



Maqasid Al-Qur'an and Maqasid Al-Shari'ah: An Analytical Presentation

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Abstract

The phrases *Maqasid al-Qur'an* (objectives of the Qur'an) and *Maqasid al-Shari'ah* (objectives of the Islamic law) are two popular terms in the disciplines of Islamic revealed knowledge. While the latter is derived from the former, however, there are cases where the two terms are used interchangeably. This study aims to present an analytical account of these two concepts; it commences to examine the semantic meaning of the Qur'anic use of the term "*Qur'an*" and "*Shari'ah*", then the definition of the terms *Maqasid al-Qur'an* and *Maqasid al-Shari'ah*. The paper then illustrates the function and the scope of *Maqasid* (objectives) of *al-Shari'ah* and *Maqasid* of *al-Qur'an*. This paper argues that though *Maqasid al-Qur'an* and *Maqasid al-shari'ah* eventually lead to the same end, and thus cannot be separated from each other, however, in the operational level there are number of semantic and functional differences between these two terms.

Keywords: *The Qur'an, Islamic shari'ah, objectives, analytical study*

Abstrak

Frasa *Maqasid al-Qur'an* (objektif Qur'an) dan *Maqasid al-Shari'ah* (objektif undang-undang Islam) ialah dua istilah popular dalam cabang ilmu kewahyuan Islam. Walaupun istilah kedua itu berasal daripada pertama namun dalam kes tertentu kedua-dua istilah itu digunakan secara saling berganti. Kajian ini bertujuan untuk membentangkan satu penjelasan analitis terhadap dua konsep ini. Pertamanya, makna semantik penggunaan istilah "*Qur'an*" dan "*Shari'ah*" akan dilihat. Kemudian dari sudut definisi istilah *Maqasid al-Qur'an* dan *Maqasid al-Shari'ah*. Kertas ini akan menerangkan fungsi dan skop *Maqasid* (objektif) *al-Shari'ah* dan *Maqasid al-Qur'an*. Kertas ini membahaskan bahawa walaupun *Maqasid al-Qur'an* dan *Maqasid al-shari'ah* akhirnya adalah sama dan tidak dapat diasingkan antara satu sama lain tetapi pada tahap penggunaan terdapat beberapa perbezaan dari segi semantik dan fungsi antara kedua-dua istilah tersebut.

Kata kunci: *al-Qur'an, shari'ah Islam, objektif, kajian analitis*

Introduction

Maqasid al-Qur'an and *Maqasid al-Shari'ah* are two popular phrases, which were used since the early centuries of the Muslim calendar; both of these terms represent an important aspect of the studies of Islamic revealed knowledge. This is because, while the former concerns understanding of the objectives of the

Qur'anic discourse as well as its exegesis, the latter is confined within understanding the objectives of Islamic law and exploring the legal rulings of the *shari'ah*. Some of the recent studies on *Maqasid al-Qur'an*, such as *Maqasid al-Qur'an al-Karim* by *Abd al-Karim al-Lahmi* (2004) and *Maqasid al-Qur'an al-Karim min Tashrih al-Ahkam* by *Abd al-Karim al-Midani* (2009), profoundly colored the concept of *Maqasid al-Qur'an* by the concept of *Maqasid al-shari'ah*. However, some Muslim scholars, from the past and contemporary, like *Abd al-Ghazali* (d.1111C.E.), *Abd al-Din ibn al-Salim* (d.1261C.E.), *Ibn al-Qayyim* (d.751A.H.), *Abd al-Sharif al-Rashid* (d.1388C.E.), *Rashid Ri*

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(d.1935C.E.), Bad'Nuzzam'En Sa'N'Ed N'ers'É (d.1960C.E.), Ibn N'Ósh'Er (d.1973C.E.), Yus'Ef al-Qarad'Éw'É (b.1926C.E.) used both of these terms and outlined their basic concepts, but none of them used them interchangeably. Therefore, this distinctiveness of the both terms leads to conceive that *Maq'Élid al-Qur'Én* and *Maq'Élid al-Shar'É'ah* are not an identical genre or genotype.ⁱ Rather, there are differences between the two terms such as the semantic difference between the terms Qur'Én and *shar'É'ah* in the Qur'Énic use;ⁱⁱ the definitional dissimilarity between *Maq'Élid al-Qur'Én* and *Maq'Élid al-Shar'É'ah*; the conceptual and numerical of disparity in determining the general objectives (*maq'Élid*) of the Qur'Én and *shar'É'ah*; and finally, the functional spectrum. It should be borne in mind that when attempts are made to show the distinction between these two, the focus mainly remains on the Qur'Énic use of the terms and their operational dimensions that are commonly applied by the majority of Islamic scholars. It is not in any way an attempt to separate one from the other but to introduce the functional differences between the two.

Semantic Distinction Between the “Qur’ón” and the “Sharô’Ah” in the Qur’anic Use

The word “*qur'Én*” is a verbal noun which literally means “reading” or “recitation”. There are many verses in the Qur'Én that speak about its identity which is exposed through its various names and attributes. These could be a better source for understanding what the Qur'Én is such as *Al-Furq'Én* (the Criterion),ⁱⁱⁱ *Tanz'Él* (Revelation),^{iv} *Al-Dhikr* (the Reminder),^v and *Al-Kit'Éb* (the Scripture).^{vi} The attributes of the Qur'Én are more expressive than its names and they occur in the Qur'Én with a notable frequency and with a number of different phrases revealing a comprehensive introduction of the broad range of its own domain such as *Al-N'Er* (the Light),^{vii} *Huda* (Guidance), *Ra'Ímah* (Mercy),^{viii} *Bash'Ér* (Bearer of Good Tidings), *Nadh'Ér* (Warner),^{ix} *N'Adl* (Justice),^x *×aqq* (True),^{xi} *Amr* (Commandment)^{xii}, etc. All these terms expose a wider generality of the Qur'Én which is far off any kind of particularity. However, the word “*shar'É'ah*” or “*shir'ah*” and its root “*shara'Na*” occur in several places in the Qur'Én as follows:

“Then We have put you (O Muhammad s.a.w.) on a plain way (*shar'É'ah*) of (Our) commandment [like the one which We commanded Our Messengers before you (i.e. legal ways and laws of the Islamic Monotheism)]. So follow you that (Islamic Monotheism and its laws), and follow not the desires of those who know not.”

