the historical development of Maqāṣid al-Qur'ān. She meticulously mapped the phases of MQ discourse development over time, identified the socio-intellectual factors influencing paradigm shifts, and constructed a coherent and systematic genealogical narrative. Fahmia Nuha Tsabita's expertise in this methodology formed the backbone of the entire research, ensuring that the paradigmatic reconstruction produced was not speculative but grounded in verifiable historical traces.

Shafira Munawaroh Dahlan played an important role in critically analyzing the contemporary implications of the paradigmatic distinction between MS and MQ. She specifically examined how a clear distinction between these two maqāṣid concepts could shape the development of Islamic law and Qur'anic exegesis in contemporary contexts, particularly regarding issues of human rights, social justice, and pluralism. Shafira Munawaroh Dahlan's contribution ensures that this research does not stop at theoretical reconstruction but also possesses tangible practical relevance for developing Islamic thought that is more responsive to contemporary challenges.

Saichul Anam made a significant contribution by validating and verifying the primary sources used in this research, drawing on both classical and modern scholarly traditions. He was responsible for ensuring the accuracy of citations, the historical context of every referenced text, and the authenticity of sources underpinning the genealogical arguments. Saichul Anam's meticulousness in this regard was crucial to maintaining the research's academic integrity, given the complexity and depth of the analysis spanning different time periods and disciplines within Islamic scholarship.

Muhammad Kanzul Fikri played an important role in formulating the final synthesis of this research, particularly in concluding how the two paradigms, legalistic-normative MS and ethical-universal MQ, can be understood as complementary rather than mutually exclusive. He also contributed to articulating the epistemological implications of the research findings for the future development of Islamic studies, including opening new possibilities for integrating legal and ethical approaches in understanding Islamic sources. Muhammad Kanzul Fikri's contribution ensures that this research maintains strong argumentative coherence from beginning to end.

Diki Mashuri Candra provided a crucial contribution in the critical-philosophical analysis of classical Uṣūl al-Fiqh texts that form the genealogical foundation of Maqāṣid al-Sharī'ah. His expertise in tracing classical manuscripts and conducting contextual readings of early scholars' thoughts enabled this research to more accurately identify points of paradigm shift from legalistic approaches toward universal ethics. Additionally, Diki Mashuri Candra played an important role in formulating the comparative framework between the concept of al-daruriyyat al-khams in Maqāṣid al-Sharī'ah and the kulliyat values in Maqāṣid al-Qur'ān, thereby strengthening the research's main thesis on the paradigmatic distinction between the two concepts. Without his contribution in dissecting this philosophical dimension, the resulting genealogical reconstruction would not have achieved the comprehensive depth of analysis presented in this article.

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