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Reviving the Spirit of Maqasid: Towards a Just and Flourishing Islamic Civilization

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Abstract:

Islamic civilization has long been celebrated for its ethical depth and societal contributions. At the heart of this civilization lies the philosophy of Maqasid al-Sharia, a framework that has often been overshadowed by narrowly legalistic interpretations. This paper argues that Maqasid must be revisited as the living spirit and philosophical foundation of Islamic civilization. Through an exploration of its classical applications, the causes behind its disconnection, and its potential role in addressing contemporary global challenges, this study advocates for a revival of Maqasid as a transformative force for a just and flourishing future. Revitalizing Maqasid is not merely a scholarly endeavor, but a civilizational imperative for the modern world.

Keywords: Maqasid al-Sharia, Islamic Civilization, Ethical Philosophy, Reviving Maqasid, Islamic Law and Ethics

الملخص:

لقد اشتهرت الحضارة الإسلامية منذ القدم بعمقها الأخلاقي ومساهماتها المجتمعية. وفي قلب هذه الحضارة تكمن فلسفة مقاصد الشريعة، وهي إطارٌ كثيرًا ما طغت عليه التفسيرات القانونية الضيقة. تجادل هذه الورقة بأن المقاصد يجب أن يُعاد النظر فيها بوصفها الروح الحية والأساس الفلسفي للحضارة الإسلامية. ومن خلال استكشاف تطبيقاتها الكلاسيكية، وأسباب انقطاعها عن الواقع، ودورها المحتمل في مواجهة التحديات العالمية المعاصرة، تدعو هذه الدراسة إلى إحياء المقاصد باعتبارها قوة تحويلية من أجل مستقبل عادل ومزدهر. إن إحياء المقاصد ليس مجرد مسعى علمي، بل هو ضرورة حضارية للعالم المعاصر.

الكلمات المفتاحية :مقاصد الشريعة، الحضارة الإسلامية، الفلسفة الأخلاقية، إحياء المقاصد، الشريعة والأخلاق الإسلامية

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Introduction

Islamic civilization, renowned for its contributions to global culture, science, and governance, has also been shaped by a unique ethical philosophy rooted in the Maqasid al-Sharia. Historically, these higher objectives of Islamic law were designed not only to regulate behavior but also to guide the moral compass of society (Auda, 2008). However, in recent centuries, the application and understanding of Maqasid have become increasingly restricted to narrow legal interpretations, distancing it from its original, broader philosophical and civilizational roles (Kamali, 2008, pp. 117-120).

This narrowing of perspective has contributed to a deeper challenge in the modern era: Islamic thought now faces an identity crisis, with its ethical principles often overlooked in favor of rigid legalism (Hallaq, 2013). As a result, Maqasid, once a powerful tool for societal development, is primarily viewed through a legal lens, neglecting its potential as a guiding philosophy for the holistic flourishing of Islamic civilization. This disconnect has left many contemporary Muslims searching for ways to reconcile tradition with modernity (Ramadan, 2009).

In order to address this crisis, it is essential to revisit the foundational philosophies that once empowered Islamic civilization. Throughout history, Islamic civilization has been distinguished not only by its achievements in science, arts, and governance, but more fundamentally by its deep-rooted commitment to values such as human dignity, justice, and the common good (Rahman, 1982). This philosophy, embedded within the framework of Maqasid al-Sharia, offers more than a set of legal objectives; it reflects the very spirit that shaped a vibrant and ethical society. In today's context, rekindling the spirit of Maqasid is crucial to redefining the legacy of Islamic civilization and ensuring that its timeless values continue to inspire solutions to contemporary challenges.

In light of these considerations, this paper explores how Maqasid al-Sharia, when understood not merely as a set of legal tools but as a dynamic civilizational ethos, can revitalize Islamic thought and practice in the face of modern global challenges. It seeks to reexamine the spirit of Maqasid al-Sharia beyond its legalistic framework and highlight its potential as a comprehensive moral and ethical philosophy capable of addressing a wide range of global challenges, from social justice to environmental sustainability, while remaining faithful to the core values of Islam.