[Al-Qur'Én, 45: 18]

The term “*shar'É'ah*” in this verse is often interpreted by the interpreters of the Qur'Én as “tradition^{xiii} and way^{xiv},” “doctrine and religion,”^{xv} “revelation,”^{xvi} and “*d'Én*”.^{xvii} Interpreting this term, Al-Mawarid'É (d.450 A.H) states four probable meanings as follows: (1) *d'Én*, because it is the way of success; (2) *far'Éi'd*, penal codes, command and prohibition, because these are the means for *d'Én*; (3) proof (*bayyinah*), because it is the way to know the right path; (4) way (*sunnah*), because the way of previous Prophets are followed.^{xviii} Apparently, “*shar'É'ah*” in this verse is taken by some scholars in a broader perspective as a whole *d'Én* on the basis that this verse had been revealed in Makkah long before revealing its formal rites and legal provisions, which mostly came in the Madinan period. In this sense, *shar'É'ah* is best translated the “right Way of Religion”, which is wider than formal rites and legal provisions.^{xix} However, it should be noted that *shar'É'ah* is not merely restricted to legal provisions. In Qur'Énic term, it is broader than this as it includes all kinds of normative directives of the Qur'Én. Based on this broadness of *shar'É'ah*, the Makkan chapter of the Qur'Én is not totally devoid of *shar'É'ah* directives. In fact, the main focus of *tashr'É'* in Makkah was on the reformation of belief, its preservation and strengthening of its roots. In this phase, according to Al-Sh'Étib'É, the fundamentals of the lawful and the prohibited are prescribed which were fully completed during the Mad'Énan phase. For example, the killing of female infants, unlawful killing of human beings, adultery, injustice, misappropriating orphan's wealth, eating the animals slaughtered in the name other than Allah's were prohibited during the Makkan period.^{xx}

Similarly, ruling of prayer and expending wealth in way of Allah (*s.w.t*) also ordained during this era. The ruling about unlawful killing, mistreating of orphan's wealth and slaughtering of animals in the name of Allah (*s.w.t*) are mentioned in *S'Érah al-An'Ém* in verses 151, 152, 118; and this is a Makkan *s'Érah* revealed at once and before *S'Érah al-J'Ésiah*^{xxi} in which the above mentioned verses fall in. Thus, restricting the meaning of the term “*shar'É'ah*” to the normative directions of

the Qur'Ēn might be inappropriate. The Qur'Ēn says, "And We have sent down to you (O Muhammad (s. a. w.)) the Book (this Qur'an) in truth, confirming the Scripture that came before it and *Mohayminan* (trustworthy in highness and a witness) over it (old Scriptures). So judge between them by what Allah has revealed, and follow not their vain desires, diverging away from the truth that has come to you. To each among you, We have prescribed a law (*shirĒnah*) and a clear way. If Allah willed, He would have made you one nation, but that (He) may test you in what He has given you; so strive as in a race in good deeds. The return of you (all) is to Allah; then He will inform you about that in which you used to differ." (Al-Qur'Ēn, 5: 48)

Al-shir'ah has two etymological aspects. Firstly, the verb "*shara*" refers to clarification and secondly, "*sharaĒna*" is derived from the verbal noun "*shurĒĒn*" which means entering into.^{xxii} "*Al-shir'ah*" is the same as "*Al-sharĒ'ah*" which means clear way.^{xxiii} "*shir'ah*" probably refers to laws (*alĒkĒm*) and "*minhĒj*" refers to beliefs.^{xxiv} Ibn ĒAbbas says, "*shir'ah*" and "*minhĒj*" mean tradition (*sunnah*) and way (*sabĒl*).^{xxv} To Ibn KathĒr (d. 774 A.H), the most suitable meaning of it is tradition (*sunnah*).^{xxvi}

According to Ibn ĒAbbĒs (d.64), the terms "*shir'ah*" and "*minhĒj*" in this verse refer to the endorsement of *tawhĒd* and to a particular portion of laws^{xxvii} in which the revealed religions are not unanimous. QatĒdah argues that this verse addresses the communities of MĒsa, ĒĒsa and MuĒammad (Peace be upon them) with an indication that the *sharĒ'ahs* of *TawrĒh*, *InjĒl* and Qur'Ēn though their respective *dĒn* is one and identical which is *tawhĒd*.^{xxviii} Ibn ĒAtiyyah al-AndalĒsĒ (d.542) asserts that the verse eighteen in *sĒrah al-JĒthiah* (45:18) refers to an artistic resumption for describing the reasons behind prescribing the commandments and prohibitions before this *sharĒ'ah*. Moreover, it directs Prophet MuĒammad (pbuh) that "Judge among the People of the Book according to laws and codes that Allah (s.w.t.) sent to you, and judge not according to what had been sent to them" because their laws are abrogated by the laws revealed to you. In fact, the applied laws and the methods of moral purification are subject to change according to social context and human psychology. Unlike the fundamentals of the revealed religions (*dĒn*) such as *tawĒd*, submission to Him with sincerity and *ilĒĒn*,^{xxix} resurrection, certifying the prophets etc. remain the same.^{xxx} For example, in the case of punishment for willful killing the Torah prescribes only *qiĒĒl* leaving no option of blood money,

the Gospel offers pardon leaving no room for *qiĒĒl* and blood money while the Qur'Ēn offers all three options: *qiĒĒl*, blood money and pardon.^{xxxi} Similarly, what is prohibited in one *sharĒ'ah*, could be allowed in another or vice versa. Similarly, if something is flexible in one, the same thing could be very strict in another.^{xxxii} As the context, content and coherence of this verse with its surrounding verses clearly indicate its relation with law, hence with a normative sense, interpreting the term *shir'ah* in it as the legal code should be logically considered an appropriate denotation.

SharaĒna, the verbal form of *sharĒ'ah* occurs twice in the Qur'Ēn which also carry an obvious normative nature. The verses are as follows:

"He (Allah) has ordained (sharaĒna) for you the same religion (Islam) which He ordained for NuĒ (Noah), and that which We have inspired in you (O Muhammad s.w.t.), and that which We ordained for Ibrahim (Abraham), Musa (Moses) and 'Ēsa (Jesus) saying you should establish religion (i.e. to do what it orders you to do practically), and make no divisions in it (religion) (i.e. various sects in religion). Intolerable for the Mushrikun, is that to which you (O Muhammad s.a.w) call them. Allah chooses for Himself whom He wills, and guides unto Himself who turns to Him in repentance and in obedience."

[Al-Qur'Ēn, 42: 13]

"Or have they partners (of Allah) who have made lawful for them (sharaĒĒ) in religion that which Allah allowed not? And but for a decisive word (gone forth already), it would have been judged between them. Lo! for wrong-doers is a painful doom."

[Al-Qur'Ēn, 42: 21]

The majority of the exegetes of the Qur'Ēn interpret the verb "*sharaĒna*" by the verb "*sanna*" which is translated as "to enact or pass (a law), to legislate, to make laws, to establish, to prescribe etc".^{xxxiii} However, several other meanings could also be found in the Qur'Ēnic literature such as "*biyyana* (to illustrate), *ikhtĒra* (to choose) and '*awjaba* (to obligate)".^{xxxiv} "*Which He ordained for Nuh (Noah)*" refers to the lawful and prohibitions prescribed by Allah (swt) to Noah.^{xxxv} This internal relation of this verse proves the normative nature of this term.

