

Maqasid Methodology for Re-Envisioning Islamic Higher Education

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Summary

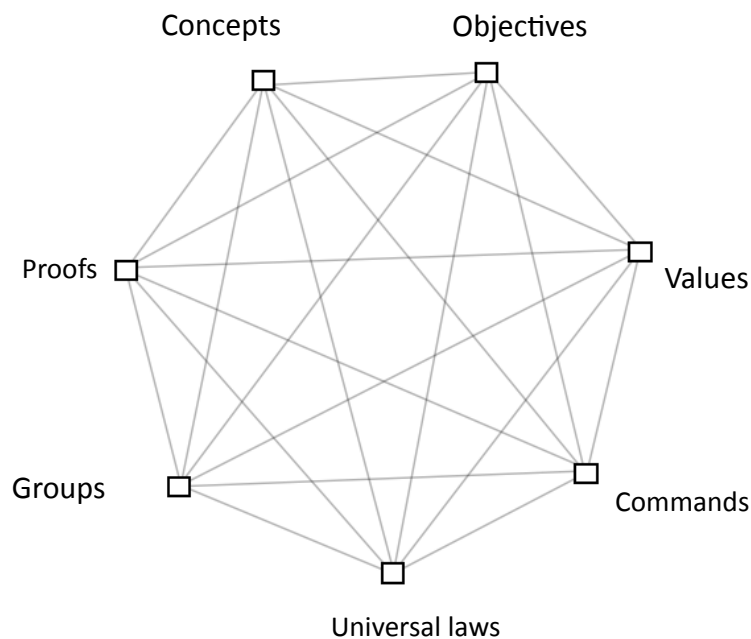
This article aims to demonstrate how the Maqasid Methodology re-envisions/re-structures an Islamic approach to higher education. This restructuring has direct implications on the research agendas, course curricula, and mission of the higher education process. Achieving the purposes/maqasid of Islam via research and education, however, requires a contemporary re-classification of disciplines. Both Islamic and secular classifications, classical and contemporary, are not compatible with the needs of our times. After a general survey of classic and current classifications of disciplines, a new classification is proposed, from an Islamic point of view. The new classification and the associated research agendas briefly presented are basis for a new design for the higher education system based on the Islamic maqasid-based framework.

Maqasid Methodology

The Maqasid Methodology¹ is a project that aims to revive the original concepts of the Quran and the Prophetic tradition, in order to propose an Islamic framework/worldview that achieves Islam's higher objectives (maqasid) in today's context. The ultimate goal is for this framework to eventually transform into networks of educational and research institutions that contribute to world civilization. The methodology consists of five overlapping and interconnected steps, namely, purpose, Cycles of Reflection, critical studies of literature and reality, framework, and formative theories and principles.

¹ Jasser Auda, Re-envisioning Islamic Scholarship: Maqasid Methodology as a new Approach, Wales: Claritas, 2021.

The Methodology's entry point is to set a purpose inspired by one of the objectives of Islam. Then, the Cycles of Reflection upon the Revelation is key to develop a critique of written and lived perspectives of reality, as well as to create a framework for perceptualization and analysis. Finally, formative theories and principles emerge and guide the outcome of the inquiry, i.e. rulings or judgements of benefit and harm. The framework is comprised of a network of Seven Elements, namely, concepts, objectives, values, commands, universal laws, groups and proofs. These elements themselves were inferred from countless Cycles of Reflection on the Revelation, searching for 'methodological objectives' and aiming to deal with methodological challenges and opportunities. The outcome is a wholistic and dynamic understanding of Islam, which addresses contemporary research questions and practical concerns in all fields of knowledge. Disciplines are therefore re-classified into: Usuli Studies, Disciplinary Studies, Phenomena Studies, and this is how the Maqasid Methodology could contribute to today's higher education. This article explains the 'disciplinization' aspect of the Maqasid Methodology.



The Seven Elements of the Maqasid Framework.

The Maqasid Methodology debunks the long-held misconception that Islamic scholarship (*ijtihad*) is limited to legal or 'ethical' studies most often associated with the various schools of jurisprudence (*madhahib*). While such studies have made major contributions to the advancement of Islamic jurisprudence, they are not the only feature or topic of Islamic scholarship in its revealed concept. According to the Quran and Prophetic traditions, the scope of deep understanding (*fiqh*) is every field of knowledge and every type of human endeavour. Muslim scholars in the Islamic civilization included all fields of inquiry in their times - medicine, mathematics, astronomy, biology, architecture, politics, trade, geography, etc. - as parts of '*fiqh*'. This is the same comprehensive scope that the Maqasid Methodology aims to return to.

In this article, it is demonstrated that before a Maqasid-based proposal for higher education could be made, a re-classification of disciplines is required. Therefore, a proposal has been made for 'disciplinization' from an Islamic point of view, and a brief outline of the disciplines' research agendas is presented. It is based upon these agendas that curricula could be developed and the rest of the higher education system could be designed.

The need for a new classification

The Aristotelian classification of knowledge is considered the most prominent classical influence. Muslim scholars who classified disciplines were impacted by Aristotle, albeit in different forms. Two streams could be identified, namely, classifications based on a modified Aristotelian approach, such as Al-Farabi's (d. 339H/950CE) and Ibn Sina's (d. 428H/1037CE), and classifications based on new non-Aristotelian approaches, such as Ibn Hazm's (d. 456h/1064CE)

and Ibn Khaldun's (d. 808H/1406CE).² Today, western academic disciplinization is most prominent, and it has impacted the definition of disciplines within disciplines as well, as explained below when a typical division of colleges/disciplines in today's major Islamic universities is considered.³ It is shown below that none of the above categories of classifications is compatible with the disciplinization needs for a contemporary Islamic scholarship, hence the need to propose an alternative classification.

Aristotle's classification of knowledge had a strong influence over many classical and contemporary classifications of disciplines/sciences, Islamic and non-Islamic, until today. His main categories were: theoretical, productive and practical sciences.⁴ Theoretical sciences are "knowledge for its own sake", in his words, which included metaphysics, mathematical sciences and natural sciences. This is the category that some Muslim philosophers, such as Al-Farabi and Ibn Sina, adopted while interpreting "metaphysics" to mean theological or Godly sciences (*'ilm ilahi*). Productive sciences aim at the creation of a product through craftsmanship. This is also a category that Muslim philosophers adopted such as Al-Farabi who included in it the Islamic philosophy of religion (*kalam*), and Al-Ghazali who included in it logic as a "tool" science (*'ilm aalah*).⁵ Aristotle's practical sciences covered the knowledge of action, which included ethics, judgement, politics and arts. This categorization impacted classical Islamic classifications as well, including Al-Farabi's.

² Al-Farabi, *Ihsa al-'ulum*, ed. U. Amin, Cairo: Dar al-Fikr al-Arabi, 1949; Ibn Sina, *Risalah fi aqşam al-ulum al-'aqliyah*, manuscript, ketabpedia.com; Ibn Hazm, *Maratib al-ulum*, manuscript, al-maktaba.org/book/1038/924, Ibn Khaldun, *The Muqaddimah: An Introduction*, trans. Franz Rosenthal, Princeton Classics, 2015.

³ For a unique and detailed discussion of classical Islamic classifications of knowledge, especially Al-Farabi, Al-Ghazali and Al-Shirazi, refer to: Osman Bakar, *Classification Of Knowledge In Islam A Study In Islamic Philosophies Of Science*, Cambridge: Islamic Texts Society, 1998 (originally a doctorate thesis from Temple University, USA, 1988).

⁴ Jonathan Barnes, 'Introduction' to Aristotle, *The Nicomachean Ethics*, Harmondsworth: Penguin, 1976.

⁵ Al-Ghazali, *Al-Mustasfa fi 'Ilm Al-Usul*. 1st ed. Beirut: Dar al-kutub al-'ilmiya, 1413 AH.