Ultimately, this research argues that reviving Maqasid as a civilizational ethos-rooted in justice, human dignity, and the common good-offers a promising pathway for Islamic civilization to engage meaningfully with the modern world and contribute actively to global peace and prosperity.

Method

This study adopts a qualitative approach based on library research, focusing on classical and contemporary works related to Maqasid al-Sharia and Islamic civilization. Through conceptual analysis, it examines key texts and scholarly discussions to explore the original spirit of Maqasid and its relevance to contemporary challenges. The research emphasizes a thematic and critical reading of sources to construct an integrative understanding of Maqasid as a civilizational framework

Result and Discussion

The Classical Spirit of Maqasid in Islamic Civilization

The Maqasid al-Sharia, or the higher objectives of Islamic law, have historically played a foundational role in shaping Islamic civilization. Early Muslim scholars, such as Al-Ghazali (d. 1111) and Al-Shatibi (d. 1388), emphasized that the primary aim of the Shariah was the preservation and flourishing of essential human goods: religion (*din*), life (*nafs*), intellect (*aql*), lineage (*nasl*), and property (*mal*). These objectives were not viewed merely as legalistic ends but were understood as part of a broader moral and philosophical vision aimed at cultivating a just, ethical, and prosperous society (Auda, 2021).

During the Golden Age of Islamic civilization, Maqasid served as a living spirit behind major achievements. The advancements in sciences, medicine, trade networks, and cultural exchanges across the Muslim world were not incidental; they were driven by an ethos that prioritized human dignity, the pursuit of knowledge, and societal welfare. Institutions such as hospitals (b*imaristan*), universities (*madaris*), and charitable endowments (*awqaf*) stood as practical embodiments of Maqasid-inspired values.

Moreover, classical scholars approached Maqasid as a dynamic and evolving concept, allowing Islamic civilization to respond creatively to changing circumstances while remaining anchored in ethical principles. Their methodology was characterized by a profound flexibility, fostering an environment where engagement with diverse cultures and novel challenges was both possible and encouraged. Justice (*adl*), mercy (*rahma*), and public interest (*maslaha*) were central values that animated this civilizational project.

Thus, in its classical spirit, Maqasid al-Sharia was far more than a collection of legal rulings; it functioned as the philosophical engine driving Islamic civilization's excellence across various spheres of life, offering a comprehensive vision of a society oriented toward the common good.

The Causes Behind the Disconnection of Maqasid from Civilization

Maqasid al-Sharia has had a profound influence on the formation of Islamic civilization. However, over time, a significant gap emerged between its philosophical essence and the lived realities of Muslim societies. Several key factors contributed to this gradual disconnection.

First, the codification and institutionalization of Islamic law during the later medieval period shifted the focus of Islamic jurisprudence (*fiqh*) from the dynamic objectives (*maqasid*) of the law to a rigid application of detailed rulings (*furu*). As Islamic jurisprudence increasingly emphasized the categorization of specific legal rulings, the broader ethical aims that underpin these rulings were often neglected (Kamali, 2008). Furthermore, the rise of rigid taqlid-unquestioning adherence to established precedent-restricted the juristic creativity that had characterized earlier periods, resulting in a diminished presence of Maqasid in both legal and societal discourses (Auda, 2008).

Second, political fragmentation and colonial interventions significantly weakened Islamic institutions. The dissolution of the Ottoman Caliphate and the imposition of Western legal systems marginalized traditional Islamic jurisprudence and, by extension, the discourse surrounding Maqasid (Auda, 2008). In many Muslim regions, Shariah became relegated to personal status matters, while broader governance areas adopted secular legal frameworks. Consequently, Maqasid ceased to function as a comprehensive civilizational ethos and became limited to isolated academic discussions (Al-Raysuni, 2006).

Third, modern challenges such as globalization, economic inequality, and rapid technological advancements revealed the limitations of traditional Islamic thought in addressing contemporary issues. Without active engagement with Maqasid, Muslim societies struggled to offer holistic solutions that harmonized ethical and spiritual values with modern demands (Al-Raysuni, 2006). This contributed to the perception that Islamic law was static and irrelevant to modern global challenges.

