Epistemology of Maqasid Taha Abdurrahman; New Paradigm and Classification of Maqasid al-Shari'ah Values

Aspandi[1], Nurul Ma'rifah[2], Ahmad Hidayat[3], Ahmad Dzulfikar[4], Mochamad Abdul Ghofur[5]

[1234]Universitas Islam Negeri Sultan Maulana Hasanuddin Banten, Indonesia
[5]International University of Africa, Sudan
[1]aspandi@uinbanten.ac.id, [2]nurul.marifah@uinbanten.ac.id, [3]ahmad.hidayat@uinbanten.ac.id,
[4]ahmaddzulfikar@gmail.com, [5]blueznile85@gmail.com

Abstract

Taha Abdurrahman, a contemporary *maqasid* figure, has different concepts and ideas from the Shatibi *maqasid* concept. The concept of *maqasid Taha Abdurrahman* also has a paradigm and classification of values that are different from the concept of maqasid *Shatibi*. This study aims to describe the paradigm of reform of *maqasid* values according to Taha Abdurrahman. In addition, this study also describes the classification of new *maqasid* values according to Taha Abdurrahman. This research uses a qualitative approach that explains and analyzes the concepts and ideas of *maqasid al-shari'ah* reform according to Taha Abdurrahman. This research uses a library method with the main data source of Taha Abdurrahman's work entitled *Tajdid al-Manhaj fi Taqwim al-Turath*, and *Su'al al-Manhaj fi Ufuqi al-Ta'sisi Liunmudhaji Fikri Jadidi*. The results of this study show that the paradigm of reform of *maqasid values* according to Taha Abdurrahman is based on the hadith of the Prophet "*Innama Buitstu Liutamimma Makaarimal Akhlak*" which is holistic in nature encompassing all levels of needs that are an integral part of Islamic law. The classification of new *maqasid values* according to Taha Abdurrahman is contained in the concept of "*al-qiyam al-akhlaqiyyah*" Include *al-masalih al-hayawiyyah, al-masalih al-'aqliyyah*, and *al-masalih al-ruhiyyah* namely *maqasid values* with dimensions *of materialism*, rationalism*, and* spiritualism. Taha Abdurrahman*'s* classification of *maqasid al-shari'ah* revises the conception of the Shatibi *maqasid.*

Keywords: *New Epistemology, New Classification, Islamic Law, Maqasid Al-Shari'ah Values, Taha Abdurrahman*

Introduction

Taha Abdurrahman, a Moroccan figure, has the idea of reforming Shatibi's classification of *maqasid* values.[1] The idea was expressed in his works entitled *Tajdid al-Manhaj fi Taqwim al-Turath*

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[1] Taha Abd Al-Rahman, *Tajdid Al-Manhaj Fi Taqwim Al-Turath* (Al-Markaz Al-Thaqafi Al- Arabi, 1994).

and *Su'al al-Manhaj fi Ufuqi al-Ta'sisi Liunmudhaji Fikri Jadidi*.[2] However, the idea has not received much response from various academic circles in Indonesia. Various academic circles have not received much description and explanation regarding the idea of reforming the *maqasid* Taha Abdurrahman. This research specifically contributes to scientific development related to the concept and idea of *maqasid al-shari'ah*. This research also contributes to various academic circles by providing a description of the paradigm and classification of Shatibi'*s maqasid values* reform according to Taha Abdurrahman.

The conception of *maqasid al-shari'ah* (the objectives of Islamic law) in the history of its development has experienced development and has been studied by various groups.[3] Many studies of *maqasid al-shari'ah* in Islamic legal studies stop at the conception of traditional Shatibi *maqasid*.[4] These studies only describe general ideas of the concept of *maqasid al-shari'ah* Shatibi, examines the conception of *maqasid al-shari'ah* from the perspective of Shatibi. In this research, Abdurrahman Kasdi briefly describes the concepts and ideas of *maqasid* Shatibi in his work al-Muwafaqat.[5] Fathur Rohman (2017), in his research entitled *maqasid al-shari'ah* Imam Shatibi perspective, also outlines the concepts and ideas of the same *maqasid*.[6] Syahabudin (2014), in his research also only explained the general concept of *maqasid al-shari'ah* according to Shatibi.[7] These studies only describe the general idea of *maqasid al-shari'ah* according to Shatibi, which is used as an approach in contemporary Islamic legal studies. However, these ideas and concepts cannot respond to various complex contemporary problems.

