

## Triangulating *Uṣūl Al-Fiqh*, *Al-Qawā'id Al-Fiqhiyyah*, and *Maqāṣid Al-Sharī'ah*: Implications for Contemporary *Ijtihād* and *Iftā'*

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### Abstract

This study examines the intersection of *Uṣūl al-Fiqh* (principles of Islamic jurisprudence), *al-Qawā'id al-Fiqhiyyah* (juridical maxims), and *Maqāṣid al-Sharī'ah* (higher objectives of the law) through an integrated analytical approach, with particular attention to their implications for contemporary *ijtihād* (independent juristic reasoning) and *iftā'* (issuance of legal opinions). The problem addressed is the absence of a comprehensive framework that effectively harmonises these foundational disciplines to ensure both textual fidelity and contextual relevance in juristic reasoning and *fatwā* issuance. The primary objective is to develop a cohesive model that triangulates these methodologies of Islamic legal theory, thereby providing a unified analytical tool for scholars, juristic councils, and practitioners. Adopting a qualitative methodology, the study undertakes a comparative analysis of classical and contemporary jurisprudential texts, incorporating scholarly works, case studies, and theoretical frameworks to identify commonalities and divergences. By applying an integrative approach, it synthesises perspectives and proposes a model that strengthens juristic consistency, enhances methodological discipline, and aligns legal rulings with the overarching objectives of the *Sharī'ah*. The findings indicate that while *Uṣūl*, *Qawā'id*, and *Maqāṣid* individually provide critical perspectives, their integration yields a more coherent and ethically responsive framework for addressing complex legal scenarios. The study, therefore, recommends the formal adoption of this triangulated model by *fatwā* bodies to ensure coherence, its integration into higher Islamic education to bridge theory and praxis, and its extension to emerging domains, including biotechnology, digital finance, and environmental governance. It further advocates interdisciplinary collaboration and policy application to guarantee rulings that are *shar'ī*-compliant, socially viable, and reflective of the Qur'ānic principle of *wasatīyyah* (moderation), thereby safeguarding Islamic law against both rigid literalism and unchecked liberalism.

**Keywords:** *Al-Qawā'id Al-Fiqhiyyah*, *Islamic Jurisprudence*, *Maqāṣid Al-Sharī'ah*, *Uṣūl Al-Fiqh*

## 1.0 INTRODUCTION

Islamic jurisprudence has historically been the backbone of governance, social order, and individual conduct within Muslim societies, shaping everything from judicial systems to moral frameworks. At the heart of this dynamic legal tradition are three central components: *Uṣūl al-Fiqh* (principles of Islamic jurisprudence), *al-Qawā'id al-Fiqhiyyah* (jurisprudential maxims), and *Maqāṣid al-Shari'ah* (objectives of Islamic law). Each plays a unique role in the formulation, interpretation, and application of legal rulings, contributing to developing a rich, nuanced, and adaptable legal system. However, a persistent challenge within Islamic legal studies has been how to cohesively integrate these three frameworks into a unified methodology that enhances both the theoretical rigour and practical relevance of Islamic rulings in contemporary contexts.

The foundational principles of *Uṣūl al-Fiqh* provide the methodological framework for deriving legal rulings from the primary sources of Islamic law, namely the Qur'ān, the *Sunnah*, *Ijmā'* (consensus), and *Qiyās* (analogical reasoning) (Kamali, 1991). As the science governing legal interpretation and deduction, it establishes the epistemological foundations of Islamic legal reasoning and regulates the juristic process of deriving rulings from revealed sources. Despite its indispensability, however, *Uṣūl al-Fiqh* functions primarily as a theoretical and methodological discipline concerned with the principles and mechanisms of legal derivation. Consequently, addressing complex and rapidly evolving social realities often necessitates complementary frameworks capable of facilitating practical application and ensuring that legal rulings remain aligned with the higher objectives of the *Shari'ah*. This is where the science of *al-Qawā'id al-Fiqhiyyah* comes into play. These legal maxims – such as *al-mashaqqah tajlib al-taysir* (Hardship brings ease) and *al-darar yuzāl* (Harm must be removed) – offer jurists practical tools for simplifying legal reasoning and applying rulings in a wide range of scenarios (Ibn Qudāmah, 2001). While the science of *al-Qawā'id al-Fiqhiyyah* helps bridge the gap between abstract principles and real-life application, the need to ensure that rulings conform with the broader ethical and social objectives of the *Shari'ah* is fulfilled by the *Maqāṣid al-Shari'ah* (Auda, 2008).

*Maqāṣid al-Shari'ah* emphasises the overarching goals and purposes of Islamic law, such as the preservation of religion, life, intellect, lineage, and property (Al-Shāṭibī, 2004). These objectives serve as the moral compass guiding the application of Islamic rulings, ensuring that the law not only adheres to technical rules but also promotes justice, public welfare, and human dignity (Auda, 2008). Over the centuries, *Maqāṣid al-Shari'ah* has been invoked by scholars to address evolving societal challenges and to ensure that Islamic jurisprudence remains dynamic and adaptable (Choudhury, 2015). One of the secondary sources of evidence in *Uṣūl al-Fiqh* is *al-'Urf* (Custom, Norm and Tradition), also used to address societal challenges. Then, it becomes more applied when Islamic scholars extract it as one of the five main *al-Qawā'id al-Fiqhiyyah*. However, modern complexities, such as technological advancements, bioethics, and global financial systems, demand a more integrated approach that transcends the conventional boundaries of each framework (El-Awa, 1994).

Despite the individual significance of *Uṣūl al-Fiqh*, *al-Qawā'id al-Fiqhiyyah*, and *Maqāṣid al-Shari'ah*, Islamic juristic scholarship has often treated them as separate domains of inquiry, resulting in fragmented methodologies that lack cohesion. The fragmented treatment risks isolating theoretical considerations from practical concerns, and ethical objectives from legal rulings. Thus, the pressing question arises: how could these three elements be harmonised to create a more holistic and integrated framework for the interpretation and application of Islamic law? This paper

answers this question by proposing a triangulated analytical approach that systematically integrates *Uṣūl al-Fiqh*, *al-Qawā'id al-Fiqhiyyah*, and *Maqāṣid al-Shari'ah*.

Triangulation, a concept borrowed from the social sciences, refers to the use of multiple perspectives to gain a comprehensive understanding of a complex issue. In the context of Islamic jurisprudence, triangulating these three frameworks offers a multi-dimensional approach to legal reasoning – combining the theoretical rigour of *Uṣūl al-Fiqh*, the practical applicability of *al-Qawā'id al-Fiqhiyyah*, and the ethical foresight of *Maqāṣid al-Shari'ah*. Systematically integrating these three domains allows the triangulated model to strengthen the processes of contemporary *ijtihād* and *iftā'*, ensuring that juristic rulings are not only textually grounded but also ethically robust and socially responsive. This integrated methodology not only enhances the clarity and relevance of Islamic rulings but also ensures that they are firmly rooted in the objectives of justice, mercy, and public welfare, as intended by the divine law.

The implications of this approach are far-reaching, especially in addressing contemporary legal challenges that demand nuanced, context-sensitive solutions. Issues like Islamic finance, medical ethics, environmental sustainability, and human rights call for legal rulings that are not only technically sound but also aligned with the objectives of justice and human welfare. By unifying the theoretical, practical, and ethical dimensions of Islamic law, this paper aims to contribute to the development of a more robust, cohesive, and future-ready Islamic legal framework.

In the following sections, this paper will first explore the individual roles of *Uṣūl al-Fiqh*, *al-Qawā'id al-Fiqhiyyah*, and *Maqāṣid al-Shari'ah* in Islamic jurisprudence. It will then present a comprehensive model for their triangulation, demonstrating how this integrated approach can enhance legal reasoning and application in both classical and contemporary contexts. Through case studies and practical examples, this paper will argue that the triangulation of these three frameworks provides a vital tool for navigating the complexities of modern-day Islamic jurisprudence while staying true to the ethical and moral imperatives of *Shari'ah*.

## 2.0 LITERATURE REVIEW

### 2.1 Uṣūl Al-Fiqh

*Uṣūl al-Fiqh* represents the theoretical foundation upon which Islamic legal rulings are derived. It is the methodological framework that governs the extraction of *ahkām* (legal rulings) from primary sources, namely the Qur'an, the Sunnah, *Ijmā'* (consensus), and *Qiyās* (analogical reasoning) (Kamali, 2021). *Uṣūl Al-Fiqh* provides jurists with the tools to systematically interpret divine guidance, resolve ambiguities, and establish the rationale behind rulings. Its scope transcends mere legal codification, addressing broader theological, ethical, and societal concerns. The integration of textual, linguistic, and contextual analyses enables jurists to ensure that Islamic law remains dynamic, adaptable, and aligned with divine intent (Hallaq, 2009).