Thus, the marginalization of Maqasid was not merely an intellectual oversight but the result of a complex interplay of historical, political, and socio-economic factors. Reclaiming the spirit of Maqasid today requires a conscious, multi-faceted effort to address these intertwined causes and rejuvenate Islamic thought in the modern world.

Reviving Maqasid as a Civilizational Ethos

In light of this disconnection, the revival of Maqasid al-Sharia as a civilizational force becomes an urgent intellectual and ethical project. To restore the vibrancy and relevance of Maqasid al-Sharia in the contemporary world, it is essential to view it not simply as a rigid legal framework but as a dynamic, living system capable of addressing current challenges. This revival necessitates a multi-dimensional approach, integrating intellectual reform with practical application.

To effectively breathe new life into Maqasid as a guiding principle, it is crucial not only to reinterpret it beyond its legalistic roots but also to embed it deeply within the structure of governance and public policy.

Reinterpreting Maqasid Beyond Legalism

The first essential step is to transcend a purely legalistic interpretation of Maqasid. While traditionally discussed within the domain of Islamic jurisprudence, Maqasid encompasses deeper philosophical and ethical dimensions intended to inform all aspects of societal life-including governance, economics, education, and environmental stewardship (Auda, 2008). To this end, contemporary scholars must reframe Maqasid as a holistic vision that centers on core objectives such as justice (*adl*), compassion (*rahma*), and human dignity (*karama insaniyya*).

One effective method for achieving this is by integrating Maqasid al-Sharia into contemporary discussions on human rights, social justice, and sustainable development. For instance, the preservation of life (*hifz al-nafs*) resonates with modern debates on healthcare access and humanitarian aid, while the protection of wealth (*hifz al-mal*) aligns with conversations about economic equity and ethical finance (Kamali, 2019). By demonstrating how Maqasid addresses these contemporary issues, we can highlight its enduring relevance and ethical significance.

Education as the Cornerstone of Maqasid's Revival

Education is pivotal in reviving Maqasid, serving as the primary means through which future generations can internalize Islamic ethical frameworks while engaging critically with contemporary challenges. Educational reforms should integrate Maqasid principles-such as the promotion of knowledge (*ilm*), intellectual freedom (*aql*), and moral excellence (*ihsan*)-into curricula at both religious and secular institutions. Curricula should focus on the holistic vision of Islam, rather than merely technical aspects of law. Subjects like Islamic ethics, social justice, and environmental stewardship should incorporate Maqasid as a central analytical tool, enabling students to approach global challenges from an Islamic perspective rooted in the pursuit of the common good (*maslaha*) (Abu Zayd, 2004).

Institutionalizing Maqasid in Governance and Policy

Beyond intellectual reform, applying Maqasid principles in governance and public policy is crucial. Historically, Islamic governance sought to embed principles of justice, equity, and societal welfare into administrative practices (Al-Raysuni, 2006). Revitalizing these principles in contemporary governance requires a renewed commitment to ethical leadership and policy-making. And

institutions that integrate Maqasid into decision-making processes can address pressing issues like poverty alleviation, wealth inequality, and environmental degradation. For instance, Islamic finance systems rooted in Maqasid would emphasize fair wealth distribution, while public health and education policies could reflect the preservation of life and intellect (*hifz al-nafs* and *hifz al-aql*).

Global Peace and Interfaith Dialogue

Finally, the universal values embedded in Maqasid offer significant potential for fostering global peace and interfaith dialogue. The emphasis on mercy, justice, and human dignity provides common ethical ground for collaboration between Muslim and non-Muslim communities. By emphasizing these shared principles, Muslim scholars and leaders can contribute meaningfully to global conversations on peace, human rights, and social justice (Kamali, 2019). Islamic teachings on Maqasid promote a vision of human flourishing that transcends narrow sectarian and nationalistic boundaries. By championing this inclusive ethos, Muslim societies can build meaningful bridges with diverse cultures and contribute to global efforts to achieve sustainable peace and justice.