Al-Farabi categorized sciences into: (1) science of language (*'ilm al-lisan*), (2) logic (*'ilm al-mantiq*), which was divided similar to Aristotle's books on logic, (3) mathematical or propaedeutic sciences (*'ulum al-ta'alim*), including arithmetic, theory of numbers, practical science of numbers, geometry, optics, stars, music, weights, ingenious devices, (4) natural science (*al-'ilm al-tabi'i*), (5) metaphysics or theology (*al-'ilm al-ilahi*), (6) practical sciences, including civil science (*al-'ilm al-madani*), jurisprudence (*'ilm al-fiqh*), and Islamic philosophy of religion (*'ilm al-kalam*).⁶ The impact of Aristotle's classification is obvious, and a few "Islamic" categories were added here such as *fiqh* and *kalam*.

Ibn Sina's classification of sciences is even closer to Aristotle's and did not even include *fiqh* or *kalam* in his classification of knowledge. Ibn Sina strictly followed the theoretical-practical classification, and included under them: nature, arithmetics and theology; and ethics, governance of the household, and civil politics - respectively. "Knowledge for its own sake", however, is not Islamic. There is a web of objectives that is tied to knowledge (*'ilm*) in the Islamic worldview. In any case, it is obvious that the above two Islamic classifications, and many others similar to them,⁷ are not relevant to the desired renewal of classification of disciplines today towards an 'Islamic Higher Education'.

Ibn Hazm and Ibn Khaldun, amongst others, introduced classifications of disciplines that were significantly different from Aristotle's and the rest of the peripatetics (*masha'un*) and those who were influenced by them from the Asharites and Mutalizes. However, Ibn Hazm and Ibn Khaldun were influenced by the dichotomous logic of the Greeks in general, including the theoretical-practical and physical-metaphysical categories. They also did not consider *fiqh* nor

⁶ Osman Bakar, Classification Of Knowledge, 1998 - with some re-translation.

⁷ Such as those offered by: Al-Kindi, Al-'Amiri, Ibn Rushd, Al-Tusi, A-Shirazi, Al-Ghazali, etc. Ibid.

Shariah to be related to the sciences that they considered “common amongst nations”, in the words of Ibn Hazm, or “not specific to any faith”, in the words of Ibn Khaldun. However, Ibn Hazm included in this latter category philosophical sciences, whereas Ibn Khaldun included metaphysics. They both included in this “neutral” category: medicine and engineering (mathematical shapes). However, the Islamic worldview in the Quran and Prophetic tradition does not consider any science to be neutral, valueless or unrelated to faith - philosophy, “metaphysics”, medicine, and engineering included.

Ibn Hazm also divided sciences into useful (*nafi`*), in which he included *Shariah*, language, *fiqh* and history, and detested (*madhmum*), in which he included chemistry, magic and astrology. And Ibn Khaldun divided knowledge into rational (*`aqli*), in which he included chemistry, magic, geometry, and music, and transferred (*naqli*), in which he included exegesis, hadith, *fiqh*, *kalam*, sufism, and the Arabic language. It is interesting how “chemistry” and “magic” were considered one and the same at that time. Chemistry is now a standard science, but the concept of “magic” (*sihr*) (Quran 2:102, 7:116, 10:81, 15:14-15, 20:66, 28:48) does require critique and re-definition, since some scholars simply included in it any unexplained phenomenon or invention, such as chemical reactions according to Ibn Hazm, and even telephones and bicycles according to the jurists of Arabia a century ago.⁸

The impact of Ibn Hazm and Ibn Khaldun’s categorizations, especially the categories of useful (*nafi`*) versus detested (*madhmum*), and rational (*`aqli*) versus transferred (*naqli*), has been everlasting. However, it is also obvious, given the comprehensive scope of Islam, that both of these classifications of disciplines, and similar classical classifications cannot meet the needs of a contemporary Islamic education and scholarship.

⁸ Hassan Al-Saffar, ‘Aqliyat al-tahrim wal-tanfir min al-din (The mentality of prohibition that made people reject religion), www.saffar.org/?act=artc&id=4072, 17.3.2018.

Contemporary classifications of disciplines - secular and Islamic

Currently, the western academic classification of disciplines is prevalent worldwide. The dominant classification is: (1) Humanities, which typically includes: arts, history, languages, literature, law, philosophy, and theology; (2) Social Sciences, which typically includes: anthropology, economics, geography, politics, psychology, and sociology; (3) Natural Sciences, which typically includes: biology, chemistry, earth science, astronomy, physics, and (4) Applied Sciences, which typically includes: business, engineering, health, computer Science, and perhaps mathematics.

From the perspective of Islamic Studies that the Maqasid Methodology aims to support, the above classification does not put “theology” - or faith as defined in Islam - in the right place as the fundamental basis of all sciences. Moreover, the integrated nature of knowledge in Islam requires systematic ways of combining disciplines and not treating them as silos, especially across the four categories, i.e. across humanities, social, natural and applied sciences, which is typically inadmissible and would discredit scholars and scholarship. Finally and most significantly, many of the basic premises of the above sciences require critique from the Islamic point of view and therefore have to be part of a bigger picture of the classification of disciplines.

Islamic Studies today, on the other hand, is divided into three broad classifications, which we can call: (1) historical Islamic Studies, (2) contemporary Islamic Thought and (3) Islamic Studies in secular academia.

Under (1) historical disciplines, students specialize primarily in the history of one of the inherited Islamic branches of knowledge, such as exegesis (*tafsir*), narrations (*hadith*), jurisprudence (*fiqh*), philosophy (*falsafah/kalam*), history (*tareekh*), shariah-based governance

(*siyasaḥ sharʿiyyah*), Islamic call (*daʿwah*), etc. Students study the fundamentals (*usul*) associated with each of these disciplines as the methodology or approach to it.

Under (2) contemporary Islamic thought, students learn about an Islamic approach to a modern academic discipline, such as finance, psychology, art, law, education, or architecture. The general approach of Islamic thought accepts that Islam is a comprehensive way of life, attempts to go beyond historical biases to the inherited Islamic literature in all branches of knowledge, and aims to the achievement of common good in current times. However, this approach is largely apologetic, as explained below.

(3) Islamic Studies in secular academia is a spectrum of programs that range from theology, religious studies and philosophy to political science, history and social studies. A few of these studies are still following the old orientalist approach, i.e. studying Islam's original texts with a pre-assumption of their "biblical origins" and within the colonialist purposes of the old orientalist school.⁹ Some of these studies moved from orientalism to what we can call a neo-orientalist approach, in which Islam is defined via its social, political or historical manifestations and studied through one of the typical secular social sciences approaches. The general purpose also moved from a colonialist agenda to a neo- or post-colonialist agenda.¹⁰ However, over the past decade, a growing number of "confessional" projects for Islamic Studies within secular academia, east and west, were born. In such projects, professors and students are searching for an Islamic approach that is both genuine and commensurate with the complexity and demands

⁹ Compare for example: Joseph Schacht, "Foreign Elements in Ancient Islamic Law," *Comparative Legislation and International Law* 32, 1950; and Mohammad Al-Azami, *On Schacht's Origins of Mohamman Jurisprudence*, Riyadh: King Saud University and John Wiley, 1985.

¹⁰ Refer to the discussion in: Jasser Auda, *Maqasid al-Shariah as Philosophy of Islamic Law: A Systems Approach*, London: IIIT, 2008, Section 5.5. Also, Abdel-Wahab El-Messiri, *Epistemological Bias in the Social and Physical Sciences*, London - Washington: IIIT, 2006

of today's questions and challenges. Islamic "law" is offered as an alternative in this search for an Islamic approach, although there is a general awareness of the insufficiency of the Islamic classical schools of jurisprudence to answer today's questions in all disciplines.

Generally speaking, all of the above three approaches to contemporary Islamic Studies experience a number of methodological drawbacks. The most significant are the following:

(1) There is a general lack in studying the original sources of Islam, i.e. the Quran and Sunnah themselves, in all of these contemporary trends. The majority of attention is given to what scholars have said – past and present – while attention to the Quran and Sunnah is virtually subordinated except when these scholars make occasional references. A cursory look at what a student of jurisprudence studies today in a "Shariah College", for example, reveals the limited a portion that Revelation forms in their studies. To study the Revelation means to study the Quran and Sunnah directly, not what scholars have said about it. Even when students are required to memorize parts of the Quran and Sunnah, they are rarely taught to use what they memorize as criteria for evaluation of what they study. A similar problem manifests in all other branches and projects of Islamic Studies.