To sum up, as MuĒammad Asad (d.1992) notes, "the term *sharĒ'ah* (or *shir'ah*) signifies, literally, "the way

to a watering-place” (from which men and animals derive the element indispensable to their life), and is used in the Qur'Ēn to denote a system of law necessary for a community's social and spiritual welfare. The term *shirĒ'ah* is more restricted in meaning than the term *dĒn*, which comprises not merely the laws relating to a particular religion but also the basic, unchanging spiritual truths which, according to the Qur'Ēn, have been preached by every one of God's apostles, while the particular body of laws (*sharĒ'ah* or *shir'ah*) promulgated through them, and the way of life (*minhĒj*) recommended by them, varied in accordance with the exigencies of the time and of each community's cultural development.^{xxxvi} The following verses and the prophetic tradition could be satisfying instances for the argument presented above.

“And We sent no messenger before thee but We inspired him, (saying): There is no Allah save Me (Allah), so worship Me.”
(Al-Qur'Ēn, 21: 25)

“And verily We have raised in every nation a messenger, (proclaiming): Serve Allah and shun false gods.”

(Al-Qur'Ēn, 16: 36)

“Narrated by Abu Hurairah, I heard Allah's Apostle saying “I am the nearest of all the people to Jesus, the son of Mary. The prophets are paternal brothers; their mothers are different, but their religion is one.”

(ŌaĒh al-BukhĒrĒ, ×adith No. 3147)

Furthermore, the argument that the Qur'Ēn, instead of presenting the *sharĒ'ah* as a whole of *dĒn*, presents the *sharĒ'ah* as part of the whole *dĒn* or part of the whole Qur'Ēnic teachings; a grammatical analysis of the verses containing the term *sharĒ'ah* or its derivatives could be more discerning tool for this outlook. It is notable in the above mentioned verses that almost every mention of *sharĒ'ah* and its derivatives there is either “*min al- amr*” (Qur'Ēn, 42:13, 42:21) or “*min al-dĒn*” (Qur'Ēn, 45:18). The term “*amr*” refers to “*dĒn*”^{xxxvii} or “commandments and prohibitions.”^{xxxviii} Grammatically, the particle *min*, according to Ibn ŌŌshur (1393 A.H), is used in these two verses for portioning and pertaining (*tabĒĒ and tafrĒĒ*).^{xxxix} Having interpreted lexically, the phrase *sharaŌa* in “*sharaŌa la kum min-al-dĒn*”, as MawdĒdĒ (d. 1979)

points out, implies “the way appointed by Allah (s.w.t.) is legislation pertaining to *dĒn*. There can be no difficulty in understanding that *dĒn* means nothing but acknowledging the sovereignty and leadership of someone and obeying his commands. And when this word is used in the meaning of “the way”, it implies the way which man must regard as obligatory for him to follow and the one appointing it as the one whom he ought to obey. On this basis, calling God-appointed Way as legislation pertaining to *dĒn* clearly means that it is not merely recommendatory in nature or a mere counsel, but it is a law enjoined by the Master.” He further defines the Arabic words “*tashrĒĒ*, *sharĒŌah* and *shĒriŌ*” respectively signify legislation, law and law giver.^{xi} The scholars further pay attention in defining the extent of *sharĒ'ah*. Quoting QatĒdah, RiĒĒ (d. 1354 A.H) states that *sharĒ'ah* is more particular from *dĒn* and traditionally the term *sharĒ'ah* is used exclusively to denote the applied laws, legislations and ruling polices.^{xii} However, in general, *sharĒ'ah* is something that Allah (s.w.t.) obligates to an entrusted person to follow.^{xiii} Thus, all normative contents of the Qur'Ēn should be considered as *sharĒ'ah* irrespective of belief system, ethical norms or legal codes.

Definitional Difference between Maqasid Al-Qur'an and Maqasid Al-Shari'ah

A comparison between the general coverage of both *MaqĒĒid al-Qur'Ēn* and *MaqĒĒid al-SharĒŌah* could be a facilitating tool to understand the dimensional difference between them. However, the term “*MaqĒĒid al-SharĒŌah*” has been conspicuously used by Islamic jurists since the early development of Islamic jurisprudence. Very likely, al-JuwaynĒ^{xliii} (d.1045 C.E.) and al-GhazĒĒ^{xliiv} (d.1111 C.E.) are the pioneers in wording this exact term. Since then, it has been a popular term in contemporary times and even a specialized field of study in Islamic discipline has been named by it.^{xliv} With this development, the scholars in this field channel their efforts to pinpoint its definition. Consequently, at least several scholarly definitions are now at hand. Though none of them is universally recognized, looking at the commonly referred to could be helpful in understanding the general coverage of this term. Some oft-referred definitions by certain scholars are discussed next.

Ibn ŌŌshĒr (d. 1973): By definition, “the *maqĒĒid* of the *sharĒŌah* generally are the meanings and instances of wise purposes on the part of the Lawgiver (Allah SWT). It can be discerned in all cases of legislation or in the majority of them to which the Law applies so that

they can be seen not to apply excessively to a particular type of ruling. Included here are the occasions for the Law's establishment, its overall aim, and the meanings which can be discerned throughout the Law. It likewise includes objectives which are not observable in all types of rulings, although they are observable in many of them."^{xlvi} According to the logic of this idea, the aims are all the meanings and instances of wisdom foreseen by the Lawgiver in all cases of legislation or most of them. The act of legislation is not devoid of these meanings and instances of wisdom.^{xlvii}

ÑAIÉI al-FÉsÉ: Al-FÉsÉ defines "*MaqÉÍid al-SharÉÑah* as "the purpose of *sharÉÑah* and the underlying reasons that the Lawgiver attached with each of its rulings (*aÍkÉm*)."^{xlviii} AÍmad RaysÉnÉ (b.1953): According to RaysÉnÉ *MaqÉÍid al-SharÉÑah* is "the purposes that put forth for actualization in order to bring about welfare for humankind."^{xlix}

All these definitions commonly reflect the normative nature of *sharÉ'ah*. Thus, according to them, *sharÉ'ah* in the Islamic legal term that refers to the rulings (*al-aÍkÉm*)¹ which Allah (s.w.t) has legislated for His servants, no matter whether it is by the *Qur'Én* or by the *Sunnah* of Prophet MuÍammad (s. a. w.) derived from his word or action or determination.ⁱⁱ So, the Islamic *SharÉ'ah* is a "body of laws"ⁱⁱⁱ and code of behavior explained in the *Qur'Én* and commented upon in every detail by the model of the Prophet's life."ⁱⁱⁱⁱ