The progressiveness of the thought of *maqasid al-shari'ah* has become a new feature in contemporary Islamic legal studies.[8] Comprehensive knowledge and understanding of *maqasid* is an important aspect[9] and the key to success in the process of *ijtihad* (the main instrument of interpreting the divine message and relating it to the changing conditions of the Muslim community) in Islamic law.[10] By referring to the universal values of *maqasid*, the spirit of progressiveness carries the importance of implementing *maqasidi ijtihad* in the contemporary era. This must be done with the view that *istinbat* theories (deducing the law from its sources) in the discipline of proposals of *al-fiqh* tend to be normative and less responsive as a tool for solving philosophical and social problems of today's increasingly complex Islamic diversity. In addition, the *maqasid* conception of the traditional model is considered unable to respond to various complex contemporary problems due to space, time, and cultural differences. Departing from this

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[2] Taha Abd Al-Rahman, *Su'al Al-Manhaj Fi Ufuqi Al-Tasisi Liunmudhaji Fikri Jadidi* (Beirut: Al-Muassasah al-'Arabiyah Lilfikri wa al-Ibdai, 2015).

[3] Abdul Hameed Badmas Yusuf, "A Study of Evolution of Maqâshid As-Syari'Ah As a Legal Theory," *Madania* 19, no. 1 (2015): 1–15.

[4] Muhammad Hasyim Kamali, "Maqashid Al-Shariah; The Objectives of Islamic Law," *Islamic Studies* 38, no. 2 (1999): 193–208, http://www.jstor.org/stable/20837037. Accessed 3 Dec. 2023.

[5] Abdurrahman Kasdi, "Maqasyid Syari'ah Perspektif Pemikiran Imam Syatibi Dalam Kitab Al-Muwafaqat," *Yudisia* 5, no. 1 (2014): 46–63.

[6] Fathur Rohman, "Maqashid Syariah Dalam Persperktif Al-Syatibi," *Isti'dal; Jurnal Studi Hukum Islam* 4, no. 2 (2017): 163–76, https://ejournal.unisnu.ac.id/JSHI/article/view/833.

[7] Syahbudin, "Pandangan Al-Syatibi Tentang Maqasid AL-Shari'ah," *An Nisa'a* 9, no. 2 (2014): 81–100, https://ejournal.unisnu.ac.id/JSHI/article/view/833.

[8] Fadhli Suko Wiryanto, "The Urgency and Strategic Role of Maqasid Shari'ah and Maslahah in Responding to The Legal and Economic Challenges of Muslim Business," *Jurnal of Middle East and Islamic Studies* 10, no. 1 (2023), https://doi.org/10.7454/meis.v10i1.158.

[9] Mubaidi Sulaeman, "Maqasid Al Syari'ah; Cara Islam Menghadapi Pandemi Covid 19," *Tribakti: Jurnal Pemikiran Keislaman* 32, no. 2 (2021): 263–82, https://doi.org/10.33367/tribakti.v32i2.1582.

[10] Zaprulkhan, "Maqāṣid Al-Shariah in the Contemporary Islamic Legal Discourse: Perspective of Jasser Auda," *Walisongo: Jurnal Penelitian Sosial Keagamaan* 26, no. 2 (2018): 445, https://doi.org/10.21580/ws.26.2.3231.

background emerged the presence of several contemporary *maqasid* thinkers who attempted to formulate new *istinbat* theories with the *maqasid al-shari'ah* conception as their approach.

In response to complex contemporary problems, there were many significant contributions of thought to developing Islamic studies with the *maqasid al-shari'ah* approach.[11] In addition, the conception of traditional *maqasid*, considered only to have the nuances of protection and preservation, needs to be reformed into a *maqasid* concept with a sense of development and exaltation.[12] Some *maqasid* thinkers came up with new ideas by systematizing classical *maqasid* thinking in the form of ijtihad theory and independent scientific disciplines.

One contemporary Muslim thinker who is concerned with the reform of the traditional *maqasid al-shari'ah* is Taha Abd al-Rahman. Taha Abdurrahman is a contemporary Muslim thinker concerned about reconsidering *maqasid al-shari'ah* in Islamic law. Like other *maqasid* thinkers, Taha Abdurrahman made' *ilm al-maqasid* a part of science with concepts, theories, and methodologies.[13] *Maqasid* science is considered to have an important role in the study of Islamic law. It is in line with the rule stated by the *maqasid* thinkers that "every Islamic law has a specific purpose, and every Islamic law should be separated from its *maqasid*".[14] Elaboration of *maqaṣid* on a universal value become a contemporary need.[15]