(2) Contemporary Islamic thought is largely apologetic for methodologies, outcomes, and organizations of modern academia. As such it lacks critique of the boundaries of modern disciplines that are adopted as they manifest in western institutions. Yet, the ideological and philosophical foundations of these disciplines and the organizations that house them stem from a reality and worldview that contradicts with Islam in some basic aspects. Contemporary Islamic thought also lacks in critiquing the non-Islamic outcomes of modern institutions and other expressions of modernity.

Even with an intention to make such expressions “Shariah-compliant”, apologists consider these institutions to be a necessary part of today’s lived reality (*waqi’*), and thus, fail to recognize that at a deeper philosophical level, and indeed even in lesser ways, many expressions of modernity cannot be “Islamized” due to irreconcilable contradictions with Revelation and the Islamic worldview. For example, Islamic economics emerges from the same philosophies, theories, and organizations of current economic systems and does not seriously challenge the neoliberal capitalism, which is the current dominant trend, but rather on the whole attempts to accommodate it. Likewise, Islamic political theory is by and large a product of the philosophy, theory and institutions of modern western academia and lived political realities. The original contribution of Islamic political thought is still nascent and Islamic methodologies have been incapable of participating in critical discussions and offering real alternatives.

(3) The pedagogic division of disciplines into Islamic and non-Islamic reinforces the secular ideology in the Muslim mind and society more broadly. It is a division that diminishes the domain and function of Islam - as a comprehensive way of life (*din*) - from its all-encompassing concept in the Revelation as applicable to more than a ‘theology’, ‘spirituality’ or ‘ethics’. The average graduate from higher education institutes will then live their entire life based on the philosophies, definitions and organizations that define the world by materialistic measures. Some Muslims even apologize for this serious methodological flaw by arguing that Islam is a rational religion that encourages ‘pure’ and ‘factual’ sciences and that the worldly sciences are value neutral, which is obviously a view that lacks sufficient analysis.

A proposed preliminary classification

Based on all of the above, the following classification of disciplines under disciplines is proposed:

1. Usuli Studies – include studies of the foundational and fundamentals theories (*usul*) of the disciplines related the Revelation, with less emphasis on the history of those who wrote in these disciplines and more focus on the Revelation itself and the knowledge it directly offers. The primary objective of this field is the reconstruction of the traditional Islamic methodologies in a way that builds on their legacies, yet is able to provide a foundational (*usuli*) basis for the contemporary proposed studies.

2. Disciplinary Studies – involve the rectification of contemporary disciplines and sciences as they are classified in today’s academic and educational systems. This does not mean rejecting this knowledge or denying the major contributions that they offered humanity since modernity. Nor does it mean to apologize for any of these disciplines’ theoretical premises or practical applications that contradict any element of the Islamic framework. The primary objective is to allow the development of trans-disciplinary approaches that integrate knowledge in education, research and action.

3. Phenomena Studies – involve the creation of an independent Islamic higher education system that benefits from prior contributions that conform to the Islamic framework/worldview. The general method here is to direct students to specialize in a major phenomenon and thereby to study all of its dimensions based on the Islamic framework. Collaboration with other researchers in webs that focus on the study of phenomena is encouraged to realize changes on the ground, which is the primary objective.

Usuli Studies

Usuli (Foundational/Fundamental) Studies are the methodological and theoretical backbone of the other two branch (*furu’*) domains proposed here, namely, disciplinary and phenomena studies. These three domains are overlapping by definition, and the scholar of the

fundamentals could engage with the other branch (*furu`*) fields given sufficient knowledge. In doing so, this division aims at resolving the problematic secular approach which was uncritically accepted by Islamic scholarship, thereby limiting Islamic jurisprudence (*fiqh*) to the area of rituals (*sha`a`ir*) and a few other areas of dealings such as family law, finance, and some ethical contributions in medicine, food, etc. Currently, the fundamental theory (*usul ul-fiqh*) deals only with some linguistic and inductive tools for extracting rulings (*ahkam*) from explicit texts and some discussions on legal capacity, etc., but not comprehensive enough.

Fundamentals of Exegesis (*usul al-tafsir*)

A restructuring of the fundamentals of exegesis (*usul al-tafsir*) aims at building the wider web of Revelational meanings through continuous Cycles of Reflection in the Quran and Sunnah. Moreover, the fundamentals of exegesis (*tafsir*) must be intricately intertwined with those of the fundamentals of hadith (*usul ul-hadith*) based on the methodological relationship between the Quran and Sunnah. The proposed Maqasid Methodology unifies and integrates the rich and long heritage of exegesis (*tafsir*) including the *tafsir* of the Prophetic narrations and those related by the Companions in relation to them. It also extends to linguistic (*lughawi*), juridical (*fiqhi*), mystical (*sufi*), philosophical (*kalami*), thematic (*mawdu`i*), pattern (*nazmi*), rhetorical (*bayani*), and scientific (*`ilmy*) exegeses. The maqasidi exegesis looks for the correspondence of meanings and web patterns in the Revelation that shape a vision for epistemological, ontological and logical foundations of contemporary disciplines, as well as an awareness of past, present and future realities. The fundamentals of this maqasid exegesis and research is aimed at enriching the methodological foundations of all other studies.

Fundamentals of Hadith (*usul al-hadith*)

The fundamentals of hadith (*usul ul-hadith*) builds on and widens the lengthy and deep heritage with its inherited methodologies. One of the most pressing challenges related to these fundamentals is the classification of hadith into the old chapters (*abwaab*) of the Islamic jurisprudence or under the names of the narrators sorted in alphabetical order. Both types are not conducive to linking hadith with the Quranic themes or the utilization of hadith in disciplinary, phenomena or Strategic Studies - especially with researchers who do not have experience with the classical collections of hadith. Some of those researchers end up dropping the Sunnah from their primary sources, which is a methodological error. Therefore, contemporary research and course design in hadith should attempt to restructure the classical classification into new classifications that links the narrations to their fundamental expressions and meanings as expressed in the Quran and to the other applied areas of disciplines. The connected nature of the webs of meanings of the Quran and Sunnah will then give rise to new chapter classifications (*abwab*). These chapters will facilitate research and teaching in the different studies that the new Maqasid Methodology gives rise to.

On the other hand, fundamentals of hadith studies should revive and renew critical hadith studies. Critique of hadith has been stagnant - methodologically speaking - over the past several centuries and has not witnessed renewed ideas (*tajdid*), especially from the side of the narrators and their historical backgrounds, given the topic of the hadith they narrate. A special attention should be given to the political and social biases within their respective generations. Despite the companions' precedents, there has been a dearth of critique of hadith content (*matn*) in accordance with Quranic content, whether in affirmation or rejection.¹¹ Challenges

¹¹ Refer for example to: Jasser Auda, "Aisha's Critique of Authentic Hadith Content via Quranic Universals", Proceedings: IIIT Scholars Summer Seminar, Virginia, 2010 (also available on jasserauda.net, scribd.com, etc.).

must be levelled in three thematic areas in particular, namely, (1) the relationship between Islam and authority, (2) the relationship between Islam and women, and (3) the relationship between Islam and the Israelite scriptures.

Acknowledging that hadith science is a “specialization” that requires specific training, should not be confused with creating a “hadith silo”, in which hadith is isolated from both the Quran and *fiqh* in the wider sense, in the name of specialization. Narrow silos are not Quranic and ultimately serve a secular worldview. And if hadith, as a source of knowledge, is going to be integrated with the Quran and applied to *fiqh* in all fields of knowledge, then some revisions have to take place. The concern that these revisions might be influenced by modern culture or modernist values is a legitimate concern. However, the solution is not to stagnate the judgements about hadith and end up with narrations, especially in the three areas mentioned above, that flatly contradict with the Quranic confirmed (*qat’i*), clear (*wadih*), well defined (*muhkam*) and core (*umm*) principles, or clearly paint a negative image about the Prophet (s). The reference here, again, is the Islamic framework that the Revelation clearly confirms, not any other reference or culture, social or legal, old or new.