The significance of *Uṣūl Al-Fiqh* lies in its role as the backbone of Islamic jurisprudence, providing the epistemological and methodological framework for understanding the *Shari'ah*. It ensures that legal rulings are not arbitrary but systematically derived based on divine revelation and rational inquiry. Moreover, *Uṣūl Al-Fiqh* safeguards against extremism and intellectual stagnation by promoting reasoned interpretation within the boundaries of Islamic ethics (Kamali, 2021). It serves as a unifying discipline, bridging gaps between textual sources and contemporary issues, thus ensuring relevance in modern legal, economic, and socio-political contexts (Auda, 2008).

The historical evolution of *Uṣūl Al-Fiqh* began during the formative period of Islam, with Imam Al-Shāfiʿī (d. 820CE) playing a foundational role through his seminal work, *Al-Risālah*. This pioneering text systematised the principles of deriving legal rulings and established a coherent framework for legal reasoning, earning Al-Shāfiʿī recognition as the “Father of *Uṣūl Al-Fiqh*” (Hallaq, 2009). Following this groundwork, prominent scholars such as Al-Juwaynī (d. 1085CE), through his work, *Al-Burhān fī Uṣūl Al-Fiqh*, and Al-Ghazālī (d. 1111CE), in his comprehensive treatise, *Al-Mustaṣfā min ʿIlm Al-Uṣūl*, further developed and refined these principles, addressing nuanced issues within Islamic jurisprudence. Ibn Taymiyyah (d. 1328CE), in works such as *Darʾ Taʿarūḍ al-ʿAql wa al-Naql* and his critique of rigid literalism, contributed a dynamic perspective by emphasising the interplay between text, reason, and context. These classical contributions laid the groundwork for a jurisprudential tradition capable of adapting to diverse socio-political realities. In contemporary times, scholars have revisited and expanded *Uṣūl Al-Fiqh* to address the complexities of modern life, incorporating insights from disciplines such as sociology, economics, and technology. This interdisciplinary approach ensures that Islamic legal methodology remains robust and applicable in responding to global challenges (Kamali, 2021; Auda, 2008).

In the contemporary era, *Uṣūl Al-Fiqh* has witnessed significant revitalisation as scholars adapt its principles to address modern challenges and complexities. One of the foremost contributors is Muhammad Hashim Kamali, whose works, especially *Principles of Islamic Jurisprudence* (2021), provide a detailed synthesis of classical foundations with modern applications, emphasising the relevance of *Uṣūl Al-Fiqh* in addressing contemporary legal and ethical dilemmas. Similarly, Jasser Auda’s *Maqasid Al-Shariah as Philosophy of Islamic Law: A Systems Approach* (2008) introduces a multidisciplinary framework, integrating systems theory to reinterpret classical principles in light of modern societal needs. Another pivotal figure, Yusuf Al-Qaradawi, in works, particularly *Fiqh Al-Anlawiyyat* (Jurisprudence of Priorities), highlights the importance of aligning legal rulings with contemporary priorities and the higher objectives of the *Shariʿah*. Scholars like Wael B. Hallaq have critically examined the evolution and challenges of Islamic jurisprudence in works such as *Shariʿa: Theory, Practice, Transformations* (2009), offering perspectives into the historical continuity and adaptation of *Uṣūl Al-Fiqh* in modernity. Additionally, Tariq Ramadan, through works like *Radical Reform: Islamic Ethics and Liberation* (2009), advocates for a contextual and ethical reformation of Islamic jurisprudence to engage with pressing global issues such as human rights, environmental ethics, and technological advancements. These contemporary contributions underscore the dynamic nature of *Uṣūl Al-Fiqh*, demonstrating its capacity to evolve and maintain relevance in a rapidly changing world while remaining rooted in its classical heritage.

*Uṣūl al-Fiqh* employs a variety of methodological tools for deriving legal rulings from the sources of Islamic law, including linguistic analysis of Qurʾānic and Prophetic texts, the identification of legal analogies through *Qiyās*, and reliance upon established consensus through *Ijmāʿ* (Nyazee, 2016). It further incorporates juristic mechanisms such as *istiḥṣān* (juristic preference), *istiṣlah* (consideration of public interest), and *sadd al-dharāʿi* (blocking the means to harm) in addressing complex and evolving legal questions. Of equal significance of the application of these tools is a profound mastery of the Arabic language, which serves as a safeguard against unauthorised and erroneous interpretation of the *Shariʿah*. Emphasising this prerequisite, al-Shāṭibī (2004) asserts, “*Wa lā sabīla ilā taṭallub fahmihā min ghayri ḥādhibi al-jīhab*” (“There is no way to seek an understanding of the *Shariʿah* except through this avenue”), and further states that one’s level of understanding of the *Shariʿah* corresponds to one’s level of proficiency in Arabic, such that a beginner in Arabic remains a beginner in understanding the *Shariʿah*, whereas mastery of Arabic leads to mastery of its legal understanding. This observation is particularly significant in

contemporary discourse, where appeals to *Maqāṣid al-Sharī‘ah* are sometimes advanced by individuals lacking adequate grounding in Arabic linguistic sciences, *Uṣūl al-Fiqh*, and the substantive corpus of Islamic jurisprudence, thereby risking oversimplified or misguided legal interpretations. Equally indispensable is familiarity with the extensive body of *furū‘ al-fiqh* preserved in the classical *kutub al-muṭawwalāt*, which contain centuries of juristic applications and precedents. Many of these rulings emerged from *fiqh al-ifti-rāḍī* (hypothetical jurisprudence), through which jurists examined potential legal scenarios long before their actual occurrence, and which continue to provide invaluable guidance for many contemporary issues. This demonstrates the enduring relevance of the Islamic legal heritage, leading some scholars to argue that much of the guidance required for modern challenges is already embedded within the rich legacy of Islamic jurisprudence—*‘alimahu man ‘alimahu wa jabilahu man jabilahu* (“those who know it, know it; and those who are ignorant of it, remain ignorant of it”). Consequently, the effective application of *Uṣūl al-Fiqh* requires not only methodological competence and sensitivity to the higher objectives of the *Sharī‘ah* but also rigorous training in Arabic and a deep acquaintance with the accumulated juristic tradition, thereby enhancing its capacity to address contemporary ethical and legal issues while remaining faithful to its classical foundations (Auda, 2008).

In the modern era, *Uṣūl Al-Fiqh* remains a critical discipline for addressing emerging challenges such as bioethics, global financial systems, and technological innovation. Providing jurists with a structured methodology for deriving rulings ensures that Islamic jurisprudence remains responsive to contemporary realities while upholding its ethical and spiritual principles (Kamali, 2021). Furthermore, the interdisciplinary integration of *Uṣūl Al-Fiqh* with fields such as economics and technology has enhanced its relevance, enabling scholars to contribute meaningfully to global debates on justice, equity, and sustainability (Hallaq, 2009; Auda, 2008). This dynamic adaptability underscores the enduring significance of *Uṣūl Al-Fiqh* as a vital component of Islamic intellectual tradition.

## 2.2 Al-Qawā'id Al-Fiqhiyyah

*Al-Qawā'id al-Fiqhiyyah* refer to concise and universal principles derived from the detailed rulings of Islamic law. They serve as overarching guidelines that simplify the application of the *Sharī‘ah* to new or complex situations (Kamali, 2021). Legal maxims articulate the spirit and essence of Islamic jurisprudence in brief statements, such as *al-umūr bi-maqāṣidihā* (matters are judged by their objectives) or *al-yaqīn lā yazūlu bi-al-shakk* (certainty is not overruled by doubt). These maxims are not legally binding in themselves but function as interpretative tools that provide jurists with a structured framework for analysing and resolving cases. They act as a bridge between abstract jurisprudential principles and practical applications in everyday life (Hallaq, 2009).

The scope of *Al-Qawā'id Al-Fiqhiyyah* extends to all branches of Islamic jurisprudence, including *‘ibādāt*, *mu‘āmalāt*, and *adāb*. These maxims are categorised into general principles, which apply universally across multiple areas of Islamic law, and subsidiary principles, which are specific to particular domains such as finance, marriage, or criminal justice (Auda, 2008). For example, the maxim *al-darār yuzāl* (harm must be removed) can be invoked in medical ethics and environmental law, while *al-kharāj bi-al-damān* (profit comes with liability) applies primarily to financial transactions. This extensive applicability underscores the adaptability of *al-Qawā'id al-Fiqhiyyah* in addressing both classical and contemporary issues.

The significance of *al-Qawā'id Al-Fiqhiyyah* lies in their ability to simplify and unify Islamic jurisprudence. Through the condensation of the extensive rulings of the *Shari'ah* into broad principles, they enhance the accessibility of Islamic law for scholars and practitioners alike. Furthermore, legal maxims facilitate consistency in judicial reasoning, ensuring that diverse cases are resolved in alignment with the overarching objectives of the *Shari'ah* (Kamali, 2021). In contemporary contexts, these maxims provide a vital framework for addressing emerging issues in fields such as bioethics, financial systems, and technological innovation, where direct precedents from classical jurisprudence may be unavailable (Auda, 2008).