This research examines the philosophy of Taha Abdurrahman in theorizing ethical *maqaṣid*. Taha Abdurrahman is a Moroccan philosopher committed to studying Islamic ethics. Not many writings have elaborated on Taha Abdurrahman philosophy for developing Islamic law and ethics. The elaboration of Abd al-Rahman's thought is classified into: *first*, his idea of the paradigm of trusteeship and its relation to the foundations of Islamic ethics;[16] *second*, Abd al-Raḥman's opposition to Western ethical concepts;[17] *third*, the application of Abd al-Raḥman's ethical thought in certain fields.[18]

Method

This research is a type of qualitative research library that focuses on the conception of *maqasid al-shari'ah* Taha Abdurrahman as its object. Specifically, this research uses a qualitative approach that explains and analyzes the concepts and ideas of *maqasid al-shari'ah* reform according to Taha Abdurrahman. This research uses a library method with the main data source of Taha Abdurrahman's work entitled *Tajdid al-Manhaj fi Taqwim al-Turath*, and *Su'al al-Manhaj fi Ufuqi al-Ta'sisi Liunmudhaji Fikri Jadidi*. This research is also supported by secondary data sources in the form of books, research results, articles and other related documents. The focus of this study is

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[11] Wiryanto, "The Urgency and Strategic Role of Maqasid Shari'ah and Maslahah in Responding to The Legal and Economic Challenges of Muslim Business."

[12] Syukur Prihantoro, "Maqasid Al-Syari'ah Dalam Pandangan Jasser Auda (Sebuah Upaya Rekontruksi Hukum Islam Melalui Pendekatan Sistem)," *Jurnal At-Tafkir* 10, no. 1 (2017): 120–34, https://journal.iainlangsa.ac.id/index.php/at/article/view/235.

[13] Al-Rahman, *Tajdid Al-Manhaj Fi Taqwim Al-Turath*.

[14] Al-Rahman, *Su'al Al-Manhaj Fi Ufuqi Al-Tasisi Liunmudhaji Fikri Jadidi*.

[15] M. Noor Harisudin and Muhammad Choriri, "On the Legal Sanction against Marriage Registration Violation in Southeast Asia Countries: A Jasser Auda's Maqasid Al-Shariah Perspective," *Samarah* 5, no. 1 (2021): 471–95, https://doi.org/10.22373/sjhk.v5i1.9159.

[16] Fadi Zatari, "Entrustment Ethics and Secularism: Taha Abdurrahman's Perspective," *Darulfunun Ilahiyat* 33, no. 1 (April 22, 2022): 0–0, https://doi.org/10.26650/di.2022.33.1.1077851.

[17] Muhammad Iqbal, "Konsep I'timaniya Dalam Pandangan Taha Abdurrahman," *JURNAL YAQZHAN: Analisis Filsafat, Agama Dan Kemanusiaan* 9, no. 1 (June 1, 2023): 55, https://doi.org/10.24235/jy.v9i1.12891.

[18] Mohammed Hashas, "Taha Abderrahmane's Trusteeship Paradigm," *Oriente Moderno* 95, no. 1–2 (August 7, 2015): 67–105, https://doi.org/10.1163/22138617-12340077.

interesting because the concept of *maqasid al-shari'ah* Taha Abdurrahman is a new idea and has yet to receive much response from various circles. This research uses an interpretative approach[19] to explain new ideas and paradigms of *maqasid* values according to Taha Abdurrahman.

Result and Discussion
Maqasid al-Shari'ah; His Position in the Study of Islamic Law

In the history of the development of Islamic legal studies, the position of *maqasid al-shari'ah* needs to be clarified and seems sidelined.[20] Islamic law studies ('*fiqh*') classic is more associated with *usul al-fiqh* and *qawa'id al-fiqh*, which tends to be text-oriented, not on the intention or meaning behind the text. Both of these disciplines, *usul al-fiqh*, and *qawa'id al-fiqh*, were placed as a methodology in istinbat Islamic law and became an integral part of *fiqh* (Islamic law). Meanwhile, *maqasid al-shari'ah* is placed only as a spirit in *fiqh*.[21]

Complex contemporary problems due to differences in space, time, and culture, as well as the limitations of the proposal of *al-fiqh* as a methodology of Islamic law in dialectics with the times, prompted *maqasid* thinkers to reform the proposal of al-fiqh. In response to contemporary problems and developments at that time, the *maqasid* thinkers included the conception of *maqasid al-shari'ah* as one of the considerations in the istinbat of Islamic law. However, at the beginning of its development, the *maqasid* conception was only placed as an integral part of the proposal of *al-fiqh*.[22] The position of the *maqasid al-shari'ah* underwent further developments during the time of Ibn 'Ashur. At this time *maqasid* studies were recognized as an independent scientific discipline. *Maqasid* also functions as an *ijtihad* approach because it is considered to have a concrete methodological formula.[23] Consequently, *maqasid* is no longer just a set of value conceptions that wrap the proposal of al-fiqh and become the spirit of *fiqh*.