It is a historical fact that political circumstances were an important and determining factor regarding the acceptability of narrators and narrations. Narrations were rendered weak, and sometimes the narrators themselves rendered weak, purely on the basis of content or implication vis-à-vis the political struggles of the time. The classification of narrators in different generations (*tabaqaat*) did include, in addition to their qualities, a consideration of the historical contexts in which they lived and narrated, but was far from being politically neutral.

For one example, mentioned briefly without its many related details,¹² consider when Al-Hasan Al-Basri omitted Imam Ali Ibn Abi Talib (ra) as the source of some of his narrations and related them instead directly to the Prophet (sas), he did that because of the tyranny of Al-Hajjaj, the Umayyad governor of Iraq at the time. It is authentically narrated that Al-Hasan Al-Basri told his student Yunus Ibn Ubaid: “Everything I say directly that the Prophet (sas) said is at the authority of Ali Ibn Abi Talib, but I am in an era where I cannot mention Ali’s name, may Allah be pleased with him”.¹³

However, narrations by Al-Hasan Al-Basri with this kind of omission were considered “*mursal*” (i.e. missing the companion-narrator) and therefore “weak” (*da`if*), since their chain of narrators was disconnected between Al-Hasan Al-Basri and the Prophet (sas). Scholars of hadith debated this issue in the past, and some of them such as Muhammad Ibn Sirin, Ahmad, Al-Tirmidhi, Al-Darqutni, Al-Bayhaqi, Al-Ishbili, Al-Dhahabi, Al-Iraqi, and Ibn Saad did not accept these *mursal* narrations from Al-Hasan Al-Basri, while other scholars did, such as Hammad Ibn Salamah, Al-Qattan, Ibn Al-Madini, Abu Zur`ah, Ibn Rajab, and Ibn Abdul-Barr. Yet, other scholars looked for extra supporting evidences.¹⁴ Despite the extensive debates over these details from dozens of Scholars of Hadith, past and present, I have not come across any

¹² Refer to this 4-volume study on Al-Hasan Al-Basri’s narrations for an example of the much needed new research in this area: Al-Sharif Hatem Al-Awni, *Al-Mursal Al-Khafi wa `alaqatuhi bit-tadlis - Dirasah Nazariyah wa Tatbiqiyah `la Marwiyat Al-Hasan Al-Basri*, Al-Khubar: Dar Al-Hijrah, 1997. Also refer to Sheikh Abdul-Fattah Abu Ghudda’s notes on “*maraseel Al-Hasan*” within his commentary on: Zafar Al-Tahanawi, *Qawa`id fi `Ulum Al-Hadith*, Halab: Maktab Al-Matbu`at Al-Islamiyah, 1984, p. 153-154. Note that despite the high level of detail and expertise in these studies, and as a general note, the methodology is in need of further development.

¹³ Yusuf Al-Mazzi, Tahdhib Al-Kamal, Beirut: Al-Risalah, 1980, vol. 6, p. 124-125. The debates around the authenticity and implications of this saying were extensive, and differences of opinion occurred even over whether Al-Hasan has heard hadith directly from Imam Ali Ibn Abi Talib (ra) or not, despite the strong evidence that he did. Refer to: Omar Murad, *Mawaqif Al-Ulama min Riwayat Al-Hasan Al-Basri `an Al-Imam Ali Ibn Abi Talib*, Mijalat Kulliyat Al-Tarbiah Al-Asasiyah, Al-Mustansiriyah University, Baghdad, vol. 73, pp. 175-206, 2012.

¹⁴ Al-Awni, *Al-Mursal Al-Khafi*, *ibid*.

approach that considered both the political context and content of the narration as a factor in the analysis.¹⁵

Some contemporary scholars accuse this approach of being “too obsessed with politics”, and prefer to protect the traditional methodology over the Quranic truths, which they render “general” (*`aamah*) or “subject to interpretations” (*hammaalat wujuh*). However, if we are to link historical studies with hadith studies, in light of the Quranic framework on governance (*hukm*) and the web of related meanings, we will realize how much the power struggles of the time have impacted hadith. Thousands, especially companions of the Prophet (sas) and two generations of their students, have been killed in the internal Muslim conflicts between 36 and 136 Hijri, i.e. between the Battle of the Camel and the Abbasid full control. The seminal collections of hadith appeared over the century following that century, and have been certainly impacted by all the events that the narrators went through and the stances they took. Today, scholars who are involved in public affairs attest to the complex relationship between political authority and what they have to say or write. Some long-overdue corrections in some narrations

¹⁵ For example, Al-Hasan Al-Basri omitted Imran Ibn Hosain, Al-Hakam Ibn Amr, and/or other companions, and omitted the narration’s story altogether, from some of the occasions when he narrated: “Do not obey anyone who asks you to disobey Allah”. The story, which is the context of narrating the hadith, has to do with Imran and Al-Hakam’s disagreement with Mu`awiah Ibn Abi Sufyan, when he was a Khalifah/King, over the distribution of the spoils of war from Khurasan. Mu`awiah requested Al-Hakam, who was the leader of the army, to send to him back in Damascus all of the gold and silver that they seized. Al-Hakam decided that the gold and silver were spoils of war (*fai`*) and therefore a right for the soldiers themselves, based on the direct evidence of the Quran and Sunnah. He therefore distributed all of the gold and silver over the soldiers. Mu`awiah then punished Al-Hakam by chaining and imprisoning him until he died. The omission of the narrators and the story itself is obviously related to the political context of the time when Al-Hasan made the *mursal* narration. “Do not obey anyone who asks you to disobey Allah” remains an important script on how to deal with authorities, especially as some jurists today justify a “fiqh of obedience” with any political authority regardless of the considerations of justice and rights. Refer to: Ahmad 5/66, Tabarani 18/170, Al-Mustadrak 3/443, Ibn Rajab’s *Ilal Al-Tirmidhi*, 288, Al-Dhahabi’s Chapter on Companions in his *Siyar A`lam Al-Nubalaa*, ‘Al-Hakam’, No. 93, and other related sources. Also refer to: Usaama al-Azami, Abdullah bin Bayyah and the Arab Revolutions: Counter-revolutionary Neo-traditionalism’s Ideological Struggle against Islamism,” *The Muslim World*, 109(3), 2019, pp. 343-361.

are required, especially related the three thematic areas mentioned above, namely, Islam and politics, the status of women in Islam,¹⁶ and the Israelite narrations.¹⁷

Islamic Philosophy of Religion (*`ilm al-kalam*)

There is a dire need as well for a contemporary discourse in the Islamic philosophy of religion/dialectic theology (*`ilm al-kalam*) that is built on a wholistic methodology to deal with contemporary questions. The questions of today are very different from the questions that the scholars of *kalam* over the centuries have addressed and were divided over. Today, the debates should revolve around atheism, secularism, liberalism, moral relativism, deconstructionism, nihilism, evolutionism and other ideologies especially in the pervasive forms that they have