However, the broadness of Qur'Énic coverage includes mainly divine unity, the universe which indicates to its Creator, stories of past nations, resurrection and recompense, education (*tarbiyah*) and legislation.^{liv} As far as *MaqÉÍid al-Qur'Én* is concerned, it is the intents of Allah (s. w. t.) which are aimed from the Qur'Énic texts due to the fact that those texts consist of sentences and phrases which have connotations of meanings and substances which revolve around an objective or some objectives that form that objective or those objectives.^{lv} However, scholars' views and portrayals of *MaqÉÍid al-Qur'Én* reveal some considerable salient features of the subject that could be facilitating in constituting a definition for it. *MaqÉÍid al-Qur'Én* is presented as a science and the loftiest core of the Qur'Én by al-GhazÉIÉ,^{lvi} as a kind of *fiqh* by RashÉd RiÉÉ,^{lvii} as a unity of *maqÉÍid* and *wasÉil* (means) representing the whole Qur'Én by Ñizzat Darwazah,^{lviii} as a method of understanding the intents of Allah (s. w. t.) and a criteria and principle of Qur'Énic exegesis by Ibn ÑÓshÉr.^{lix} In light of these aforementioned clues, "*MaqÉÍid al-Qur'Én* is a science of understanding the Qur'Énic discourse in light of its

purposes (*maqÉÍid*) which represent the core of the Qur'Én and corroborated by their means (*wasÉil*); and distributed upon the understandable (*muÍkam*) verses of the Qur'Én."

Although the Qur'Én is primarily a holistic scripture which addresses theology, morality, rite and rituals, etc., and not merely a legal code, it however contains about five hundred verses, which are normative in nature.^{lx} These, in much detail, mainly deal with family affairs, civil laws, norms concerning state, economics, and penal laws. Only these, a few Qur'Énic norms and the clear and ambiguous normative rules of the authentic *Sunnah* as a direct and eternal divine guidance (*shar'allah*) deserve the name of *sharÉ'ah*.^{lxi} Moreover, since *sharÉ'ah*, in its legal sense, does not necessarily represent the totality of the *Qur'Én* but only its legal portion *MaqÉÍid al-SharÉ'ah* is confined only within the legal domain. However, the *Qur'Én* which goes beyond the legal aspects and contains many other issues have no connection with laws such as stories of past nations or historical events, ethos, portrayal of the hereafter, natural phenomena, scientific indications, description of Allah's attributes, etc. In fact, *MaqÉÍid al-Qur'Én* is generally concerned with the intents of Allah (s. w. t.) distributed over the whole of His speech. In addition, *MaqÉÍid al-SharÉ'ah*, in terms of its sources, transcends the Qur'Énic boundary when it includes the Prophetic traditions (*Íadith*), consensus (*ijmÉ'*), analogy (*qiyÉs*) and other sources.^{lxii} However, *MaqÉÍid al-Qur'Én* remains restricted only within Qur'Én's textual limits.

Between Maqasid Al-Shari'ah and Maqasid Al-Qur'an Based on their Objectives

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

According to AbÉ xÉmid al-GhazÉIÉ (d. 1111 A.D), *maqÉÍid* of the Qur'Én, are six: to introduce Allah (s.w.t.), to introduce the Straight Path, to describe the situation in the Hereafter,^{lxiii} to describe the state of respondents to the call to Allah (swt), to describe of the

condition of the deniers, and to teach the way-stations on the journey to Allah (swt).^{lxiv} Whereas, *maqÉîd* of the *sharÊ'ah* are five: to preserve religion, to preserve life, to preserve the faculty of reason, to preserve chastity, and to preserve material possession.^{lxv}

One can easily discern the various dimensions of difference in GhazÉîÊ's views of *MaqÉîd al-Qur'Én* and *MaqÉîd al-SharÊ'ah*. In terms of nature, according to him, the five objectives of *al-SharÊ'ah* are solely normative as they are concerned with legal cases. While he exemplifies all these five objectives, he relates them respectively to the Qur'Énic Laws which serve that very *MaqÉîd*. For example, the *MaqÉîd* of preserving human life is exemplified in his writing by the law of retribution in the event of a murder; preserving the faculty of reason is evidenced by the prohibition against partaking of alcoholic beverages.^{lxvi} In contrast, in the case of *MaqÉîd al-Qur'Én*, his views manifest a broader theological nature rather than the legal one such as the first *MaqÉîd* of the *Qur'Én* which he categorizes into three as "knowledge of Divine Being (*ma'rifah al-dhÉt*), knowledge of His attributes (*ma'rifah al-ÍifÉt*), and knowledge of His works (*ma'rifah al-'af'Él*).^{lxvii}" These three are generally the core meaning and fundamentals of *tawhîd*.^{lxviii} *Tawhîd* is the first and paramount constituent of the Islamic worldview, as it is the fundamental truth of the Islamic belief system (*ÑaqÉdah*). It includes all aspects of the Islamic faith and practice. It permeates concepts, morals, manners, and all types of dealings of mankind.^{lxix} The scopes as well as happenings of the Qur'Énic verses regarding these three issues are considerably large^{lxx} and they are mostly theological narrations in nature. Some instances of this argument are:

"(He is) the Creator of the heavens and the earth: He has made for you pairs from among yourselves, and pairs among cattle: by this means does He multiply you: there is nothing whatever like unto Him, and He is the One that hears and sees (all things)."

[Al-Qur'Én, 42: 11]

"Who has made the earth your couch, and the heavens your canopy; and sent down rain from the heavens; and brought forth therewith Fruits for your sustenance; then set not up rivals unto Allah when ye know (the truth)."

[Al-Qur'Én, 2: 22]

"Allah! There is no god but He,-the Living, the Self-subsisting, Eternal. No slumber can seize Him nor sleep. His are all things in the heavens and on earth. Who is there can intercede in His presence except as He permitteth? He knoweth what (appeareth to His creatures as) before or after or behind them. Nor shall they compass aught of His knowledge except as He willeth. His Throne doth extend over the heavens and the earth, and He feeleth no fatigue in guarding and preserving them for He is the Most High, the Supreme (in glory)."

[Al-Qur'Én, 2: 255]

"All that is on earth will perish" "But will abide (for ever) the Face of thy Lord, - full of Majesty, Bounty and Honour".

[Al-Qur'Én, 55: 26-27]

"Allah doth wish to Turn to you, but the wish of those who follow their lusts is that ye should turn away (from Him), - far, far away."