The development of *al-Qawā'id al-Fiqhiyyah* traces its roots to the formative period of Islamic jurisprudence, where the need for concise and universal principles arose to unify and simplify the growing corpus of Islamic legal rulings. Early formulations began to take shape during the second and third centuries of Islam, grounded in the practices of jurists from the major schools of thought, including the Hanafī, the Mālikī, the Shāfi'ī, and the Ḥanbalī schools. Among the earliest efforts to articulate such principles were works attributed to early scholars like Imam Abu Ḥanīfah (d. 767 CE), who utilised maxims like *al-umūr bi-maqāṣidihā* (actions are judged by intentions) to guide his juristic reasoning and Imam Mālik (d. 795 CE), whose legal methodology emphasised considerations of *maṣlahah* (public interest).

During the classical period, significant contributions came from scholars such as Al-Zarkashī (d. 1392 CE), who made invaluable contributions through the categorisation of legal maxims and their integration into structured frameworks in his seminal work, *Al-Baḥr Al-Muḥīṭ*. His efforts were complemented by Al-Maqrīzī (d. 1442 CE), who examined the role of maxims in societal governance and their ability to adapt to changing contexts. Al-Suyūṭī (d. 1505 CE), whose *Al-Asbāb wa Al-Naẓā'ir* remains one of the most influential compilations of legal maxims, providing both theoretical underpinnings and practical examples of their application. Ibn Nujaym (d. 1563 CE), a prominent Hanafī jurist, authored a work by the same title, further systematising maxims within the framework of his school.

In contemporary times, scholars have revisited and expanded upon these classical contributions to address the challenges posed by modernity. Wahbah Al-Zuhaylī (d. 2015 CE) stands out as a leading scholar in this regard, with his monumental work, *Al-Qawā'id Al-Fiqhiyyah wa Taṭbiqātuhā fī Al-Madhāhib Al-Arba'ah*, which examines legal maxims across the four Sunni schools of jurisprudence and their relevance to contemporary issues such as bioethics, finance, and technology. Jasser Auda (b. 1966) has taken an interdisciplinary approach, emphasising the systemic and dynamic nature of Islamic legal maxims in his writings, particularly in *Maqasid Al-Shariah as Philosophy of Islamic Law*. These contemporary contributions underscore the enduring relevance of *Al-Qawā'id Al-Fiqhiyyah* as tools for navigating the complexities of modern societies while staying rooted in the ethical and spiritual principles of Islam.

The application of *Al-Qawā'id Al-Fiqhiyyah* involves a systematic methodology that combines textual analysis and contextual interpretation. Jurists employ these maxims as interpretative lenses to analyse primary sources such as the Qur'an and the Sunnah. They also utilise analogical reasoning (*qiyās*) to extend the principles of legal maxims to new scenarios. Modern scholars integrate multidisciplinary approaches, drawing from economics, sociology, and technology to ensure the relevance of legal maxims in addressing contemporary challenges (Auda, 2008). This methodological flexibility underscores the enduring utility of *Al-Qawā'id Al-Fiqhiyyah* in both traditional jurisprudential practices and modern legal systems.

### 2.3 Maqāṣid Al-Sharī'ah

*Maqāṣid al-Sharī'ah* refers to the higher objectives, intents, and purposes underpinning the Islamic legal system. It embodies the wisdom and rationale behind the rulings of the Sharī'ah, ensuring that divine law functions not merely as a set of legal prescriptions but as a comprehensive framework for human welfare, justice, and spiritual elevation (Auda, 2008). The classical formulation identifies *al-darūriyyāt al-khams* (five universal necessities): *ḥifẓ al-dīn*, *ḥifẓ al-nafs*, *ḥifẓ al-'aql*, *ḥifẓ al-nasl*, and *ḥifẓ al-māl* (al-Ghazālī, 1993). Later developments in *maqāṣid* theory extended the classical framework. For example, while al-Shāṭibī consolidated the *darūriyyāt* and highlighted the centrality of *ḥifẓ al-'ird*, modern scholars, including Ibn 'Āshūr (1946) and al-Qaradāwī (1999), emphasised *'imārat al-arḍ* (constructive inhabitation of the earth) as a higher objective, reflecting the holistic ethos of the Sharī'ah. Thus, *maqāṣid* provides the teleological anchor of Islamic jurisprudence, ensuring that legal rulings achieve a balance between individual rights and communal welfare.

The significance of *Maqāṣid al-Sharī'ah* lies in its role as the moral compass of Islamic law. It provides jurists with the philosophical framework to evaluate rulings beyond literal application, ensuring that interpretation reflects both divine wisdom and human welfare. By focusing on outcomes and impacts, *maqāṣid* prevents rigidity and reductionism in legal reasoning, safeguarding against interpretations that contradict justice, mercy, or public interest (Auda, 2008). It also offers a unifying paradigm that bridges normative tradition with contemporary challenges, positioning Islamic law as a dynamic, value-driven system relevant to modern governance, economics, and ethics (Kamali, 2021).

Historically, the roots of *maqāṣid* can be traced to early jurists such as al-Juwaynī (d. 1085CE), who, in *al-Burhān*, emphasised *maṣlaḥah* (public welfare), and al-Ghazālī (d. 1111CE), who systematically identified the five necessities in *al-Mustaṣfā*. The most influential contribution came from al-Shāṭibī (d. 1388CE), whose *al-Muwāfaqāt* articulated *maqāṣid* as an independent science, integrating it into the methodology of deriving rulings and highlighting its role in interpreting Sharī'ah as a holistic system. Ibn Taymiyyah (d. 1328CE) and Ibn al-Qayyim (d. 1350CE) also advanced *maqāṣid*-based reasoning by prioritising justice, mercy, and wisdom as inherent purposes of Sharī'ah. These classical contributions provided the intellectual scaffolding for a purposive jurisprudence capable of addressing diverse social realities. In modern times, scholars have revisited *maqāṣid* to address bioethics, finance, governance, and human rights, demonstrating its enduring adaptability (Kamali, 2021; Auda, 2008).

In the contemporary era, *Maqāṣid al-Sharī'ah* has undergone significant revitalisation as an independent field of Islamic legal and ethical inquiry. Among the most influential contributors is al-Raysūnī (1992), whose *Naẓariyyat al-Maqāṣid 'inda al-Imām al-Shāṭibi* systematised the *maqāṣid* discourse and reintroduced al-Shāṭibī's thought to modern scholarship. Likewise, Auda (2008), in *Maqasid al-Shariah as Philosophy of Islamic Law: A Systems Approach*, reconceptualises *maqāṣid* through systems theory, emphasising interconnectedness, openness, multidimensionality, and purposefulness in legal reasoning. The works of al-Najjār's (2006) *Maqāṣid al-Sharī'ah bi-Ab'ād Jadidah* further expand the scope of *maqāṣid* beyond the classical five necessities by incorporating civilisational, developmental, and societal objectives. Similarly, Ibn 'Āshūr's (1946) *Maqāṣid al-Sharī'ah al-Islāmiyyah*, whose ideas have gained renewed prominence in contemporary discourse, advocates a broader understanding of *maqāṣid* that encompasses freedom, social order, and human flourishing. Contemporary applications by scholars such as Atiyyah's (2001) *Naḥwa Taf'īl*

*Maqāṣid al-Sharī'ah* have further extended maqāṣid analysis to the family, society, the state, and the global community, demonstrating its relevance to modern governance and social policy. Collectively, these contributions underscore the *Maqāṣid al-Sharī'ah* as a dynamic paradigm that preserves fidelity to divine intent while providing a principled framework for addressing contemporary ethical, legal, and civilisational challenges.

Methodologically, *Maqāṣid al-Sharī'ah* operates through identifying the levels of human need: *ḍarūriyyāt* (necessities), *ḥajjiyyāt* (complements), and *taḥsīniyyāt* (embellishments). These categories structure juristic reasoning by prioritising essential survival and welfare before secondary or tertiary benefits (al-Shāṭibī, 1997). Tools such as *istiṣlāḥ* (public interest), *istiḥsān* (juristic preference), *sadd al-dharā'i'* (blocking harmful means), and *takhayyur* (juristic selection) operationalise maqāṣid in practice. Modern adaptations also apply thematic exegesis (*tafsīr ma'wḍū'ī*) and multidisciplinary approaches to align Sharī'ah rulings with scientific, social, and technological realities (Auda, 2008). By integrating outcomes-focused reasoning with traditional jurisprudential tools, maqāṣid ensures that Islamic law remains transformative, just, and socially beneficial.

In the modern age, *Maqāṣid al-Sharī'ah* has become a critical paradigm for navigating emerging issues in bioethics, digital governance, environmental protection, and global finance. By grounding legal rulings in universal principles of justice, mercy, welfare, and wisdom, it offers a robust ethical framework for addressing pressing challenges such as climate change, human rights, and economic inequality (Kamali, 2021). Its interdisciplinary adaptability allows Islamic scholars to engage global discourses on equity, sustainability, and dignity while remaining anchored in Islamic tradition. Thus, maqāṣid demonstrates not only the timelessness of Sharī'ah but also its capacity to provide forward-looking solutions in an ever-changing world (Auda, 2008; Hallaq, 2009).