¹⁶ For a few examples of similar revisions/rectifications in the area of the status of women in Islam, refer to: Jasser Auda, *Reclaiming the Mosque: The Role of Women in Islam's House of Worship*, Wales: Claritas, in assoc. with Maqasid Institute, 2017, Ch. 7. One example to illustrate this point here is Bukhari 5093 and Muslim 2252, where Abu Hurairah (ra) narrated, "Your bad omen is in your house and your woman." A number of commentators apologized for this narration by implying that a man is under the effect of a "bad omen" allegorically speaking, if his house is far from the mosque or his woman is barren! It is interesting to note that many jurists, past and present, approved this narration simply because it is in the Bukhari and Muslim collections, even though Bukhari and Muslim themselves also narrated a correction for it in a different hadith in the same collections, i.e. "there is no such thing as a bad omen" (Bukhari 5776, Muslim 2224). It is interesting to note that Abu Hurairah's (ra) narration was corrected by a Mother of the Believers Aisha (ra), who said: "Abu Hurairah did not recall this correctly. The Prophet was praying against those who claimed that bad omens are in a house, a woman, and a horse. Abu Huraira came late and heard only the last part of the hadith and did not hear the first part" (Abu Dawud 3992). She also cited a verse from the Quran: "No disaster strikes upon the earth or among yourselves except that it is in a record before We bring it into being - indeed that, for Allah is easy" (57:22), and thus disasters are not because of "omens". In the language of methodology, Aisha (ra) rejected Abu Hurairah's narration on the basis of the incompatibility of its content (*matn*) with the Quranic concepts, objectives and universal laws. Abu Hurairah is a trustworthy companion, of course, but he simply made a mistake in this narration, because he did not hear the complete statement, and he thought he did. Some scholars, again, preferred to protect their methodology over the Quranic truths. Ibn Al-Jawzi, surprisingly, commented: "How can Aisha reject an authentic narration?", even though her narration is an "authentic narration" too, in fact a narration by a much more knowledgeable companion, by all measures. Ibn Al-Arabi (Abu Bakr), shockingly, commented: "Aisha's rejection of the narration is nonsense". To me, Ibn al-Jawzi and Ibn Al-Arabi were too blinded on this issue by imitation and their cultural biases and could not accept the Mother of the Believers' assessment of this erroneous narration. Al-Zarkashi and Al-Suyuti, on the other hand, each wrote a whole book dedicated to Aisha's (ra) critiques and corrections of other companions' narrations, in which they cited dozens of such amendments including the "bad omens" narration (citations *ibid.*).

¹⁷ Refer for one example to the critique of the Israelite origins of the narration that mentions a "stoning verse" (*ayat al-rajm*), which was carried out by Sheikh Taha Al-Alwani, in: Taha Al-Alwani, *Hadha bayanun lil-naas: La rajm fil-Quran* (Announcing to people that there is no stoning according to the Quran), www.alwani.org, October 23, 2014.

taken in educational curricula, legal systems, culture, customs, international institutions, sports and games and other fields that shape people's perspectives. Islamic philosophy of religion (*kalam*) today must move beyond the old divisions, stop classifying Muslims based on questions and personalities who lived a thousand years ago, and work collectively in research webs to have new responses to these questions. These divisions do not contribute constructively to today's concerns and have been used by all conflicting political forces today in order to classify rivals as "sects" that are outside the circle of "*Al-Jama`ah*" (the truthful party). Moreover, divisions in the old schools prevent the full use of the historical knowledge, which is important in the sense of being the history of *kalam* rather than *kalam* itself. Similarly, the history of the fundamentals of jurisprudence (*usul ul-fiqh*) is different from *usul ul-fiqh* itself, which are theories that are subject to renewal with the renewal of *fiqh*.

Fundamentals of Jurisprudence (*usul al-fiqh*)

The fundamental theories of *fiqh* that are proposed by the Maqasid Methodology do not contradict with the fundamentals of jurisprudence (*usul ul-fiqh*) as historically defined. However, the traditional fundamentals of jurisprudence constitute one part of the conceptual framework, proofs, and inductive tools for judging juridical rulings. Other parts involve the rest of the composite framework and formative theories from which a much wider set of rulings could be concluded. In addition, the *fiqhi* outcome of the Maqasid Methodology is not only rulings but various judgements of benefits and harms in various forms. In other words, the Maqasid Methodology has a wider scope, and the traditional fundamentals of jurisprudence represent a special case. Although a detailed discussion of the classical schools of *usul ul-fiqh* is

beyond the scope of this article, the following are some basic differences between their fundamental theories and the Maqasid Methodology.

First, no Islamic fundamental theory can differ over the Book of Allah and the Sunnah of His Messenger (sas) as the basic reference (*marji`*) and fundamental source (*masdar asli*) for jurisprudence (*tashri`*). This applies to all classical and new schools of *usul ul-fiqh* as well as to the Maqasid Methodology. Moreover, it is important to distinguish between the Quran and Sunnah as sources (*masadir*) and the fundamental juridical proofs (*adillah fiqhiyah*). Juridical proofs are not primary sources and are not definite (*qat`i*) in their own right. They are rather theories that were and are still subject to diverse opinions on their very definitions and validity, unlike the Quran and Sunnah.

Across various classical schools of jurisprudence, traditional fundamental proofs (*adillah*) included: consensus (*ijma`*), analogy (*qiyas*), interests (*istilah*), juridical preference (*istihsan*), blocking the means (*sadd al-thara`i*), a companion's opinion (*ra'i al-sahabi*), customs of Medinans (*`amal ahl al-madinah*), customs (*`urf, adaat*), way of predecessors (*shar` man qablana*), and presumption of continuity (*istishab al-asl*). A number of other theories are included in traditional fundamental theories, such as: degrees of accountability rulings (*darajaat al-hukm al-taklifi*), declaratory rulings (*al-hukm al-wad`i*), capacity (*ahliyah*), and abrogation (*naskh*).¹⁸ According to the Maqasid Methodology, all of the above theories have their places in the larger web of Revelational meanings as they intersect with the concepts, objectives, values, commands, universal laws, groups and proofs. They also intersect with the formative theories and principles that emerge from studying various phenomena from a legislative/juridical

¹⁸ For comparative studies with new insights: Abu Zahra, Mohammad, *Usul Al-Fiqh*. Cairo: Dar al-Fikr al-Arabi, 1958; Soltan, Salahuddin, "Hujiyyat Al-Adillah Al-Mukhtalaf `Alaiha Fi Al-Shari`ah Al-Islamiyah." Ph.D. diss., Cairo University, 1992; Al-Sader, Mohammad Baqir, *Durus fi `Ilm Al-Usul*. 2nd ed. Beirut: Dar Al-Kitab Al-Lubnani, 1986.

perspective. Two examples are discussed briefly for the sake of illustration: consensus and analogy.

In the Maqasid Methodology, consensus (*ijma'*) is a tool for collective *jihad* rather than an authority in its own right, let alone a “source of absolute knowledge”.¹⁹ The authority of the concept in the Revelation is from the general evidences of unity of the Ummah and the calls for collective study and reflection upon the Quran (2:176, 3:79, 3:103-105, 6:105, 34:44). There is additional support for the concept of *ijma'* in the hadith, “my community (*ummati*) will never have consensus (*tajtami'u*) over falsehood (*dhalalah*)” (Ahmad 27267, Tabarani 2171, Haithami 7/224).²⁰ This is similar to the “consensus of the Ummah” theory of *ijma'*,²¹ rather than the other dozens of theories that did not have Revelational proof.²² In addition, *ijma'* should be developed today as a form of collective *ijtihad*/scholarship through networks of research and curriculum development.

Analogy (*qiyas*), for a second example, is a proof that has evidence that could be inferred from the Revelation. Typical evidences from the classical schools of jurisprudence such as, “People of vision, learn from this a lesson” (59:2), the hadith of the *ijtihad* of Moadh Ibn Jabal

¹⁹ A strong opinion of many, though not based on enough evidence. Refer to: Abu Bakr al-Baghdadi, *Al-Faqih Wal Mutafaqih*, ed. Adil bin Yusuf al-Gharazi, Arabia: Dar Ibn Aljawzi, 1421 AH, vol.1, p. 154; Al-Juwani, Abdul-Malik, *Al-Burhan Fi Ulum Al-Qur'an*. 4th ed. al-Mansura, Egypt: Dar Al-Wafaa, 1997, paragraph 627; Al-Ghazali, *Al-Mustasfa* vol.1, p.176, 76, Abdullah Ibn Qudamah, *Al-Mughni Fi Fiqh Al-Imam Ahmad Ibn Hanbal Al-Shaibani*, Beirut: Dar al-Fikr, 1985, p. 273; Ibrahim al-Fayrouzabadi, *Sharh Al-Lam'*, ed. Abdul Mageed Turki (Beirut: Dar al-Gharb al-Islami, 1988) vol .2, p. 666; Al-Bukhari, *Kashf Al-Asrar* p vol.2, p. 289, Ibn Nizameddin al-Ansari, *Fawatih Al-Rahamut Sharh Musalam Al-Thubut*, ed. Abdullah Mahmoud M. Omar, Beirut: Dar al-Kutub Al-ilmiyah, 2002, vol.2, p. 213; Ibn Taymiyah, *Al-Musawada*, p. 316; Al-Razi, *Al-Mahsool Fi Ilm Al-Usul* vol.4, p. 214, al-Amidi, *Al-Ihkam* vol.1, p. 404; — discussed in: Auda, *Maqasid Al-Shariah as Philosophy*, *ibid*, Ch. 6.