[Al-Qur'Én, 4: 26]

The thesis of these verses is the illustration of various aspects of *tawhîd* and they do not refer to any law or legal content. Rather, they solely imply the theological concept of the Divine Being, Allah's virtues and His works. The rest of al-GhazÉîÊ's classifications of *MaqÉîd*, unlike the sixth objective (*maqÉîd*), are also concerned with metaphysical issues - Hereafter, Angels, Haven, Hell – and the Qur'Énic dialectics^{lxxi} which are totally devoid of normative nature. Yet unlikely, according to al-Ghazali, the "sixth objective [of the Qur'Énic verses] includes those which are termed lawful, unlawful, and the bounds of God.^{lxxii}" Furthermore, in this section he mentions the theory of preservation (*ÍifÉ*), invoking well-being (*jalab al-maÍlaÁa*) and repealing the corruptive means (*dar' al-mafsadah*) which are the core theory of *MaqÉîd al-SharÊ'ah*.^{lxxiii}

In terms of scope and extent, *MaqÉîd al-Qur'Én*, according to al-GhazÉîÊ's view, comprehends both normative and non-normative coverage of the whole Qur'Én such as knowledge of Allah (s.w.t), His attributes^{lxxiv} and works,^{lxxv} man's condition in the Hereafter, the mention of the preceding conditions of deniers and believers [i.e. the people of Paradise and the people of Hell], humiliation and punishment, resurrection, raising of the dead, reckoning, the balance, and the bridge, the arguments of the infidels against the

truth, clear explanation of their humiliation by obvious proofs, and the striking disclosure of their falsehood and self-deceit, morals, lawful and unlawful injunctions, etc. Meanwhile, *MaqÉËlid al-SharÉ'ah* covers only the Qur'Én's normative portion. It should be noted that though al-GhazÉË includes the dimensions of *MaqÉËlid al-SharÉ'ah* in *MaqÉËlid al-Qur'Én*, he puts it in a secondary category in his classification of *MaqÉËlid al-Qur'Én*. Thus, its scope is narrower than that of *MaqÉËlid al-Qur'Én*.

Ibn NÓshÉr (1879-1973 C.E) is one the pioneers of *MaqÉËlid al-SharÉ'ah* whose treatise is frequently referred to as one of the main source books in this discipline. He is also one of the scholars who has considerably contributed to the study of *MaqÉËlid al-Qur'Én*. His views of *MaqÉËlid* on both sides have no consistency in their classifications, scopes and manners. This inconsistency in the views of well-aware scholars may raise questions as to why there are differences between these two if they are identical. His identification of both subjects is as follows. *MaqÉËlid al-Qur'Én*, according to him are eight: reforming the belief system and educating the correct contract; purification of morals; legislation, consisting of general and particular rulings; ummatic polity to reform the *Ummah* and to preserve its order; stories and information about the past to emulate their good deeds and warning against their evils; educating Qur'Énic addresses suitably the phenomena of the ages so that they can be competent to understand the *SharÉ'ah*, and to propagate it; advising, warning, restraining, and encouraging (*al-w'ad and al-wa'Éd*), (*al-targhÉb and al-TarhÉb*); and exposing the Qur'Én's inimitability so that it can be a sign of the Prophet's (pbuh) veracity.^{lxxvi}

Whereas his views of *MaqÉËlid al-SharÉ'ah* are classified in three different categories. The first is divided into three kinds: *daruriyyah*: the safeguarding of religion (*dÉn*), life (*nufÉs*), intellect (*NuqÉl*), property (*amwÉl*), and lineage (*ansÉb*); *hÉjiiyyah* and *taÍsiniyyah*. The second, with regard to their relationship with the totality of the community or its groups and individuals, is divided into particular (*juz'iyyah*) and universal (*kulliyyah*). The third is divided into certain (*qat'iyyah*), probable (*zanniyyah*), and illusionary (*wahmiyyah*).^{lxxvii}

Ibn NÓshÉr's thesis of *MaqÉËlid al-Qur'Én* covers a wide range of major Qur'Énic themes such as reformation of belief system (*NaqÉdah*), purification of morals (*akhlÉq*), legislation of laws (*aÍkÉm*), stories of ancient nations (*qaláá*), reward and requital (*al-targhÉb and al-TarhÉb*), and Qur'Én's inimitability (*i'jÉz*). Like

al-GhazÉË, he regards the legal portion of the *Qur'Én* as one of its many objectives. Evidently, his classification of *MaqÉËlid al-Qur'Én* goes beyond the range of his classification of *MaqÉËlid al-SharÉ'ah* as the former is enumerated in eight and the latter in three. As far as his theory of *MaqÉËlid al-SharÉ'ah* is concerned, it is totally devoted to the legal implications. He necessitates the jurists (*faqÉh*) to have knowledge of this art for five reasons which are entirely concerned with giving rulings (*Íukm*) in analogical issues and knowing the reason (*Níllah*) and wise purpose (*Íikmah*) behind the legislation of any law by the Lawgiver.^{lxxviii} While discussing *MaqÉËlid al-SharÉ'ah*, no where does he deal with any moral, theological, historical or metaphysical issues as he did for *MaqÉËlid al-Qur'Én*. He completely relates this art of knowledge to the technical functionalities of determining a legal ruling whose legal status is vague, undermined, unknown, or incompatible with time and space. He concerns his theory of *MaqÉËlid al-Qur'Én* with the interpretation of Qur'Énic verses where Allah's (swt) intents should be exposed and the instances of such interpretation can be seen in his *tafsÉr* work, *al-TaÍrÉr wa al-TanwÉr*.

Many other such distinctions between *MaqÉËlid al-SharÉ'ah* and *MaqÉËlid al-Qur'Én* could be found in other prominent Muslim scholars' writings like al-ShÉËbÉ (d.1388 C.E.), BadÉ'uzzamÉn SaÉd NÉrsÉ (1873-1960C.E.), RashÉd RiÉ (1865-1935 A.D) and YÉsuf al-QaradÉwÉ (b.1926), who have contributed to both subjects. Thus, in their views, both subjects are respectively distinctive and differ from each other in their classifications, functional scopes, implications and nature; it should therefore, be logical to argue that they are not identical.

Between Maqasid Al-Shari'ah and Maqasid Al-Qur'an based on their Functional Scopes

The necessity of *MaqÉËlid al-SharÉ'ah* rests on understanding the rulings (*aÍkÉm*) derived from the Qur'Én and the authentic *Sunnah* of the Prophet (pbuh) as well as pursuing juristic *ijtihad* in pursuit of bringing about public welfare and deterring the detriments towards it.^{lxxix} In terms of functional scope, *MaqÉËlid al-SharÉ'ah* is a philosophy of Islamic legislation as it presents answers to the three fundamental questions which every legislation encounters. The questions are: (1) what is the dimension of Islamic legislation in responding to the newly raised human affairs? (2) What is the dimension of legislative compatibility to the public welfare and vitals of life? And (3) what is the recognized status of human *ijtihad*?^{lxxx} In descriptive