### 3.0 METHODOLOGY

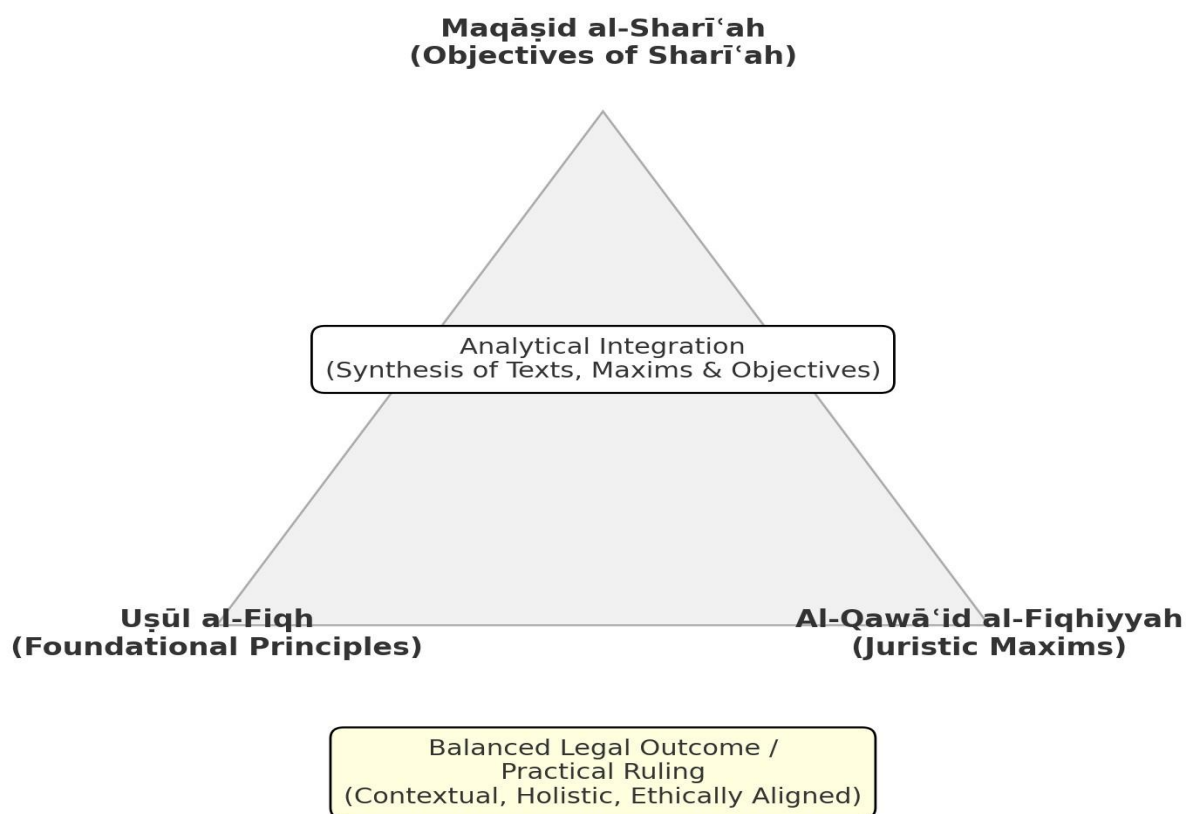
This study adopts a qualitative and analytical research design to critically examine both classical and contemporary sources of Islamic jurisprudence, aiming to triangulate *Uṣūl al-Fiqh*, *al-Qawā'id al-Fiqhiyyah*, and *Maqāṣid al-Sharī'ah* into a unified analytical model. The primary data for this research comprises foundational Islamic legal texts, including the Qur'an, the Sunnah, and classical juristic works by scholars such as Al-Shāfi'ī, Ibn Taymiyyah, and Al-Shāṭibī, alongside seminal works on *Uṣūl al-Fiqh*, legal maxims, and *Maqāṣid al-Sharī'ah*. Secondary data is drawn from contemporary scholarly articles, books, *fatwas*, and case studies addressing the application of Islamic jurisprudence in modern contexts such as bioethics, global financial systems, and technological advancements.

The study employs content analysis to systematically examine classical and modern texts, extracting principles, maxims, and objectives central to Islamic jurisprudence. Comparative analysis is utilised to identify intersections and complementarities between the theoretical constructs of *Uṣūl al-Fiqh*, the practical applications of *al-Qawā'id al-Fiqhiyyah*, and the overarching goals of *Maqāṣid al-Sharī'ah*. Thematic analysis categorises main themes emerging from the integration of these frameworks, focusing on their relevance to contemporary issues. To further enhance the analysis, an integrative framework is applied to derive rulings based on *Uṣūl al-Fiqh*, simplify and contextualise these rulings through *al-Qawā'id al-Fiqhiyyah*, and ensure their alignment with the ethical and social objectives outlined in *Maqāṣid al-Sharī'ah*. Contemporary case studies in Islamic finance, bioethics, and technological innovation are incorporated to validate the integrated

approach and demonstrate its effectiveness in addressing modern legal dilemmas while adhering to Islamic principles.

#### 4.0 RESULTS AND DISCUSSION

The integration of *Uṣūl al-Fiqh*, *al-Qawā'id al-Fiqhiyyah*, and *Maqāṣid al-Sharī'ah* has consistently provided balanced and comprehensive legal outcomes in addressing contemporary issues. Figure 1 provides the Triangulated Analytical Approach



**Figure 1:** Triangular Model of Uṣūl al-Fiqh, al-Qawā'id al-Fiqhiyyah, and Maqāṣid al-Sharī'ah

The triangular model shows how integration in Islamic legal reasoning functions. Each corner represents a pillar. *Uṣūl al-Fiqh* – the foundational principles and textual evidences that ground rulings; *Al-Qawā'id al-Fiqhiyyah* – the broad maxims that simplify and guide the application of rules in diverse cases; and *Maqāṣid al-Sharī'ah* – the higher objectives that ensure rulings serve justice, welfare, and preservation of essential values. At the centre is *Analytical Integration*, where these three dimensions interact, cross-check, and reinforce one another. This ensures that rulings are textually valid, juristically coherent, and purposively aligned, while at the bottom, the model produces a *Balanced Legal Ruling* that is context-sensitive, ethically grounded, and socially beneficial.

A critical survey of contemporary case studies illustrates how these three dimensions of Islamic jurisprudence, when harmonised, ensure rulings that are not only textually grounded but also contextually relevant and ethically responsive. The application of vaccination programmes provides a clear demonstration of how *Uṣūl al-Fiqh*, *al-Qawā'id al-Fiqhiyyah*, and *Maqāṣid al-Sharī'ah* interact to yield balanced rulings. From the perspective of *uṣūl*, the principles of *sadd al-dharā'i'* (blocking the means to harm) and *maṣlaḥah mursalah* (unrestricted public interest) are invoked to legitimise preventive measures that protect communities from potential harm before it occurs (Ibn

Taymiyyah, 1995; al-Shāṭibī, 1997). This reasoning is reinforced by legal maxims, including *dar' al-mafāsīd muqaddam 'alā jalb al-maṣāliḥ* (preventing harm takes precedence over procuring benefit) and *al-ḍarar yuzāl* (harm is removed), which collectively underscore the necessity of eliminating threats to public health. At the level of *maqāṣid*, vaccination directly fulfils the *ḥifẓ al-nafs* by safeguarding individuals and communities against fatal diseases, and the *ḥifẓ al-'aql* by preventing illnesses that may impair cognitive function. Consequently, contemporary Islamic jurists and juristic councils have increasingly regarded immunisation as a *Shari'ah*-based public-health obligation grounded in *ḥifẓ al-nafs*, with some authorities treating mass vaccination programmes as a form of *farḍ kifāyah* (collective obligation) necessary for preventing widespread harm and protecting public welfare (International Islamic Fiqh Academy, 2013; Dār al-Iftā' al-Miṣriyyah, 2004; al-Qaraḍāwī, 2001). Such a ruling conforms to the principle of prioritising collective welfare and preventing widespread harm, thereby situating vaccination within the ethical framework of the *Shari'ah* as a protective necessity (al-Nawawī, 2000).