Practical Applications and Contemporary Relevance of *Maqasid al-Sharia*

The spirit of Maqasid al-Sharia, when understood as a dynamic ethical vision rather than a rigid legal framework, has the potential to address some of the most pressing issues in contemporary Muslim societies, particularly in communities beyond the Arab world. In diverse multicultural settings-such as Southeast Asia, sub-Saharan Africa, or Western Europe-Muslim minorities and majorities alike are engaging with complex socio-political realities that demand a flexible, yet principled, application of Islamic teachings. Here, Maqasid can serve as a unifying ethical compass that promotes social justice, human dignity, and communal welfare (Auda, 2008). In practical terms, the application of Maqasid has been seen in efforts to foster interfaith dialogue, promote inclusive policies, and resolve cultural tensions. For example, in pluralistic societies like Indonesia or Malaysia, where Muslims interact daily with other religious communities, principles such as *hifz al-nafs* (protection of life) and *hifz al-'irdh* (protection of dignity) have been invoked in policymaking to uphold peace and prevent sectarian conflict. Similarly, in conflict zones such as parts of Africa and the Middle East, Maqasid-based peacebuilding initiatives have been used to reconcile tribal, ethnic, and religious groups by emphasizing shared human values grounded in Islamic ethics (Kamali, 2019).

Indonesia offers a particularly insightful example of Maqasid-driven engagement in a contemporary democratic context. As the world's largest

Muslim-majority country with a pluralistic constitution, many of its socio-political reforms reflect the spirit of *maslaha* (public welfare) and *hifz al-din* (protection of faith). The national ideology of Pancasila exemplifies a maqasidic synthesis between religious values and civic unity. Meanwhile, the Indonesian Ulama Council (MUI) has issued numerous fatwas incorporating maqasid reasoning, especially in areas like finance, halal industries, and medical ethics-balancing economic progress with ethical constraints (*hifz al-mal*, *hifz al-nafs*).

Moreover, interfaith institutions such as the Forum Kerukunan Umat Beragama (FKUB) actively embody Maqasid-inspired goals by protecting *'irdh* (dignity) and *'aql* (intellect) through inclusive educational initiatives and conflict resolution frameworks. During national emergencies-such as natural disasters or the COVID-19 pandemic-the government's reliance on zakat systems and community mobilization showcased a *maqasidic* approach to governance that foregrounded human life, solidarity, and resilience (Auda, 2008). However, the implementation of Maqasid in the modern era is not without serious challenges. Globalization has introduced powerful ideological and structural forces-such as secularism, which marginalizes religious values in public life; capitalism, which prioritizes profit over ethical concerns; and rapid technological advancement, which presents new ethical dilemmas in areas like bioethics, AI, and digital surveillance (Rahman, 1982; Ramadan, 2009). These dynamics often sideline the spiritual and ethical foundations of law, reducing religion to a private or symbolic function. This shift threatens the holistic vision of Maqasid, which aims to integrate moral purpose with societal development. To respond effectively, Muslim leadership must evolve. Leaders-whether scholars, policymakers, or community organizers-need to be equipped not only with classical Islamic knowledge but also with interdisciplinary tools to navigate modern ethical dilemmas. Translating Maqasid into actionable public policy-especially in education reform, environmental protection, or poverty alleviation-requires both intellectual depth and political courage. In particular, such leadership must resist the instrumentalization of Islamic rhetoric for populist ends and instead focus on institutionalizing the values of justice (*'adl*), dignity (*karamah*), wisdom (*hikmah*), and public welfare (*maslaha*) into national and global development frameworks (Auda, 2008; Arifin, 2016).

To sum up, reclaiming Maqasid al-Sharia as the living spirit of Islamic civilization means not only revisiting its theoretical foundations but also applying its principles with creativity and courage in real-world contexts. Through visionary leadership and a renewed *maqasidic* ethos, Muslim societies-such as Indonesia-can serve as models for ethical governance and contribute profoundly to the formation of a more just, peaceful, and flourishing global civilization.

Conclusion

At its core, the journey of reviving Maqasid al-Sharia is not merely an academic endeavour or a policy blueprint-it is an ethical awakening. It challenges us, as individuals and as a community, to return to the essence of revelation: to uphold justice, preserve dignity, and nurture compassion in all dimensions of life. In a time when the world often rewards superficiality, speed, and profit, Maqasid invites us to slow down, to reflect, and to reorient our pursuits toward that which truly matters.