terms, it is strictly conditioned that *MaqÉËlid al-SharÉ'ah* must not be conflicting to any recognized principles or reliable sources of *sharÉ'ah*. Thus the scopes of *MaqÉËlid al-SharÉ'ah* fundamentally remain within the field of *ijtihÉd* where no clear-cut ruling (*Íukm*) from any recognized sources is available. For example, regarding human cloning, the main sources of *sharÉ'ah* namely the Qur'Én, *Sunnah*, *IjmÉÑ* and *QiyÉs* are silent. Hence, the role of *MaqÉËlid al-SharÉ'ah* comes in to formulate a legal ruling on the matter from the Islamic perspective. The Muslim jurists, however, formulate a ruling of prohibition on human cloning based on the theory of *MaqÉËlid al-SharÉ'ah* arguing that it goes against the fundamental *maqÉËlid* (purposes) of *sharÉ'ah*, specifically the Preservation of Life and Honor.^{lxxxii} It further works in determining the preferable ruling from several rulings given by Muslim jurists on any issue. These functional scopes again show that *MaqÉËlid al-SharÉ'ah* does not go beyond the legal dimensions of Islam. However, *MaqÉËlid al-Qur'Én* could function more widely in exploring and understanding the *maqÉËlid* of the whole Qur'Énic discourse no matter whether it is legal and non-legal. Its prime concern lies in interpreting the verses of the Qur'Én in the light of their objectives and shows the ways by which these objectives could be achieved. For example, gaining *taqwa* is one of the objectives of the Qur'Én as AllÉh (swt) says:

“We have revealed the Qur'Én in Arabic wherein there is no deviation from rectitude, that they may become righteous.”

[The Quran:30:28]

There are several methods described in the Qur'Én on how to achieve this objective such as fasting (*al-Baqarah: 183*), doing *ÑibÉdah* (*al-Baqarah: 21*), following the straight path (*al-An'Ém: 153*), warning of resurrection (*al-An'Ém: 51*), and fearing to give the detailed account of actions in the hereafter (*al-An'Ém: 69* and *Taha: 113*). Moreover, *MaqÉËlid al-SharÉ'ah* can function in an issue in which there is no clear textual evidence from the Qur'Én, but the functions of *MaqÉËlid al-Qur'Én* remain within its textual orbits.

Conclusion

According to the above discussion, evidently the *MaqÉËlid al-Qur'Én* and *MaqÉËlid al-SharÉ'ah* are strongly connected to each other, but at the same time two distinctive themes of Islamic revealed sciences. The distinction between them could be primarily

understood from the semantic sense of the very terms Qur'Én and *sharÉ'ah* in the Qur'Énic use. In the Qur'Én, the term *sharÉ'ah* and its verbal form are used in normative sense. Thus, it represents only the normative contents of the Qur'Én. Whereas, the word Qur'Én is used for *dÉn* which transcends the normative boundary and includes all the divine discourses that were revealed to the Prophet Muhammad (pbuh). While *MaqÉËlid al-SharÉ'ah* is defined as the purpose of *sharÉ'ah* and the underlying reasons that the Lawgiver attached with each of its rulings (*alÍém*) and *MaqÉËlid al-Qur'Én* as a science of understanding the Qur'Énic discourse in light of its purposes (*maqÉËlid*), the particularity and comprehensiveness of both further demarcate the spectrum of distinction between the two. Moreover, in determining the higher objectives (*maqÉËlid*) of both the Qur'Én and *sharÉ'ah*, the prominent Muslim scholars who pioneered in both disciplines never used them interchangeably. They rather maintained an explicit distinction between them in number of the objectives as well as in the concepts. In addition, functionally, *MaqÉËlid al-SharÉ'ah* basically remain within the field of *ijtihÉd* where no clear-cut ruling (*Íukm*) from any recognized sources is available or to determine a preferable ruling in any case where several possible rulings are given by Muslim jurists. However, the prime concern of *MaqÉËlid al-Qur'Én* remains within interpreting the verses of the Qur'Én in the light of their objectives and shows the ways by which these objectives could be achieved. Again, *MaqÉËlid al-SharÉ'ah* can transcend the boundary of the Qur'Énic text and can consult with the sources other than Qur'Én such as *Sunnah* (traditions of the Prophet Muhammad), *IjmÉ'* (Juristic consensus) and *QiyÉs* (legal analogy), but the functions of *MaqÉËlid al-Qur'Én* remain strictly within the Qur'Énic textual orbits. Apparently, the spectrum of *MaqÉËlid al-Qur'Én* appears broader than *MaqÉËlid al-SharÉ'ah* because of its functional scope, subject matters and objectives are wider than the *SharÉ'ah*'s. Thus, these two phrases are different and distinctive in terms of their concepts and contents. It is expected that the findings of this study would encourage further researches on other scholars' views of the topic.

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Footnotes

^{li} Genre refers to one of the categories, based on form, style, or subject matter, into which artistic works of all kinds can be divided. For example, the detective novel is a genre of fiction. Genotype is a genetic makeup: a group of organisms that share a similar genetic makeup. (Microsoft® Encarta® 2008. © 1993-2007 Microsoft Corporation.)

ⁱⁱ The Qur'Ēn transcends the scopes of *sharĒ'ah* when it includes issues other than normative directives like metaphysical issues. Whereas *sharĒ'ah* transcends the scope of the Qur'Ēn when it depends on some others functional sources such as *Sunnah*, *IjmaĒ*, *QiyĒs* and so on along with the Qur'Ēn.

ⁱⁱⁱ Al-Qur'Ēn, 25: 1.

^{iv} Al-Qur'Ēn, 26: 192.

^v Al-Qur'Ēn, 15: 9.

^{vi} Al-Qur'Ēn, 21: 10.

^{vii} Al-Qur'Ēn, 4: 174.

^{viii} Al-Qur'Ēn, 10: 57.

^{ix} Al-Qur'Ēn, 41: 4.

^x Al-Qur'Ēn, 6:115.

^{xi} Al-Qur'Ēn, 3: 62.

^{xii} Al-Qur'Ēn, 65: 5.

^{xiii} Al-ZamakhsharĒ, Abul QĒsim MahmĒd, *al-KashĒf* (Beirut: DĒr al-Kutub ĒIlmiyyah, 1407 A.H.), vol. 4, p.289.

^{xiv} Ibn KathĒr, KathĒr, IsmĒĒĒ bin ĒAmr, *TafsĒr al-Qur'Ēn al-ĒADĒm* (DĒr Taybah: 1999), vol. 7, p. 267.

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^{xviii} Al-MawaridĒ, AbĒ al-xasan AlĒ bin Muhammad, *al-Nukat wa al-ĒUyĒn* (Beirut: DĒr al-Kutub al-ĒIlmiyyah, n.y.), vol. 5, p. 363.

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^{xx} Al-ShĒĒibĒ, IbrĒhĒm bin MĒsa, *al-MuwĒfĒqĒt*, ed. by AbĒ ĒUbaidah (DĒr ibn ĒAffĒn, 1997), vol. 3, p. 335.