Another case study is the organ donation after death, when undertaken with proper consent and safeguards, which illustrates the integrative role of *Uṣūl al-Fiqh*, *al-Qawā'id al-Fiqhiyyah*, and *Maqāṣid al-Shari'ah* in contemporary bioethical issues. From the perspective of *uṣūl*, the apparent *ta'arūd al-adillah* (conflict of evidence) regarding bodily sanctity and saving lives is resolved through *maqṣad*-guided *tarjih* and *qiyās* based on the *'illah* of the preservation of life, which finds support in the divine injunction: "...And whoever saves one life, it is as if he had saved all mankind..." (Qur'ān 5:32), as well as the Prophetic statement: "There should be neither harming nor reciprocating harm" (Ibn Mājah, *Sunan*, no. 2340; Mālik, *al-Muwatta'*, no. 1429) (al-Shāṭibī, 1997; Ibn al-Qayyim, 1991). Juristic maxims such as *al-ḍarar yuzāl* (harm is to be removed) and *yutaḥammalu al-ḍarar al-kebāṣ li-daf' al-ḍarar al-'amm* (private harm is endured to avert public harm) provide operative principles for allowing post-mortem organ donation when it prevents greater harm to society. The governing *maqṣad* is *ḥifẓ al-nafs*, which overrides secondary considerations of bodily integrity when dignity and consent are ensured. Consequently, the outcome is one of conditional permissibility, where organ donation is allowed provided that the process upholds human dignity, secures informed consent, and minimises potential harms (al-Qarāfi, 2001).

Similarly, astronomical calculations provide a complementary mechanism for administering moonsighting by ensuring accuracy, unity, and the prevention of discord within the Muslim community. From the perspective of *Uṣūl al-Fiqh*, the acceptance of *mukhbarāt ḏanniyyah* (probabilistic reports) is valid when they serve to perfect the testimony of sighting and to remove errors or false claims, a principle grounded in the broader application of *sadd al-dhara'i'* (blocking the means to harm) to prevent divisions, as elaborated by al-Shāṭibī (1997) and Ibn al-Qayyim (1991). This approach finds support in the Prophetic injunction, "Fast when you see it and break the fast when you see it" (*Ṣaḥīḥ al-Bukhārī*, no. 1909; *Ṣaḥīḥ Muslim*, no. 1081), which remains the primary textual basis for establishing lunar months. Contemporary juristic authorities, however, have differed regarding the role of astronomical calculations in implementing this directive. The International Islamic Fiqh Academy, in its resolutions on the unification of lunar months, affirmed the obligatory nature of moonsighting while permitting the utilisation of astronomical calculations and observatories as auxiliary tools to verify sightings and eliminate error (International Islamic Fiqh Academy, 1986). Likewise, official institutions such as Dār al-Iftā' al-Miṣriyyah employ a combined methodology whereby astronomical calculations and expert observation committees jointly determine the commencement of lunar months. In contrast, bodies such as the Fiqh Council of North America and the European Council for Fatwa and Research have accepted

precise astronomical calculations as a sufficient *Shari‘ah* basis for determining the beginnings of lunar months and producing unified calendars. Conversely, many scholars and *fatwā* bodies in countries such as Saudi Arabia continue to maintain that actual sighting remains indispensable, although astronomical data may be employed to reject impossible claims of sighting.

Despite these methodological differences, all positions seek to realise the same *Shari‘ah* objectives: the correct observance of religious rites, the elimination of uncertainty, and the preservation of communal unity. The application of legal maxims, particularly *al-yaqīn lā yazūlu bi-l-shakk* (certainty is not removed by doubt) and *al-siyāsah al-sbar‘iyyah manūṭah bi-l-maṣlahah* (public policy is tied to benefit), further justifies employing precise astronomical data to support moonsighting administration. At the *maqāṣid* level, this practice fulfils *ḥifẓ al-dīn* (preservation of religion) by safeguarding the ritual integrity of Ramaḍān and ‘Īd observances while simultaneously protecting *ittiḥād al-jamā‘ah* (the unity of the community). Consequently, the practical outcome is a harmonised framework in which astronomical calculations are utilised either as an aid to sighting, a means of validating testimony, or a basis for calendar administration, depending upon the juristic approach adopted, thereby balancing fidelity to revelation with the communal interest in cohesion, certainty, and orderly religious observance.

Furthermore, the admissibility of Deoxyribonucleic Acid (DNA) testing in lineage disputes can be situated within the framework of *Uṣūl al-Fiqh*, *al-Qawā‘id al-Fiqhiyyah*, and *Maqāṣid al-Shari‘ah*. From a *uṣūl* perspective, scholars have recognised the expansion of *amārāt* (admissible indicia) within the principles of *al-bayyinah* wherever the revealed texts leave interpretive scope, employing *qiyās* to analogise DNA testing with accepted *qarā‘in* (circumstantial evidence) capable of establishing facts with a high degree of certainty (Ibn ‘Ābidīn, 2003; Ibn al-Qayyim, 1991). This approach finds support in the Prophetic principle, “The child belongs to the [owner of] the bed, and the adulterer receives nothing” (*Ṣaḥīḥ al-Bukhārī*, no. 2053; *Ṣaḥīḥ Muslim*, no. 1457), which establishes the foundational rules governing lineage in Islamic law. Contemporary juristic bodies have generally recognised the evidentiary value of DNA analysis in matters of identification, disputed parentage, missing persons, disaster victims, and certain lineage disputes. The International Islamic Fiqh Academy, in its well-known Resolution No. 127 (14/15) of 2003, affirmed the scientific reliability of DNA fingerprinting and its admissibility as evidence in specified legal contexts while stipulating that it must operate within the limits established by the *Shari‘ah*. Similar positions have been adopted by national *fatwā* institutions and judicial authorities in countries such as Saudi Arabia, the United Arab Emirates, Kuwait, Jordan, Malaysia, and Egypt, where DNA testing has been accepted as a significant evidentiary tool for establishing identity and resolving contested claims.

Juristic maxims also lend support: *al-yaqīn lā yazūlu bi-l-shakk* (certainty is not removed by doubt) provides the threshold for validating DNA evidence as a means of attaining near-certainty, while *al-‘ādah muḥakkamah* (custom and context are authoritative) underscores the legitimacy of incorporating reliable scientific advancements into evidentiary procedures. At the level of *maqāṣid*, *ḥifẓ al-nasl* and *ḥifẓ al-māl* are paramount, ensuring that familial rights, inheritance claims, and legal responsibilities are properly safeguarded. Nevertheless, contemporary *fatwā* bodies have also emphasised the limitations of DNA evidence, maintaining that it cannot be employed to annul a legally established lineage founded upon a valid marriage and the principle of *firāsh*, since the *Shari‘ah* has specifically allocated the negation of paternity to the procedure of *li‘ān*, as established in Qur‘ān 24:6–9. Consequently, DNA evidence may be utilised to establish or corroborate lineage where uncertainty exists, but it cannot independently overturn a lineage already confirmed by *Shari‘ah* principles. The practical outcome, therefore, is the acceptance of DNA evidence as either

corroborative or, in specific circumstances, decisive proof when subjected to rigorous scientific and legal safeguards, thereby enhancing justice, protecting social order, preventing fraudulent claims, and preserving the higher objectives of the Shari‘ah (International Islamic Fiqh Academy, 2003; al-Suyūfī, 2003).

Additionally, environmental protection in Islamic legal thought can be grounded upon the principles of *Uṣūl al-Fiqh* and the overarching framework of the *Maqāṣid al-Shari‘ah*. Through the instrument of *istiṣlāḥ* (consideration of public welfare) and *sadd al-dharā‘i* (blocking the means to harm), measures such as regulating pollution, controlling resource exploitation, and enforcing ecological safeguards are justified to prevent collective harm. The revival of classical doctrines such as *ḥimā* (protected pasturelands) and *ḥarīm* (buffer zones around water sources), validated by *qiyās* (analogical reasoning), demonstrates continuity with the juristic legacy (al-Qarāfī, 2001). These applications are further reinforced by legal maxims like *al-darar yuzāl* (harm is removed) and *yuhṭamal al-darar al-khāṣ li-daf‘ al-darar al-‘amm* (private harm is endured to avert public harm). Within the *maqāṣid* framework, this aligns with the *ḥifẓ al-nafs*, the *ḥifẓ al-māl*, and *‘imarat al-arḍ* (the flourishing of the earth) as a universal objective. The practical outcome is the authorisation of environmental regulations, the imposition of fines, and the designation of conservation zones, ensuring ecological balance and intergenerational justice in line with the ethical imperatives of the *Shari‘ah*.