Studying Maqasid is not only about understanding the architecture of Islamic law but also about reconnecting with the soul of our civilization. It is a call to cultivate wisdom (*hikma*) amidst noise, to build bridges instead of walls, and to carry the prophetic legacy of mercy (*rahma*) into modern public life. As someone striving to live ethically in a fragmented world, I find in Maqasid not just intellectual clarity but spiritual direction-a compass pointing toward a world that is not only functional, but deeply humane.

The spirit of Maqasid al-Sharia offers a compelling and timeless ethical framework for revitalizing Islamic civilization. By reconnecting with its deeper, philosophical underpinnings, Muslims can reclaim Maqasid as a dynamic and transformative force that addresses the ethical, social, and political challenges of the modern world. Whether through reinterpreting Islamic law in a broader, more ethical context, reforming education to nurture moral and intellectual development, or applying Maqasid principles to governance and international relations, the revival of Maqasid offers a pathway to a just, prosperous, and sustainable future for both Muslim societies and the world at large.

As we move forward, it is crucial that contemporary Muslims embrace the full potential of Maqasid not just as a legal framework, but as a holistic civilizational vision that can guide humanity toward peace, justice, and ethical progress. In doing so, Maqasid can once again become the beating heart of Islamic civilization, contributing meaningfully to the creation of a just and flourishing global society. For too long, we have seen fragmented interpretations of Islamic law, divorced from its spiritual and ethical roots. It is time to revive the vision that lies at the core of Maqasid-a vision that transcends the boundaries of mere legal rulings and reaches into the depths of our shared human experience.

Ultimately, the journey toward reclaiming Maqasid is not a mere intellectual exercise but a call to action-a call to lead with integrity, courage, and compassion. In a world that increasingly finds itself divided and morally uncertain, we must look to Maqasid as a reminder of our shared values and the path forward. It is in this reclaiming that we find not only the potential for societal transformation but also personal fulfilment, as we align our actions with the higher purposes of justice, mercy, and wisdom that Maqasid embodies. This is not merely about understanding Maqasid in theory but about translating it into

tangible actions that reflect our commitment to a just and compassionate world. It means actively participating in shaping public policy, educational reforms, and social structures that prioritize the well-being of all, particularly the marginalized and disenfranchised. It requires a collective effort to break free from outdated norms and engage in a re-imagining of what a just society can look like, based on values that uplift humanity rather than divide it.

Moreover, reclaiming Maqasid al-Sharia is a deeply personal journey for every individual. It calls us to reflect on our daily choices, our relationships, and our contributions to society. It challenges us to be better, to act with greater intentionality, and to ensure that the choices we make align with the higher goals of preserving life, protecting dignity, promoting knowledge, and ensuring the common good. In a time of rapid change and increasing uncertainty, this journey becomes even more significant. It is in our commitment to these values that we not only contribute to the revival of Maqasid but also shape a future where justice, wisdom, and mercy prevail.

In this renewed vision, the revival of Maqasid is not just a theoretical concept but a lived reality-a vision that, if embraced with sincerity and commitment, has the power to transform not only our societies but our very selves. Through this transformation, we find the possibility of creating a world where peace and justice are not distant ideals but guiding principles that shape every facet of life, both in the public and private realms.

References

Al-Ghazali, A. H. M. (2008). *Al-Mustasfa min 'ilm al-usul* [The essentials of Islamic legal theory]. Unpublished Manuscript. (ed. Ḥamzah ibn Zuhayr Ḥāfiẓ, 4 vols.). Al-Madīnah al-Munawwarah Printing Company. Retrieved from https://waqfeya.net/books/المستصفى-من-علم-الأصول-ت-حافظ-e1fd3e8ad67b469abe9fb22724b472f9

Al-Raysuni, A. (2006). *The objectives of Islamic law: The Maqasid al-Sharia*. International Institute of Islamic Thought. https://iiit.org/wp-content/uploads/Imam-Al-Shatibis-Book.pdf

Al-Shatibi, I. (2004). *Al-Muwafaqat fi usul al-shariah* [The reconciliations in the principles of Islamic law]. (ed. ʿAbd Allāh Dirāz & Muḥammad ʿAbd Allāh Dirāz, 1st ed.). Dār al-Kutub al-ʿIlmiyyah. Retrieved from waqfeya.net.