^{xxi} Darwazah, ĒIzzat organized the sĒrahs of the Qur'Ēn according to the sequence of their revelation, and he placed *SĒrah al-Anaam* in serial 55 and *sĒrah al-Jasiah* in 64. Darwaza, ĒIzzat, *al-TafsĒr al-xadith* (Cairo: DĒr al-ĒyĒ' al-Kutub al-ĒArabiyah), vol.1, p. 15.

^{xxii} Al-RĒzĒ, Fakhr al-DĒn, *MaĒĒĒil al-Ghaib* (Beirut: DĒr al-Kutub ĒIlmiyyah, 2000, vol.6), p. 73.

^{xxiii} Al-MawaridĒ, *al-Nukat wa al-ĒUyĒn*, vol. 2, p. 45.

^{xxiv} Al-ĒandalusĒ, Ibn ĒAtiyyah, *al-MuĒarrir al-WajĒz*, ed. by ĒAbd al-SalĒm al-ShĒqĒ (Beirut: DĒr al-Kutub al-ĒIlmiyyah, 1993), vol. 2, p.300.

^{xxv} Al-QurtĒbĒ, Shams al-DĒn, *Al-JĒmiĒ li AĒkĒm al-Qur'Ēn*, ed. by HishĒm SĒmir al-BukhĒri (Riyadh: DĒr ĒĒlam al-Kutub, 2003), vol. 6, p. 211.

^{xxvi} Ibn KathĒr, *TafsĒr al-Qur'Ēn al-ĒADĒm*, vol. 3, p. 129.

^{xxvii} Ibn ĒAbbĒs, ĒAbd Allah, *TanwĒr al-MiqbĒs min TafsĒr ibn ĒAbbĒs* (Beirut: DĒr al-Kutub ĒIlmiyyah, N.D.) vol. 1, p. 421.

^{xxviii} Al-BaghabĒ, AbĒ MuĒammad Husain, *M'Ēlim al-TanzĒl fĒ TafsĒr al-Qur'Ēn* (DĒr Taybah, 1997), vol. 3, p. 66.

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^{xxx} Ibn ĒAtiyyah, *Al-MuĒarrir al-WajĒz*, vol. 2, p. 300.

^{xxxi} AbĒ al-xasan MuĒĒĒil ibn SulaymĒn, *TafsĒr al-MuĒĒĒil* (Beirut: DĒr al-Kutub ĒIlmiyyah, 2003), vol. 3, p. 213.

^{xxxii} Ibn KathĒr, *TafsĒr al-Qur'Ēn al-ĒADĒm*, vol. 3, p. 129.

^{xxxiii} Ba'labakkĒ, RĒĒĒ, *al-Mawrid* (Beirut: Dar al-ĒIlm li al-MalayĒn, 2001), p. 646.

^{xxxiv} Al-MawaridĒ, *al-Nukat wa al-ĒUyĒn*, vol. 5, p. 264.

^{xxxv} Ibn ĒAtiyyah, *Al-MuĒarrir al-WajĒz*, vol. 6, p. 46.

^{xxxvi} Muhammad Asad, *The Message of the Qur'Ēn* (Gibraltar: Dar Al-Ēandalus, 1980), p. 153.

^{xxxvii} AbĒ al-QĒĒim MuĒammad Al-ZamakhsharĒ, *al-KashĒf Ēan al-xaqĒĒiq al-TanzĒl* (DĒr ĒyĒ' al-TurĒth al-ĒArabĒ), vol. 4, p. 289.

^{xxxviii} Ibn ĒAtiyyah, *Al-Muharrir al-Wajiz*, see the interpretation of the verse: 45: 18.

^{xxxix} Ibn ĒĒshĒr, MuĒammad al-ĒĒhir, *al-TaĒrĒr wa al-TanwĒr* (Tunisia: DĒr SahnĒn, 1997), vol. 2, p. 400.

^{xl} Abul ĒAlĒ MawĒĒdĒ, *TafhĒm al-Qur'Ēn*, translated from Urdu to English by Zafar Ishaq al-AnsarĒ, see the verse, 42:13.

^{xli} RiĒĒ, RashĒd, *TafsĒr al-ManĒr* (Egypt: al-Haya'h al-MĒriyyah, 1990), vol. 6, p. 342.

^{xlii} Al-RĒzĒ, *MaĒĒĒil al-Ghaib*, vol. 6, p. 73.

^{xliii} Al-JuwaynĒ, AbĒ al-Ma'ĒĒĒ, *al-BurĒn fĒ UsĒl al-FiĒh* (Egypt: al-MansĒrah, al-WatĒ', 1418 AH), p. 133.

^{xliv} Al-GhazĒĒĒ, AbĒ xĒmid, *al-MustafĒa* (Beirut: DĒr al-Kutub al-ĒIlmiyyah, 1413 AH), p. 189-80, 320.

^{xliv} "MaĒĒĒid al-SharĒĒah" is being taught as a course in many Islamic academic institutions and several independent research institutions have been established researches on this issue, for example, Al-MaĒĒĒid Research Centre in the Philosophy of Islamic Law, in London.

^{xlvi} Ibn ĒĒshĒr's definition is considerably a popular and comprehensive definition in the regard. This translated except is taken, with a slight change, from AĒmad RaysĒĒĒ's "Imam al-Shatibi's Theory of Higher Objectives and Intents of Islamic Law" translated by Nancy Roberts, published by Islamic Book Trust, Kuala Lumpur, 2006. P. XXII. (Ibn ĒĒshĒr, *MaĒĒĒid al-SharĒ'ah* (Tunis, 1946), p. 50.

^{xlvii} SĒnĒ, QuĒb Mustafa, "the Aims of the Qur'Ēn in the Views of Sa'Ēd NĒrsĒ", in a *Contemporary Approach to Understanding the Qur'Ēn: The Example of the Risale-Ē NĒr*, trans. from Turkish by Sukran Vahide (Istanbul: Sozler Publications, 2000), p. 381-82.

^{xlviii} Al-FĒsĒ, ĒAlĒĒĒ, *MaĒĒĒid al-SharĒ'ah wa MakĒrimuha* (DĒr al-Gharb al-IslĒmi, 1993), p. 7.

^{xlix} RaysĒĒĒ, AĒmad, *NaĒriyyat al-maĒĒĒid ĒInda al-ImĒm al-ShĒĒibĒ* (USA: International Institute of Islamic Thought, 1995), p. 18.

¹ The SharĒĒah contains all the different commandments of Allah (SWT) to mankind which can be divided into three fields. The first is *alĒĒm al-I'taqadiyyah* (sanctions relating to beliefs) such as the belief in Allah and the Day of Judgment. The second is *al-alkĒm al-akhĒĒĒiyah* (sanctions relating to moral and ethics) such as the injunction to tell the truth, sincerity and to be honest etc. the last category is *al-alkĒm al-Ēamaliyyah* (sanctions relating to the sayings and doings of the individuals and his relations with others)

which is also called fiqh. (Laldin, Mohamad Akram, *Introduction to Shari'ah and Islamic Jurisprudence* (Kuala Lumpur: CERT publications, 2008), 4.