Prioritising maternal education and healthcare in policy *fatāwā* exemplifies how *fiqh al-awlawiyyāt* functions as a *uṣūlī* instrument for ordering obligations by social impact, with *tarjih* performed according to the *maqāṣid* where texts are general (al-Shāṭibī, 1997). Juristic maxims, most notably *mā lā yatimmu al-wājib illā bihi fabuwa wājib* (whatever is indispensable for the fulfilment of an obligation is itself obligatory) and *al-darar yuzāl* (harm is removed), serve as practical heuristics that justify elevating maternal schooling, antenatal and postnatal healthcare, nutrition, and related services to priority status when these are necessary to avert substantive harm. At the *maqāṣid* level, such interventions directly secure *ḥifẓ al-nafs*, *ḥifẓ al-aql*, and *ḥifẓ al-nasl* (preservation of progeny), thereby providing a decisive normative basis for *tarjih*. This approach is consistent with contemporary juristic resolutions and *fatāwā* that emphasise the protection of maternal and child welfare as a Shari‘ah obligation grounded in the preservation of life and human dignity, including resolutions of the International Islamic Fiqh Academy on healthcare and public welfare as well as the writings of Yūsuf al-Qarāḍāwī on *fiqh al-awlawiyyāt* and the prioritisation of essential social needs (International Islamic Fiqh Academy, 1993; al-Qarāḍāwī, 2001). Methodologically, a reasoned *fatwā* emerging from this triangulation should be evidence-based and conditional, articulating the factual thresholds that trigger communal obligation, specifying permissible means (including education initiatives, maternal clinics, safe-delivery programmes), recommending funding mechanisms (*zakāh*, *waqf*, public allocation), and embedding monitoring and safeguards to protect dignity and *Shari‘ah* boundaries. Thus, applying *uṣūl*, *qawā‘id*, and *maqāṣid* together permits *fatwā* councils to endorse maternal education and healthcare as priority public duties in contexts where they are essential to prevent harm and promote durable social welfare (al-Shāṭibī, 1997; International Islamic Fiqh Academy, 1993).

Assisted Reproductive Technologies (ART), such as in-vitro fertilisation (IVF), surrogacy, and gamete donation, constitute pressing contemporary issues requiring nuanced juristic engagement. From the perspective of *Uṣūl al-Fiqh*, their analysis rests upon principles such as *tahqiq al-manāṭ* (ascertaining the effective application of a ruling to a particular case) and the determination of legal rights and obligations arising from marriage, lineage, and parenthood.

Contemporary juristic bodies, particularly the International Islamic Fiqh Academy and the Islamic Organization for Medical Sciences, have employed these *uṣūlī* mechanisms in evaluating modern reproductive technologies, examining whether the *ilal* underlying the *Shari‘ah* rules governing procreation, lineage, and marital exclusivity remain intact in each procedure (International Islamic Fiqh Academy, 1986, 1990). In *al-Qawā‘id al-Fiqhiyyah*, guiding principles such as *al-yaqīn lā yuzāl bi-al-shakk* (certainty is not removed by doubt) protect established paternity and lineage rights against speculative or uncertain claims. The legal relevance of this maxim lies in the fact that lineage established through a valid marital relationship constitutes a legally recognised certainty, *yaqīn*, which cannot be displaced by doubtful claims, procedural ambiguities, or arrangements that introduce uncertainty regarding biological parenthood.

Consequently, practices such as third-party sperm donation, ovum donation, and surrogacy are viewed with particular concern because they create uncertainty regarding lineage and parental attribution, thereby conflicting with the *Shari‘ah*’s established rules of *nasab*. Within *Maqāṣid al-Shari‘ah*, the objectives of *ḥifẓ al-nasl* and *ḥifẓ al-nafs* demand safeguards against practices that could obscure parentage, generate disputes over legal rights, or undermine bodily integrity, while permitting medically necessary interventions that preserve family life. Consistent with these objectives, the International Islamic Fiqh Academy, the Islamic Fiqh Council of the Muslim World League, and leading contemporary scholars such as Yūsuf al-Qaraḏāwī have generally permitted IVF when both gametes originate from a lawfully married couple and the embryo is implanted during the subsistence of the marriage, while prohibiting third-party gamete donation and surrogacy because of their adverse implications for lineage, parentage, and family structure (al-Qaraḏāwī, 1994; Islamic Fiqh Council of the Muslim World League, 1984; International Islamic Fiqh Academy, 1986). The outcome is a set of balanced, contextualised rulings that differentiate between licit medical facilitation and prohibited reproductive interventions, thereby aligning technological advancement with the preservation of *Shari‘ah* values.

End-of-life ethics, particularly questions surrounding euthanasia and palliative withdrawal, require a careful synthesis of *Uṣūl al-Fiqh*, *al-Qawā‘id al-Fiqhiyyah*, and *Maqāṣid al-Shari‘ah* to balance compassion with the sanctity of life. From the *uṣūlī* perspective, the principle of *istiṣhāb* (presumption of continuity) affirms the inviolability of life until its natural end, while *ta‘arūd al-adillab* is resolved through maqāṣid-oriented *tarjih* that distinguishes between hastening death (forbidden) and withdrawing futile, non-beneficial treatment (permissible). Relevant legal maxims include *al-ḍarar yuzāl*, *al-mashaqqab tajlib al-taysir*, and *lā ḍarar wa-lā ḍirār*, which allow alleviation of unnecessary suffering without actively causing death. The *maqāṣid* involved include *ḥifẓ al-nafs*, which forbids intentional termination, but also *ḥifẓ al-aql* and *ḥifẓ al-ird*, which support compassionate withdrawal of extraordinary measures where treatment only prolongs suffering without benefit. Thus, Islamic legal reasoning prohibits euthanasia as a violation of the sanctity of life and the divine prerogative over life and death, as reflected in the Qur’ānic injunction, “And do not kill the soul which Allah has made sacred except by right” (Qur’ān 17:33), while permitting the withholding or withdrawal of futile or disproportionate medical interventions when competent medical specialists determine that treatment no longer offers a reasonable prospect of recovery.

The foregoing position has been affirmed by contemporary juristic authorities, including the International Islamic Fiqh Academy and the Islamic Fiqh Council of the Muslim World League, which distinguish between actively causing death and allowing the natural process of dying to take its course when treatment becomes medically futile (International Islamic Fiqh Academy, 1988; Islamic Fiqh Council of the Muslim World League, 1992). Likewise, leading contemporary scholars such as Yūsuf al-Qaraḏāwī and Wahbah al-Zuhaylī maintain that euthanasia remains

impermissible because it constitutes the deliberate termination of life, whereas the discontinuation of extraordinary or ineffective treatment may be permitted where it merely allows death to occur naturally rather than causing it directly (al-Qaraḍāwī, 1994; al-Zuḥaylī, 2007). Accordingly, Islamic legal reasoning prohibits euthanasia as a violation of life's sanctity but permits withholding or withdrawing disproportionate medical interventions, affirming both divine sovereignty over life and the ethical imperative to relieve human suffering.

Clustered Regularly Interspaced Short Palindromic Repeats (CRISPR) and human gene-editing present one of the most delicate frontiers of bioethics, demanding the triangulation of *Uṣūl al-Fiqh*, *al-Qawā'id al-Fiqhiyyah*, and *Maqāṣid al-Shari'ah* to distinguish between therapeutic necessity and enhancement. From a *uṣūlī* standpoint, *qiyās* on established allowances for medical treatment, together with *maṣlaḥah mursalah* and *istiḥsān*, support therapeutic interventions aimed at correcting genetic diseases, provided safety and consent are upheld. This position is broadly consistent with contemporary resolutions of the International Islamic Fiqh Academy and the Islamic Organization for Medical Sciences, which permit genetic interventions undertaken for legitimate therapeutic purposes while maintaining Shari'ah safeguards concerning human dignity and harm prevention (International Islamic Fiqh Academy, 1998; Islamic Organization for Medical Sciences, 1998). However, *sadd al-dharā'i'* cautions against enhancement-oriented editing that alters creation without necessity, as it risks social injustice, unforeseen harms, and transgression of divine limits, a concern likewise reflected in contemporary juristic deliberations on genetic engineering and human genome modification (International Islamic Fiqh Academy, 2013). The operative fiqh maxims include *al-ḍarūrāt tubīḥ al-maḥzūrāt* (necessities permit prohibitions), applied in cases of life-threatening genetic disorders and serious hereditary diseases where no comparable alternative exists (International Islamic Fiqh Academy, 1998); *al-ḍarar yuzāl*, underpinning curative use; and *dar' al-mafāsīd muqaddam 'alā jalb al-maṣāliḥ*, which restricts non-essential enhancement where potential harms outweigh anticipated benefits (International Islamic Fiqh Academy, 2013). The *maqāṣid* served are *ḥifẓ al-nafs* and *ḥifẓ al-nasl* through therapeutic use, while enhancement threatens *ḥifẓ al-'adl*, *ḥifẓ al-'ird*, and long-term intergenerational stability. Consequently, Shari'ah reasoning would endorse CRISPR for therapeutic purposes under stringent ethical regulation, while prohibiting enhancement applications that compromise human dignity, justice, and the divine trust of creation, a distinction reflected in contemporary Islamic bioethical resolutions and the writings of leading *maqāṣid* scholars (International Islamic Fiqh Academy, 2013; Auda, 2021).