²⁰ Differences of opinion regarding its authenticity, but narrated through many chains some of which were rendered authentic by Ibn Hajar Al-Asqalani (in his *Fath Al-Bari*) and others.

²¹ Endorsed by for example, Abu Hamed Al-Ghazali, *Al-Mustasfa fi usul al-fiqh*, Beirut: Dar Al-kutub Al-Ilmiya, 1413h, p. 173.

²² Refer to a detailed discussion in: Jasser Auda, *Maqasid al-Shariah as Philosophy of Islamic Law: A Systems Approach*, London: IIIT, 2008, Ch. 4.

mentioned earlier (Abu Daud 3592), and when the Prophet (sas) told the woman who asked him about performing Hajj on behalf of her deceased mother that it is similar/analogous to paying a debt on behalf of her mother (Bukhari 1953).

However, based on the Maqasid Methodology, the Greek logic at the heart of formal *qyas* is only a special case and does not count for all possible forms of analogy that the Revelation teaches within its “proofs”. Typical classical analogy has four components; (1) primary situation (*asl*), (2) secondary situation (*far`*), (3) cause/reason (*`illah*), and (4) the ruling (*hukm*). Analogy is carried out between two situations/cases, the ruling of the primary situation has been previously decided, while the ruling of the secondary situation is unknown. *Qyas* entails that if there is a common cause (*`illah*) between the two situations, then, by analogy, the ruling in the first situation applies to the second. Jurists who agreed to *qyas* also agreed upon four conditions for a valid cause/*`illah*, namely, (1) *al-zuhur* (visibility; the ability to conceive the cause), (2) *al-ta`addi* (extension; the ability to extend the cause to other situations), (3) *al-i`tibaar* (validity; lack of an invalidating statement in the scripts), and (4) *al-indibaat* (exactness, not to change significantly with changing circumstances).²³ The two basic critiques of the above criteria based on the Maqasid Methodolgy, is (1) their lack of flexibility with changing circumstances and (2) their linear logic within the process of analogy itself.

(1) As for inflexibility, exactness (*indibaat*) of the *`illah* means that a “*ratio legis*” behind a ruling should be almost the same across various circumstances, which is not realistic and not “exact”. In the typical example of breaking the fast for the *`illah* of “sickness” (*maradd*, 2:184-185), the *`illah* is not “exact” and not compatible with the nature of the concept (*maradd*)

²³ For a few examples: Al-Ghazali, *Al-Mustasfa fi usul al-fiqh*, Beirut: Dar al-kutub al-'ilmiya, 1413h, p. 325; Al-Baidawi, *Tafseer Al-Baidawi*, Beirut: dar al-Fikr, w.d., vol.3, p. 5; Al-Nasafi, *Kashf Al-Asrar Sharh Al-Musanaf`ala Al-Manar*, Beirut: Dar Al-Kutub Al-Ilmiyah, 1998, vol, p. 196.

in the Quran and Sunnah, which is a web of various forms of hardships, symptoms and conditions rather than an exact definition (2:61, 2:196, 48:17, Bukhari 1616, 5354, 5656, 5687, 7055, etc).

(2) As for the linearity of the logic behind the four components (primary situation, secondary situation, cause, ruling), reality is often more complex to analyze than these abstractions. There could very well be multiple primary and secondary situations, multiple causes and multiple rulings involved in the logic of an analogy process. Thus, the linear classical analogy is correct and valid, but it is a special case of the web-based logic within a wider and more comprehensive definition of analogy. The above two brief examples, consensus and analogy, are given for explaining the basic idea of the inclusion of all the classical proofs of *usul al-fiqh* (juridical fundamental theories) within the Quranic proofs.

Finally, according to the Maqasid Methodology, it is methodologically incorrect to issue particular rules (*ahkam*) of lawfulness and unlawfulness before establishing universal formative theories and guiding principles (*kulliyyaat, nazariyyat, mabaadi' haakimah*), upon which the detailed rulings and decisions are based. *Establishing formative theories, before concluding detailed rulings, provides an indispensable understanding of Revelation in its totality and reality in its complexity, and hence avoids partialism, apologism, and contradiction.* This method allows for the development of more accurate and comprehensive juridical rulings (*ahkam*) concerning obligation (*wajib*), lawfulness (*halal*) and unlawfulness (*haram*), and the levels in between. The multi-dimensionality of the Quranic proof deals with such categories as a range. For the levels of juridical ruling, the most negative of the range is the major sins (*kaba'ir*) (Quran 2:219, 4:2, 8:73, 17:31, 18:49, 53:32) and the most positive are the pillars (*arkan*) or foundations (*usul*) (14:24, Bukhari 8, Muslim 16).

However, the way to arrive to the rulings according to the Maqasid Methodology is not to “deduce practical rulings from detailed evidences” (*istinbat al-ahkam al-`amaliyah min adillatiha al-tafsiliyah*). All classical schools of jurisprudence proceed from a detailed evidence, one verse or hadith usually, directly to the juridical ruling (*hukm*). Rather, a contemporary jurist should proceed from (1) the purpose, to (2) the Cycles of Reflection upon the Quran and Sunnah related to the purpose, to (3) building the 7-element framework (concepts, objectives, values, commands, universal laws, parties and proofs), to (4) critical studies of classical and current literature and the reality/phenomena on the ground, until they finally arrive at the (5) formative theories and principles.

It is the formative theories and principles that will govern and guide the issuance of a comprehensive, composite and balanced juridical rulings or *fatwa* in order to address the issues at hand. It is to be noted, however, that arriving at formative theories and guiding principles is not a new idea,²⁴ even though it is far from mainstream in current *fiqhi* studies and far from the necessary systemization that the Maqasid Methodology proposes.

Finally, the classification of the Usuli Studies as presented in these examples mentioned above (*tafsir, hadith, kalam, fiqh*) does not exclude the inclusion of other classical Islamic Usuli Studies in the same field of studies. They are all overlapping circles, of equal fundamental/theoretical importance, and each of the Usuli Studies must benefit from the outcomes of the others. These disciplines play a foundational role for the other branch studies that are considered branch studies (*furu`*), whether disciplinary or phenomena Studies.

²⁴ The four most notable contemporary jurists who took a similar approach to arrive at formative theories before issuing specific rulings and fatwas are Sheikhs: Mustafa Al-Zarqa, Abdul-Qader Auda, Yusuf Al-Qaradawi, and Taha Jabir Al-Alwani. Refer, for their clearest examples of this approach in: Mustafa Al-Zarqa, Introduction to Islamic jurisprudence (Arabic: *Al-madkhal Al-fihi Al-`am*), trans. M. Al-Muhsin, Kuala Lumpur : IBFIM, 2014; Abdul-Qader Auda, Criminal Law of Islam (Arabic: *Al-Tashri` Al-Jina'i Al-Islami*), Delhi: Kitab Bhavan, 1999; Yusuf Al-Qaradawi, *Al-Qawa'id Al-Hakimah li fiqh Al-Mu`amalaat Al-Maliyah* (Governing Principles for Islamic Financial Law), Cairo: Al-Shuruq, 2010; and Taha Jabir Al-Alwani, “Madkhal Ila Fiqh Al-Aqaliyyat.” Paper presented at the European Council for Fatwa and Research, ECFR, Dublin, Jan. 2004.