Auda, J. (2008). *Maqasid al-Sharia as philosophy of Islamic law: A systems approach*. International Institute of Islamic Thought. https://doi.org/10.2307/j.ctvkc67tg

Auda, J. (2021). *Re-envisioning Islamic Scholarship: Maqasid Methodology as a New Approach*. Claritas Books.

Hallaq, W. B. (2013). *The Impossible State: Islam, Politics, and Modernity's Moral Predicament*. Columbia University Press. https://www.jstor.org/stable/10.7312/hall16256

Kamali, M. H. (2008). *Shariah law: An introduction*. Oneworld Publications. https://archive.org/details/shariahlawintrod0000kama

Kamali, M. H. (2019). *Islamic law and the challenges of modernity: A perspective on maqasid*. Oxford University Press.

Rahman, F. (1982). *Islam and modernity: Transformation of an intellectual tradition*. University of Chicago Press. https://ia903207.us.archive.org/2/items/FazlurRahmanIslamandModernity/FazlurRahmanIslamandModernity.pdf

Ramadan, T. (2009). *Radical reform: Islamic ethics and liberation*. Oxford University Press. https://doi.org/10.35632/ajis.v26i4.1366

Abu Zayd, N. (2004). *The philosophy of Islamic law and education*. Islamic University Press.

Arifin, Z. (2016). Maqasid al-Sharia dan pembangunan ekonomi Islam di Indonesia. *Jurnal Al-Muqaddimah, 8*(2), 123–145. https://petita.ar-raniry.ac.id/index.php/petita/article/download/258/348

Auda, J. (2009). Maqasid al-Sharia and human rights: A critical overview. *Human Rights and Islamic Law Journal, 5*, 79–95. https://www.researchgate.net/publication/341250879_Human_Rights_in_the_light_of_Maqasid_al-Shariah

Auda, J. (2011). A Maqāṣidī approach to contemporary application of the Sharīʿah. *Intellectual Discourse, 19*, 193–217. https://journals.iium.edu.my/intdiscourse/index.php/id/article/view/231

Huda, A. (2014). Pengaruh Maqasid al-Sharia terhadap kebijakan publik dalam pembangunan sosial di Indonesia. *Jurnal Studi Islam, 15*(3), 211–234. https://repositori.uin-alauddin.ac.id/19562/1/Implementasi%20Maqashid%20Syari%E2%80%99ah%20dalam%20Pembangunan.PDF

Kamali, M. H. (2008). Maqasid al-Sharia: The objectives of Islamic law. *Arab Law Quarterly, 12*(4), 342–367. https://www.jstor.org/stable/20837037

Nugroho, A. (2018). Implementasi prinsip Maqasid al-Sharia dalam ekonomi syariah Indonesia. *Jurnal Ekonomi Islam Indonesia, 3*(1), 45–60. https://www.researchgate.net/publication/371543697_Maqashid_al-Shariah_Implementation_and_Islamic_Economics_Industry_in_Indonesia

Ibn ʿAshur, M. Ṭ. (1998). *Maqaṣid al-shari'at al-islāmiyyah* (M. al-Ṭāhir al-Missāwī, Ed.). Al-Basā'ir li 'l-Intāj al-ʿIlmī.

Islamic Jurisprudence Research Center. (2017). *Maqasid al-Sharia: A brief overview and analysis.*

Islamic Research and Training Institute. (n.d.). Maqasid al-Sharia and its contemporary application. *Islamic Development Bank. Retrieved April 17, 2025, from https://www.isdb.org/maqasid-al-shariah-and-its-contemporary-application*

United Nations Development Programme. (2019). *Islamic development and the human development index (HDI): Maqasid al-Sharia in the context of global development.* UNDP.