In Islamic finance, the issue of late-payment penalties is resolved through the principle of *tahqīq al-manāṭ* (contextualising legal application), which distinguishes genuine insolvency from wilful procrastination, thereby preventing injustice while safeguarding fairness (Ibn Taymiyyah, 1995). Juristic maxims, particularly *al-ḍarar yuzāl* (harm is removed) and *al-'ādah muḥakkamah* (custom is authoritative), further support the need to discourage exploitative delay. Anchored in the *maqāṣid* of *ḥifẓ al-māl* and *ḥifẓ al-'adl* (upholding justice), scholars like al-Qarāfī (2001) endorse the imposition of late-payment penalties, provided that the proceeds are directed exclusively to charitable purposes rather than lender profits. This mechanism preserves the prohibition of *ribā* while deterring abuse, ensuring that contractual obligations are honoured in a just and socially responsible manner.

*Zakāh*, when linked to contemporary poverty-alleviation mechanisms, especially cash transfers and micro-enterprise financing, demonstrates the dynamism of the *Shari'ah* in addressing socio-economic realities. Rooted in the *uṣūl* of *istiṣlāḥ/maṣlaḥah mursalah* within the Qur'ānic eight categories of *zakāh* beneficiaries, and under the principle *taṣarruf al-imām manūṭ bi-l-maṣlaḥah* (The

policy of the authority is dependent upon the consideration of public welfare) (al-Shāṭibī, 1997), the allocation of *zakaāb* may legitimately be structured to achieve sustainable poverty reduction. Invoking the maxims *al-umūr bi-maqāṣidihā* (matters are judged by objectives) and *al-wasā'il lahā aḥkām al-maqāṣid* (means take the ruling of ends) enables jurists to permit innovative delivery modes that serve the higher intent of *zakaāb*: alleviating deprivation and restoring dignity. In light of the *maqāṣid*, particularly *ḥifẓ al-māl* and the promotion of social equity, direct cash transfers address immediate needs while micro-enterprise schemes foster long-term economic empowerment. Thus, aligning *zakaāb* distribution with contemporary tools allows administrators to maximise durable uplift for *al-fuqarā'* and *al-masākīn* while preserving category integrity, a balance underscored in the discourse of al-Ghazālī (1993).

In the case of Islamic crowdfunding and peer-to-peer *zakaāb* and *waqf* platforms, *Uṣūl al-Fiqh* provides the foundational reasoning by deriving permissibility from the Qur'ān and the Sunnah on voluntary charity, mutual assistance, and institutionalised *waqf*. *Al-Qawā'id al-Fiqhiyyah* offers operational guidelines, including *al-mashaqqah tajlib al-taysir* in enabling digital collection and distribution, and *al-yaqīn lā yazūl bi-al-shakk* in ensuring accountability and transparency. *Maqāṣid al-Sharī'ah* identifies the ultimate goals of *ḥifẓ al-māl*, promoting social justice, and alleviating poverty. The outcome is balanced, contextualised rulings that recognise these platforms as Sharī'ah-compliant innovations in Islamic social finance, provided they remain transparent, equitable, and faithful to the objectives of *zakaāb* and *waqf*.

The case of cryptocurrencies, tokenisation, and Islamic contract forms allows *Uṣūl al-Fiqh* to provide the foundational reasoning by interrogating whether such digital assets fulfil the Sharī'ah conditions of *māl* (legally recognised property) with *taqanwum* (lawful usability), and whether their circulation avoids violations of prohibitions related to *ribā* (usury), *gharar* (excessive uncertainty), and *maysir* (gambling). The interpretive tools of *Uṣūl*, particularly *qiyās* with established asset classes and *istiḥsān* (juristic preference), enable scholars to ground novel forms of digital wealth in classical categories while identifying points of divergence. *Al-Qawā'id al-Fiqhiyyah*, in turn, provides operational guidelines through maxims such as *al-'ādab muḥakkamah*, which validates cryptocurrencies and tokenised assets once they achieve general societal acceptance, and *al-'ibrah fī al-'uqūd li al-maqāṣid wa al-ma'ānī* (transactions are judged by their objectives), which demands that tokenisation and smart contracts are not merely speculative instruments but serve legitimate contractual ends like *murābahah*, *wakālah*, or *mushārahah*. These maxims also allow for risk mitigation strategies by applying *al-ḍarar yuzāl*, ensuring that excessive volatility or fraudulent token schemes are curbed. *Maqāṣid al-Sharī'ah* then directs attention to the higher objectives, especially the *ḥifẓ al-māl*, preservation of trust and transparency in financial dealings, and enhancement of financial inclusion by offering Sharī'ah-compliant access to investment opportunities that bypass exploitative intermediaries. It further ensures that digital innovation contributes to social justice, economic stability, and equitable distribution of resources. The outcome is a nuanced evaluative framework which, rather than issuing blanket approval or rejection, permits cryptocurrencies and tokenised assets when embedded within valid Islamic contract forms, regulated by ethical safeguards, and structured to advance the higher aims of Sharī'ah, thereby harmonising technological progress with Islamic legal and moral imperatives.

The temporary closure of mosques or the adjustment of prayer schedules in circumstances of public safety, especially during epidemics or when structural risks threaten worshippers, is not unprecedented in Islamic history and may be analysed through the lens of *takyīf fiqhī* and the extensive corpus of *furū' al-fiqh*. Historical sources record that severe epidemics occasionally led to

the suspension of congregational worship, including the plague in Qayrawān in 395 AH, during which mosques became deserted (Ibn ‘Idhārī, 1983), and the great plague in al-Andalus, where al-Dhahabī reports that mosques were closed due to the absence of worshippers (al-Dhahabī, 1985). From the perspective of uṣūl al-fiqh, such measures are justified by reconciling the textual evidence on the merit of congregational worship with the overarching principle of *lā ḍarar wa lā ḍirār* (no harm and no reciprocating harm), as well as the doctrines of *‘umūm al-balwā* (widespread affliction) and *rukhaṣ* (legal concessions in hardship) (al-Nawawī, 2000; al-Shāṭibī, 1997). This alignment is reinforced by the legal maxims *al-mashaqqab tajlib al-taysīr* and *lā ḍarar wa lā ḍirār*, while the maqāṣid of *ḥifẓ al-nafs* and *ḥifẓ al-dīn* are simultaneously secured. Consequently, temporary suspensions or modifications of congregational prayers do not represent a departure from the Islamic legal tradition but rather a recognised juristic response to exceptional circumstances aimed at preserving both life and religion.

Biometric identity systems, such as national ID cards and e-government databases, present a complex case for the integration of Uṣūl al-Fiqh, al-Qawā‘id al-Fiqhiyyah, and Maqāṣid al-Sharī‘ah. From a uṣūlī perspective, they fall under *maṣlahah mursalah* and *tahqīq al-manāṭ*, as jurists must ascertain whether the effective cause, *manāṭ*, of identity verification — namely, the reliable establishment of personal identity for the protection of rights, prevention of fraud, and administration of public affairs — is actually realised through biometric technologies and whether their benefits outweigh potential harms. Operative maxims, particularly *al-ḍarar yuzāl* and *al-‘ādah muḥakkamah*, guide regulation, ensuring that the technology serves public welfare while preventing misuse. The *maqāṣid* served include *ḥifẓ al-māl*, by reducing fraud and securing transactions; *ḥifẓ al-nafs*, through accurate identification in healthcare and security; and *ḥifẓ al-‘ird/ḥifẓ al-‘aql* (protection of dignity and intellect), by safeguarding personal data and preventing surveillance abuse. Thus, Sharī‘ah reasoning would endorse biometric systems where robust privacy safeguards exist, and their use remains proportionate to legitimate needs, thereby achieving administrative justice and social trust while averting potential harms of exploitation and rights violations.

Digital surveillance, data protection, and algorithmic governance exemplify the tensions between technological utility and ethical restraint, requiring a harmonised application of Uṣūl al-Fiqh, al-Qawā‘id al-Fiqhiyyah, and Maqāṣid al-Sharī‘ah. From the uṣūlī angle, *sadd al-dharā‘i’* and *maṣlahah mursalah* are invoked to weigh benefits such as crime prevention, efficient governance, and streamlined service delivery against risks of overreach and rights violations. Legal maxims, including *al-ḍarar yuzāl*, *dar’ al-mafāsīd muqaddam ‘alā jalb al-maṣālīh*, and *al-umūr bi-maqāṣidihā* (matters are judged by their objectives) provide operational checks against abuse of authority and algorithmic bias. The *maqāṣid* at stake include *ḥifẓ al-nafs* and *ḥifẓ al-māl* through enhanced security and fraud prevention, but equally *ḥifẓ al-‘ird* (protection of dignity), *ḥifẓ al-‘aql* (protection of intellect), and *ḥifẓ al-ḥurriyyah* (protection of freedom) by ensuring privacy, autonomy, and protection from unjust profiling or surveillance. Thus, Sharī‘ah-guided policy would endorse algorithmic governance and digital monitoring only under strict proportionality, transparency, and accountability measures, securing public benefit without eroding the sanctity of individual rights.