Disciplinary Studies

The ultimate goal of disciplinary *ijtihad* as a branch of disciplines is to re-orient modern academia and professional specializations according to the Islamic worldview. These fields of knowledge shape professional careers in scholarship, education and the labour market more generally, and a reorientation of disciplines involves filtering out un-Islamic elements from their fundamental theories, practical implications and institutional manifestations. “Un-Islamic” here is judged by being in contradiction with the concepts, objectives, values, commands, universal laws, groups and proofs. Part of this effort entails reconsideration of disciplinary boundaries that tend to unjustifiably limit the educational curricula, research agendas and hence the intellectual reach of different disciplines. This, in turn, is reflected in a reality that does not account for the truly connected and wholistic nature of earthly life.

In addition to potentially unsuitable boundaries, contemporary academic disciplines are mostly based on and influenced by their materialist/economic objectives. The objectives of knowledge, education, research and action in the Islamic worldview are higher than the mere economic goals. While some disciplines have recently opened up to more human- or nature-centred possibilities, the dominance of materialistic and economic thinking remains the main shaper of human knowledge and design of new higher education initiatives. Disciplines are not normally concerned with the human welfare as an ultimate objective, let alone the higher objectives of worshiping Allah, establishing justice/balance and rectifying earth. There continues to be little appetite for the serious incorporation of revealed knowledge, dubbed “religious” or “metaphysical”, throughout academia. In the name of avoiding “normativity”, today’s natural and social sciences abide by the (normative) boundaries of materialistic thinking and sometime

grand narratives that do not have definite proof. This new branch of disciplines aims to change that approach, rather than apologize for it.

Disciplinary critique starts by assessing the theoretical foundations of a discipline in relation to the objectives of the Revelation both as textually expressed and inferred. The objectives of the discipline must not contradict those of the Revelation to start with. The researcher might therefore ask what is the objective of medicine? Or economics? Or history? Or education? Or anthropology? Or arts? A review of the mission, purpose and basic questions of every discipline is intended to introduce the *maqasid* of the Revelation for that discipline or field of study into its fundamental theory. Thereafter, the details of the discipline can be assessed in relation to these objectives and potentially brought in conformance with them.

All disciplines express foundational concepts and concerns even when there are differences of opinion regarding exact definitions. These concepts must be compared to those of the Revelation. The idea is to develop a language and conceptual framework that does not contradict Islamic concepts. The rethinking of the foundational conceptual frameworks is itself an exercise in reconstruction, since concepts are the building blocks of describing reality on all levels. The concept of human (*insaan*), for example, has major implication in the sciences of medicine, psychology, policy, economics, anthropology, sociology, history, etc. And also concepts of earth, religion, wealth, rule, knowledge, material, mind, family, state and so on. All of these have specific conceptual meanings in the Revelation and have important implications for the different disciplines once they are redefined and reoriented toward the Islamic worldview.

This same critical assessment journey is undertaken regarding the groups/parties/actors in the theories of the discipline. It is not possible to separate the concepts from the parties that represent them, as previously discussed. There is a significant methodological difference

between understanding parties in society by their truthful qualities and designations, such as corrupters, rectifiers, scholars, fools, traders, poor, rich, rulers, leaders, hypocrites, etc., versus human-defined descriptors such as interest parties, labour, businessmen, consumers, elite, civil servants, celebrities, media, academia, NGOs, terrorists, etc., without assessing the true and complex nature of the latter parties and what they represent in terms of the former parties.

Any discipline will also have certain meta-theories and higher level processes associated with it. From the Islamic point of view, however, disciplinary productions must account for and yield to applicable universal laws. Universal laws offer a framework through which the disciplines' general rules and grand theories can be assessed. These form the basis of disciplines and offer explanatory power of relevant phenomena.

Likewise, the values resulting from the application of the methodology offer a moral yardstick against which the values that are internal to each discipline must be measured. The Revelation offers complete perspectives on utility, virtue and beauty, as discussed earlier. Accordingly, the utility/benefit related to any discipline cannot defy any definitive command in the Revelation nor cause harm, all in accordance with the *maqasid* criteria. On the other hand, human original disposition (*fitrah*) could guide humans to virtue. However, the definition of virtue must be divinely guided in order to avoid falling into moral relativism.²⁵ Similarly, beauty - the aesthetic dimension - cannot be correctly defined outside of a sound framework as well.

²⁵ The best arguments against the moral relativism of philosophically derived ethics are Prof. Ismail Al-Faruqi's and Sheikh Abdullah Draz's, within both of their PhD theses. Refer to: Ismail Al-Faruqi, *On justifying the good*, Ph.D. Thesis in Philosophy, Indiana University, 1952; and Mohamed Abdallah Draz, *La morale du koran*, Thèse pour le doctorat ès lettres présentée à la faculté des lettres de l'université de paris, 1951. Also refer to: Jasser Auda, *Qira'ah fi resalat al-doctour al-Faruqi lil-doctoorah* (A Reading in Dr. Al-Faruqi's PhD Thesis), Conference Proceedings: Ismail al-Faruqi and His Contributions for Reforming Contemporary Islamic Thought, Yarmouk University, Jordan, November 2011, published after review in *Islamiyyat Al-Ma'rifah* Journal, International Institute of Islamic Thought, February 2013, and Jasser Auda, *Introduction*, in: Basma Abdelgafar, *Morality in the Quran and the Greater Good of Humanity* by MA Draz, Wales: Claritas, and Kuala Lumpur: Islamic Book Trust, 2018.

Finally, the positive and negatives commands in the Revelation must reign over the normative rules of any discipline. That is how the composite framework that the researcher develops interacts with the disciplinary framework that they are dealing with.

Therefore, all disciplines should form parts of a complementary web of knowledge. The Maqasid Methodology connects the disciplines on a number of levels and in relation to important dimensions as is evident in the elements of the composite framework, and the formative theories and principles to which they give rise. These elements connect disciplinary ideas and aid in their integration helping to overcome the narrow disciplinary biases at the basic and applied levels, which have been transformed into ideologies that hinder attempts to critique and re-postulate the basic premises of these disciplines. The Maqasid Methodology aims to empower Disciplinary Studies to be more critical of the economic, cultural and political biases that shape their funding, curriculum development, education standards, accreditation, and faculty and student recruitment policies in all fields and at all levels.

As the Islamic Disciplinary Studies aim to enter a multi-disciplinary phase, the methodological shortcomings of current multi-disciplinary studies must be avoided. These include the combination of only two or a maximum of three disciplines, even though a wholistic approach to any current complex question or phenomenon should remain open to all disciplinary backgrounds that are relevant to the purpose. That is why the Maqasid Methodology deals with disciplines as an interconnected web, and also connects it to the web of Revelational elements. Also, from a non-secular Islamic view, religion is not a “discipline”. It is a way of life and a worldview that shapes research and education in all disciplines.

The main qualifications of the disciplinary scholar as it is with all kinds of *ijtihad* (scholarship) demands skills and knowledge that conform to the nature and purpose of the

inquiry. If the goal of research is to reconstruct the disciplinary foundations and boundaries then the scholar must necessarily have the intellectual mastery of the subject both methodologically and philosophically. An extensive experience with the Quran and related Sunnah is another requirement for this level of disciplinary discourse. It is also necessary at this level to have studied and understood the streams and schools within their respective discipline and to accept and recognize the contribution that other disciplines necessarily make to its primary inquiries. The highest level of *ijtihad* in the disciplinary sciences is in close alignment with the *ijtihad* in the Usuli Studies, and while depending on them, also contributes to their development.

If the research purpose is more limited, i.e. partial re-structuring or re-orientation, the qualifications of the researcher change accordingly. The research in these cases may relate to a specific question or concept within a discipline in order to write a research paper or thesis, institutional plan, critical piece on a specific professional practice, or an attempt to guide a specific application. At this level, the researcher may rely on available scholarship, especially the Quran and Sunnah survey related to their inquiries, and fellow members of the wider Maqasid Research Web. If the researcher is well versed in the Arabic language they may approach the Revelation directly as part of their research, however, their research will need to be reviewed by those who are working at more advanced levels, as part of a collective *ijtihad* process. For those who are not proficient in Arabic, they can still approach the texts directly through translations/interpretations in their mother tongue, however, they will require added scrutiny with regards to the accuracy of their understanding of the Arabic concepts in the Revelation that they will use in their research. While studies into the application side of the methodology do not demand the same level of expertise and intellectual rigour as those seeking to address fundamentals,

they still require a reasonable level of expertise in the discipline as well as in the Maqasid Methodology, and an ability to think critically and outside the box.

