

Maqasid al-Shariah

The Higher Objectives of Islamic Law

Course Outline

- ▶ Week 1: Introduction
- ▶ Week 2: Concept of Benefit and Harm
- ▶ Week 3: Preservation of Religion and Human Life
- ▶ Week 4: Preservation of Wealth and Intellect
- ▶ Week 5: Preservation of Honour and Lineage
- ▶ Week 6: Needs and Luxuries

Basic Definition

- ▶ Maqsad (pl. Maqasid) - Goal, Objective
- ▶ Shariah - Revealed Islamic Law
- ▶ Maqasid al-Shariah - The Goals of Islamic Law
- ▶ Technical Definition: The wisdoms and objectives behind the revelation of Shariah law.
- ▶ Allah is al-Hakim (Most Wise) so the law He revealed is full of wisdom. Maqasid al-Shariah is an attempt to figure out that wisdom and utilize it in Ijtihad.

Importance Of Maqasid al-Shariah

- ▶ Understand the wisdom behind Islamic Law
- ▶ Appreciate the Shariah and the Divine Wisdom of Allah
- ▶ Understand how scholars reform their opinions for each time and place
- ▶ Ability to explain the wisdom of the Shariah to the youth and Non-Muslims
- ▶ The Maqasid can form general guidelines for how we live our lives

Basic Terminology

- ▶ Maslaha - benefits, Maqasid term often used when discussing pros and cons
- ▶ Mafsada - harms, Maqasid term often used when discussing pros and cons
- ▶ Dhururiyaat - Necessities, refers to the primary needs of humans, usually summarized as five; religion, human life, intellect, lineage and wealth. (honour sometimes listed as 6th)
- ▶ Hajiyaat - Needs, refers to the things needed to facilitate the necessities or to live a good life.

Basic Terminology

- ▶ Tahsiniyaat - luxuries, refer to things that aren't needed but enhance the quality of life.
- ▶ Ta'abbudi - Non-Rational, acts of worship that are based on revelation, and which we don't understand the wisdom behind.
- ▶ Mu'llal - Rational, laws that are understandable and based on clear logical principles.

History of Maqasid al-Shariah

- ▶ Early Islam - doesn't exist as a field, Maqasid as a field developed late in our history. However, glimpses of Maqasid can be found in statements and rulings by Umar, Abu Hanifa and Imam Malik.
- ▶ Medieval Times - Early development of Maqasid al-Shariah, first books written in this field. The earliest known Maqasid writings are by al-Ghazali and his teacher al-Juwayni. Other famous authors during medieval era include al-Izz ibn Abd al-Salam, al-Qarafi, Ibn al-Qayyim and al-Shatibi.
- ▶ Stagnation and Decline period affected all fields including Maqasid.
- ▶ Revival Era - three centuries ago until now, Shah Wali Ullah, Ibn Ashur, Jasser Awdah, Yusuf al-Qaradawi.

Q&A