#### 4.1 Implications of the Triangulation for Contemporary Ijtihād and Iftā’

The triangulation of Uṣūl al-Fiqh, al-Qawā‘id al-Fiqhiyyah, and Maqāṣid al-Sharī‘ah represents a methodological synthesis that transcends the limitations of a unidimensional approach to Islamic legal reasoning. By integrating the textual rigour of legal theory, the universality of juridical maxims, and the purposive orientation of the *Sharī‘ah*, this framework provides a holistic paradigm for

addressing contemporary juristic challenges. Its implications for *Ijtihād* and *Iftā* are both profound and multidimensional, particularly in an era marked by unprecedented socio-economic transformations, ethical dilemmas, and technological innovations.

#### **4.1.1 Ensuring Textual Fidelity and Contextual Relevance**

The first implication of this triangulation is the harmonisation of fidelity to the revealed sources with responsiveness to contemporary realities. *Uṣūl al-fiqh* anchors juristic reasoning in the Qur’ān and the Sunnah, while *maqāṣid al-shari‘ah* situates rulings within higher ethical objectives, including justice, welfare, and human dignity. The integration of *al-qawā‘id al-fiqhiyyah* functions as an operational bridge, ensuring that broad juristic principles and maxims translate textual fidelity into contextually relevant rulings (Kamali, 2021). In an era where Muslims confront challenges such as digital finance, artificial intelligence, and biomedical ethics, this triangulation prevents rigidity on one hand and unrestricted legal relativism on the other (Laldin & Furqani, 2022).

### **5.0 SYSTEMATISING JURISTIC CONSISTENCY AND REDUCING CONTRADICTIONS**

The second implication lies in the capacity of this triangulated approach to systematise juristic processes and reduce contradictions in fatwā pronouncements. The fragmentation of modern *iftā* authorities often leads to divergent rulings on similar issues, creating confusion among Muslim communities, as seen for instance in differing contemporary fatwā on the use of astronomical calculations for determining lunar months, where some juristic bodies permit reliance on calculation-based calendars while others insist on physical moon sighting, and similarly in debates over the permissibility of organ transplantation across different jurisdictions (European Council for Fatwa and Research, 2007; International Islamic Fiqh Academy, 2003). By embedding legal maxims within the structural reasoning of *uṣūl* and aligning them with *maqāṣid*, juristic bodies are better able to achieve coherence and consistency in legal verdicts (El-Mesawi, 2020). This method promotes methodological discipline, curbing arbitrary *ijtihād* that may lack grounding in scriptural evidence or ethical orientation, thereby enhancing public confidence in *Shari‘ah* rulings (Auda, 2018).

### **6.0 FACILITATING ENGAGEMENT WITH EMERGING GLOBAL ISSUES**

The third implication is that this triangulated methodology equips contemporary jurists to address unprecedented global challenges. Issues such as climate change, financial technology (fintech), genetic engineering, and interfaith relations demand a juristic methodology that is both normatively anchored and ethically expansive. Through the triangulation, *uṣūl* provides the scriptural scaffolding, *qawā‘id* offers the legal operational tools, and *maqāṣid* ensures the purposive orientation of rulings toward human and ecological flourishing (Dusuki & Bouheraoua, 2019). Such integration also broadens the scope of *ijtihād* beyond ritual and personal law to encompass socio-political, economic, and environmental domains, thereby reflecting Islam’s comprehensive worldview (Ibn Ashur, 2006/2013).

### **7.0 BALANCING TRADITION AND INNOVATION IN IFTĀ INSTITUTIONS**

A fourth implication is its role in balancing continuity with innovation within *iftā* institutions. Many juristic bodies face the dilemma of either clinging to past rulings with minimal adaptation or, conversely, embracing overly innovative interpretations that risk departing from

orthodoxy. Triangulating *uṣūl*, *qawā'id*, and *maqāṣid* allows *muftis* to innovate within a disciplined framework that preserves tradition while meeting new demands (Ghaly, 2020). This dual function safeguards the legitimacy of *fatwā* institutions, especially in Muslim minority contexts or pluralistic societies, where the credibility of Islamic rulings is constantly scrutinised (Alqaradaghi, 2019).

## 8.0 PROMOTING ETHICAL AND HUMAN-CENTRIC JURISPRUDENCE

The triangulation reorients *ijtihād* and *iftā* towards an ethically grounded, human-centric jurisprudence, a formulation widely echoed in contemporary *maqāṣid* discourse and reform literature that emphasises *insāniyyah* (human-oriented) and values-based legal reasoning in modern Islamic law (Laldin & Furqani, 2022; Kamali, 2008). While *uṣūl* secures the authoritative basis of rulings, and the *qawā'id* systematises their practical application, it is the *maqāṣid* that direct the law towards higher objectives. In practice, this implies that rulings must be tested against their ethical and societal outcomes rather than being reduced to mere technicalities (Auda, 2021). For instance, *fatwās* concerning digital surveillance, artificial reproductive technologies, or financial derivatives must not only comply with contractual requirements but also ensure justice, dignity, and protection from exploitation. This approach resonates with contemporary calls for a *maqāṣid*-driven reform of Islamic legal thought, thereby bridging the gap between classical jurisprudence and modern human development agendas (Laldin & Furqani, 2022).

## 9.0 ENHANCEMENT OF *FIQH AL-AQALLIYYĀT* (MINORITY *FIQH*)

For Muslims residing under non-Islamic legal systems, the triangulated approach provides a robust framework for harmonising *Shari'ah* requirements with civic responsibilities. By foregrounding the *maqāṣid* and operationalising juristic maxims, jurists can formulate contextually sensitive *fatāwā* that safeguard religious identity while promoting peaceful coexistence and social cohesion. As Bin Bayyah (2018) observes, such methodological flexibility ensures that Muslim minorities navigate complex legal and cultural environments without compromising the higher objectives of the *Shari'ah*.

## 10.0 ENHANCING METHODOLOGICAL COHERENCE IN FATWĀ PRODUCTION

The triangulation provides an integrated methodological framework for issuing *fatāwā* with greater coherence and internal consistency. Rather than eliminating juristic diversity, which is an established and historically recognised feature of Islamic legal tradition, it helps to mitigate unnecessary methodological fragmentation and reduce divergences that arise from inconsistent application of *uṣūl*, *qawā'id*, and *maqāṣid*. This contributes to greater predictability and enhances legal clarity, particularly for Muslim minorities operating within secular legal systems, where conflicting *fatwā* positions may generate confusion and weaken confidence in *Shari'ah*-based guidance. By entrenching legal reasoning within *maqāṣid*-oriented objectives while being mediated through established *uṣūl* principles and operationalised through juristic maxims, the triangulated approach ensures that *fatāwā* remain textually grounded, ethically coherent, and contextually responsive (al-Qaradāwī, 2019). In this way, triangulation does not abolish legitimate juristic plurality but refines *fatwā* methodology by strengthening coherence within diversity and enhancing methodological discipline in contemporary legal reasoning.

## 11.0 CONCLUSION

This study has examined sixteen diverse case studies to demonstrate how an integrated application of *Uṣūl al-Fiqh*, *al-Qawā'id al-Fiqhiyyah*, and *Maqāṣid al-Sharī'ah* produces rulings that are textually grounded, contextually relevant, and ethically responsive. The findings affirm that *Uṣūl al-Fiqh* provides the epistemological foundation for interpreting evidence, *al-Qawā'id al-Fiqhiyyah* operationalises these principles through universally applicable legal maxims, and *Maqāṣid al-Sharī'ah* orients the entire process towards the higher objectives of justice, welfare, and sustainability. Importantly, this model does not represent a fusion that dissolves their distinct functions, but rather a synergy in which each discipline complements the other. Taken together, the tripartite framework mitigates rigidity and superficiality, balances textual fidelity with purposive reasoning, and secures outcomes that safeguard life, dignity, and the common good. Its application to contemporary issues underscores the dynamism of Islamic jurisprudence and its enduring relevance in modern contexts.

Based on these findings, the study recommends that juristic councils and *fatwā* bodies formally adopt this triangulated approach to strengthen coherence and consistency in contemporary *ijtihād*; Islamic higher education should equally integrate the model into *uṣūl al-fiqh* and *fiqh* curricula, employing real-life case studies to bridge theory and praxis; future scholarship is encouraged to extend its application to emergent domains such as artificial intelligence, genetic engineering, fintech innovations, and climate governance. To ensure broader societal relevance, scholars of Islamic law should engage in interdisciplinary collaboration with experts in medicine, economics, technology, and policy, thereby producing rulings that are both *sharī'ah*-compliant and socially viable. Policymakers in Muslim societies are also urged to draw upon this framework in legislation and governance so that public policies promote the common good while remaining anchored in the *Sharī'ah*. Ultimately, this triangulation model stands as a safeguard against both rigid literalism and unrestrained liberalism, embodying the Qur'ānic principle of *wasatīyyah* (moderation) and ensuring that Islamic law continues to respond effectively to the demands of the present age.

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## Conflicts of Interest

The author(s) declare(s) that there is no conflict of interest regarding the publication of this paper

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