The branches of traditional Islamic disciplines are also included in the reconstruction of Disciplinary Studies. The objective is to expand their respective boundaries so that they may interact with the webs of other disciplines as suggested in this methodology. It is important to challenge the rigid boundaries between Islamic disciplines, including the current boundaries between “Islamic” and “non-Islamic” sciences, so that their knowledge bases can be more comprehensive. This is also necessary to overcome the monopoly of their fundamental theories and their outcomes by the Islamic academic industry and the power that some governments and grant-offerers have over it. Independent endowments is the best system to support the required academic integrity.

It is worth mentioning that seeking the truth should be the guiding principle in all of these disciplinary and multi-disciplinary studies. It is not acceptable for a scholar of any discipline to be biased toward a specific ideology and thereby to view all other intellectual contributions of limited use or to consider the Islamic and other sciences only to justify their ideological biases. Truthful research cannot adopt a narrow disciplinary lens for the sake of disciplinarity and its foundations that are set by national and international interest parties. To adopt the Maqasid Methodology necessarily means to accept the truthful and legitimate contributions of other scholarship that bears on one’s inquiry and to widen one’s lens irrespective of the academic boundaries that have been superficially erected as a result of historical, political and economic processes.

Phenomena Studies

The Quran and the Sunnah deal with reality in terms of its interrelated, complex and multi-dimensional phenomena rather than the silos of specializations. However, phenomena-based research and education is not a new idea. It has been adopted by a number of universities and schools around the world today, albeit few.²⁶ Based on the educational methodology of the Revelation and lessons learned from other phenomena-based research and educational experiences, the Maqasid Methodology proposes this new branch of Islamic Studies. The proposal is to develop new research agendas and curricula that integrate the seven-element Islamic framework with Phenomena Studies. In light of this, the researcher of disciplines may choose to examine part of a wide web of interrelated phenomena that forms a targeted field of study. This process starts with a general survey of major global phenomena and then focuses on one or more of those of interest like poverty, environmental degradation, technology, language, among others.

Through the study of the Quran and hadith related to these phenomena, the researcher will be grounded in various levels of sciences, language, history, physics, mathematics, etc. He or she will build their worldview through the elements of study that the Maqasid Methodology suggests as they apply it to phenomena both natural and social. Then, they would be able to build a composite framework. The methodological steps will lead to formative theories and principles that guide thought and action by integrating a number of theoretical and applied studies designed with sensitivity to the level of education in question.

²⁶ Refer for example to literature on the phenomena-based learning experiences in the school systems of Finland and Japan, as well as some schools in the US and Canada (also called topical, thematic, or perspective-based learning), and refer to the general orientation of multi-disciplinary educational and research programs in various universities.

There is no denying that this phenomena-based approach to education demands certain qualifications on the part of the teacher and the design of curricula, schools, universities, textbook, labs and expeditionary trips at all levels. This will require preliminary research, planning and implementation on the side of educational institutes. Ideally, this project will only work in contexts where businesses and the broader economic system is cooperative, and there is sufficient political will and resources to support such change, especially through *awqaf* (endowments) that guarantee its integrity and independence. If this happens, the study of phenomena may offer an ideal way to overcome many of the intellectual and methodological challenges that currently characterize Islamic education. It requires visionary advocates and courageous Islamic leadership.

As mentioned above, the Revelation does not deal with reality as disciplines or via specializations. It deals with reality as phenomena both as it is and as it ought to be. It therefore aims to continuously improve virtue through faith, truthfulness, sound vision, and good works. It also guides us to consider issues in their wholistic form, and not in fragments that may upset the general balance of divine design. The following are suggested examples of new specializations that can be identified based on contemporary phenomena:

(1) poverty and social justice; (2) earth and environment; (3) peace and governance; (4) *halal* industries; (5) civilization and culture; (6) innovation and technology; (7) studies in global regions; and (8) languages, especially Arabic. These are specializations that can be embedded at all levels of the education system. At the level of graduate studies, prerequisites must be added in two other fields, namely, the foundational studies of the Revelation and critical studies of modern disciplines. Students could then enter a phase of carrying out research in the web of Phenomena Studies that is by nature trans-disciplinary. Strategic studies are needed to help

guide the development of this field in order to contribute to the noble strategic objectives of the Ummah and humanity at large.

The phenomena-based approach will also have a particularly direct impact on the renewal of *fatwa* institutions. Most fatwas are simple questions that require simple and direct answers based on one or a few of the Islamic commands. Issuing a fatwa in this sense is a form of education and advice. However, when it comes to complex issues and questions that address contemporary phenomena like poverty, environmental degradation, wars, genetic engineering, social media, artificial intelligence, intellectual property, cybersecurity, among other complex issues — answers cannot be simple, fragmented or partial. These issues need to be dealt with comprehensively even if people do not solicit advice about them or perceive them not to be related to the realm of lawful (*halal*) and forbidden (*haram*). Experts, especially coming from a secular educational system, cannot frame or explain these issues in brief sessions that preclude scrutiny as to their methodology and the worldview they emerged from. The only solution is for Islamic scholars themselves to develop the capacity to address these complex issues in a multi- or trans-disciplinary way. This is the legacy of the major scholars of Islam of the past.²⁷

As for the priorities of studying contemporary phenomena, they will be set in different contexts based on the impact of the phenomena on the achievement of the divine objectives in the lived reality. As a general prioritization of the phenomena that require more attention on the level of humanity at large and the level of the Ummah, reference should be to the most central objectives in the Islamic framework. Then, phenomena that are directly related,

²⁷ Refer for example to: 1001 Inventions: The Enduring Legacy of Muslim Civilization, www.1001inventions.com. Also refer to the biographies of the likes of: Jaafar Al-Sadiq (d. 148H/765CE), Jabir Ibn Hayyan (d. 160H/815CE), Al-Jahiz (d. 255H/868CE), Al-Farabi (d. 339H/950CE), Ibn Sina (d. 428H/1037CE), Ibn Hazm (d. 456H/1064CE), Al-Ghazali (d. 505H/1111CE), Ibn Rushd (d. 595H/1198CE), Al-Razi (d. 606H/1210CE), Al-Eaji (d. 756H/1355CE), Ibn Khaldun (d. 808H/1406CE), among others.

positively or negatively, to these objectives should have priority in research, educational and organizational plans everywhere. The five most central objectives related to humanity are: worshipping Allah (*`ibadat Allah*), saving lives (*ihyaa al-nufus*), dignifying the human (*takrim al-insan*), establishing equity (*iqamat al-qist*), and rectifying earth (*islah al-ard*).

The five most central objectives related to the Ummah are: witnessing over humankind (*al-shahadah `ala-nas*), reflecting upon the signs (*tadabbur al-ayat*), unity of the Ummah (*wihdat al-ummah*), aiding the oppressed (*nusrat al-mazlum*), and enjoining good and forbidding evil (*al-amr bil-ma`ruf wal-nahi `an al-munkar*). These ten priority objectives have many overlaps and connections, and are tied to all other objectives in the wider Islamic framework. It is essential to assess contemporary reality on the grand level according to the achievement of these objectives or the lack thereof, and to strategize on all levels to come closer to realizing them on all levels.

Conclusion

Re-envisioning higher education according to the new fields outlined above would help overcome the shortcomings and methodological limitations of the current classifications of Islamic disciplines and Islamic knowledge in general. The new structure would hopefully empower Islamic scholarship and enable it to challenge the status quo and contribute toward a better future for Muslims and humanity. In order to realize these shifts, three overlapping circles are necessary: research, education and action. Research generates the knowledge and ideas required for education and action, education qualifies researchers and people of action, and action is necessary for keeping both research and education oriented towards changing current reality towards a better future.