^{li} Zaid'En, Abd al-Kar'Em, *Al-Madkhar li Dir'Esat al-Sar'Éh al-IslÉmiyah* (Lebanon: Beirut, Al-Resalah Publishers, 2002), p. 35.

^{lii} Hassan, H. Hamid, *An Introduction to the Study of Islamic Law* (New Delhi: Adam Publishers & Distributors, 2005), p.3.

^{liii} 'UabÉ'abÉ'É, Sayyid M. H., *The Qur'Én in Islam* (London: Zahra Publications, 1987), p. 22.

^{liv} A-Gha'DalÉ, Muhammad, *Ma'awir al-Khamsah li al-Qur'Én al-Kar'Em* (Cairo: Dar al-WafÉ, 1989), p. 5.

^{lv} KhalÉl, Mu'ammad, Al-MaqÉlid al-Qur'Éniyyah N'inda al-UstÉz al-NÉrsÉ wa MaqÉd al-RisÉlah NamÉzajan, in *Fiqh al-MaqÉlid wa al-×ikam fi BadÉ'uzzamÉn al-NÉrsÉ* (Istanbul: Yenibosna-Bahcelievler, 2009), p. 153.

^{lvi} Al-GhazÉlÉ, AbÉ ×Émid, *JawÉhir al-Qur'Én* (Beirut: DÉR 'Iya al-NUIÉm, 1985), p. 23.

^{lvii} RiÉ, *TafsÉr al-ManÉr*, vol. 5, p. 329.

^{lviii} Darwaza, *al-TafsÉr al-×adith*, vol. 1, p. 157.

^{lix} Ibn N'oshÉr, *Al-Ta'Ér wa Al-TanwÉr*, vol.1, p. 36.

^{lx} Al-QaradawÉ, YÉsuf, *Madkhal li Dir'Esat al-SharÉ'ah al-IslÉmiyyah* (Beirut: Muassasat al-RisÉlah, 1993), p. 11.

^{lxi} Hofmann, Murad *Islam and Qur'Én* (Maryland: Amana Publications, 2007), p. 53.

^{lxii} Al-QaradÉwÉ, *Madkhal li Dir'Esat al-SharÉ'ah al-IslÉmiyyah*, p. 21.

^{lxiii} Al-GhazÉlÉ, AbÉ ×Émid, *JawÉhir al-Qur'Én*, ed. RashÉd RiÉa al-QabÉnÉ (Beirut: DÉR 'IyÉ al-NUIÉm, 1985), p. 23.

^{lxiv} *Ibid.*, p. 24.

^{lxv} al-GhazÉlÉ, AbÉ ×Émid, *al-Musta'ifa fÉ N'ilm al-'U'Él*, ed. Mu'ammad N'Abd al-SalÉm Abd al-ShÉqÉ (Beirut: DÉR al-Kutub al-N'Ilmiyyah, 1413 A.H), p. 174.

^{lxvi} RaysÉnÉ, *Imam al-ShÉlibÉ's Theory of the Higher Objectives and Intents of Islamic Law*, translated from Arabic by Nancy Roberts (Kuala Lumpur: Islamic Book Trust, 2006). P. 19.

^{lxvii} Al-GhazÉlÉ, *The Jewels of the Qur'Én*, translated from Arabic by Muhammad Abul Quasem (Kuala Lumpur: University of Malaya Press, 1977), p. 23.

^{lxviii} N'Abduh, Mu'ammad, *RisÉlah al-Taw'Éd* (DÉR al-Kitab al-N'ArabÉ, 1966), p. 5.

^{lxix} Qu'ib, Sayyid, *KhalÉi' al-Ta'awwur al-IslÉmÉ* (Cairo: DÉR al-ShurÉq, 2002), p. 189.

^{lxx} "As to the divine attributes their scope is wider, and the girdle of speech concerning them is broader. This is the reason why the verses describing divine knowledge, power, life, speech, wisdom, hearing, seeing, and so on, are numerous." "All that exists besides Him is His works; the *Qur'Én*, however, includes the obvious of them existing in the visible world such as the mention of the heavens, the stars, the earth, mountains, trees, animals, seas, plants, sending down of sweet water [from the clouds] and all other means of maintaining plants and [other forms of] life." "These, then, constitute the sum total of the first division of Qur'Énic surahs and verses, and in them are present different types of corundrum. We shall soon recite to you the verses revealed concerning them especially, since they are the essence of the *Qur'Én*, its heart, its pith and secret." [AbÉ ×Émid al-GhazÉlÉ, *The Jewels of the Qur'Én*, translated from Arabic by Muhammad Abul Quasem (Kuala Lumpur: University of Malaya Press, 1977), p. 24.]

^{lxxi} Al-GhazÉlÉ, *The Jewels of the Qur'Én*, p. 26-29.

^{lxxii} *Ibid.*, p. 33.

^{lxxiii} *Ibid.*, p. 30-32.

^{lxxiv} Their scope is wider, and the girdle of speech concerning them is broader. This is the reason why the verses describing divine knowledge, power, life, speech, wisdom, hearing, seeing, and so on, are numerous.

^{lxxv} The Qur'Én, however, includes the obvious of them existing in the visible world such as the mention of the heavens, the stars, the earth, mountains, trees, animals, seas, plants, sending down of sweet water [from the clouds] and all other means of maintaining plants and [other forms of] life.

^{lxxvi} Ibn N'ashÉr, *Al-Ta'Ér wa al-TanwÉr*, vol.1, p. 37-39.

^{lxxvii} Ibn N'ashÉr, *Treatise on MaqÉlid al-ShÉrÉ'ah*, translated by Mu'ammad El-TÉhir El-Mesawi (Kuala Lumpur: Islamic Book Trust, 2006), p. 113.

^{lxxviii} Ibn N'oshÉr, *MaqÉlid al-SharÉ'ah al-IslÉmiyyah* (Beirut: DÉR al-LubnÉn, 2004), p. 135.

^{lxxix} N'AwwÉ, Mu'ammad SalÉm, *Dawr al-MaqÉlid fÉ al-TashrÉ'É al-Mu'Élarah* (London: Wimbledon, Al-Furqan Islamic Heritage Foundation, 2006), p. 10.

^{lxxx} Ibn Bayyah, N'Abdallah N'AlÉqah *MaqÉlid al-SharÉ'ah bi al-UsÉl al-Fiqh*, p. 21-22.

^{lxxxi} Al-KhÉdimÉ, NÉR al-DÉN bin MukhtÉR, *N'ilm al-MaqÉlÉd al-SharÉ'yyah* (Riyadh: Matabah al-N'AbÉkÉn, 2001), p. 49-50.

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