The two views have the same essence. In Isma'il al-Hasani, the difference in views is referred to as "relative debate".[24] It is because the methodological framework of the proposal of al-fiqh is needed to reveal the values of *maqasid* from Islamic sources. Meanwhile, the conception of *maqasid al-shari'ah* is also needed in the performance of the proposal of *al-fiqh*. as a parameter of the validity of each result of *ijtihad* so that the legal product follows the aims and objectives of the Sharia.[25]

Maqasid al-shari'ah eventually took a central position in developing contemporary Islamic law.[26] The conception of *maqasid al-shari'ah* is presented in a separate study. In this era, *maqasid* was the main consideration in the process of *istinbat* Islamic law. In this case, Jaser Auda, with a systems approach, assumes Islamic law as a system and makes *maqasid al-shari'ah* one of the intellectual

[19] Sahiron Samsudin, "Pendekatan Dan Analisis Dalam Penelitian Teks Tafsir:," *Suhuf* 12, no. 1 (2019): 131–49, https://doi.org/10.22548/shf.v12i1.409.
[20] Mohamed Saladin Abdul Rasool, Mohamed Azmil Mohd Yusof, and Siti Mariam Ali, "Wellbeing of the Society: A Maqāṣid Al-Sharī'ah Approach," *Afkar* 2020, no. Special Issue 1 (2020): 25–46, https://doi.org/10.22452/afkar.sp2020no1.2.
[21] Ahmad Imam Mawardi, *Fiqh Minoritas: Fiqh Al-Qalliyyat Dan Evolusi Maqashid Al-Syari'ah Dari Konsep Ke Pendekatan* (Yogyakarta: LKiS Yogyakarta, 2010), https://inlislite.uin-suska.ac.id/opac/detail-opac?id=40.
[22] Ahmad Raysuni, *Nazariyyah Al-Maqasid 'inda Al-Shatibi* (The International Institute of Islamic Thought, 1995).
[23] Jasser Auda, *Maqasid Al-Shari'ah Falsafah Al-Tashri' Al-Islami: Ru'yah Manzumiyyah* (The International Institute of Islamic Thought, 2007).
[24] Al-Hasani, *Nazariyyah Al-Maqasid 'inda Al-Imam Muhammad Tahir Ibn 'Ashur* (The International Institute of Islamic Thought, 1998).
[25] Jamaluddin Atiyyah, *Nahw Taf'il Maqasid Al-Shariah* (Virginia: The International Institute of Islamic Though, 2008).
[26] Sulaeman, "Maqasid Al Syari'ah; Cara Islam Menghadapi Pandemi Covid 19."

media and methodologies in studying Islamic law.[27] Meanwhile, Taha Abdurrahman believes that *maqasid al-shari'ah* is a scientific discipline with principles, theories, and methodologies as a clear framework in terms of Islamic law.[28]

As a scientific discipline, *maqasid al-shari'ah* has two main objects of study: formal objects and material objects.[29] The formal object of the *maqasid al-shari'ah* is in the form of methods or methods used to reveal the values of the *maqasid*. In this case, there are two kinds of methods used: a) deductive analysis method to the sources of revelation, al-Quran, and Sunnah, either by understanding it directly from the literal pronunciation of the commands and prohibitions or through interpreting the meaning (*ta'lil*) of the pronunciation of the commands and prohibitions. b) Inductive analysis method of the meanings of *maqasid* contained in particular laws in the form of main objective (*maqasid asliyyah*) and branch objectives (*maqasid al-tabi'ah*).[30] Meanwhile, the material object of the study of *maqasid al-shari'ah* is in the form of values removed from the formal object. This material object in its form can be in the form of legal wisdom (*hikam al-ahkam*), sharia secrets (*asrar al-tashri'*), the purposes and objectives of Allah SWT in Islamic law (*maqasid al-shari'ah*). It also includes other legal, philosophical meanings that are discouraged from the development of maqasid studies today, such as the characteristics of law (*khasa'is al-ahkam*) and legal principles (*mabadi 'al-ahkam*).

The two objects of *maqasid* studies are the main themes in the study of *maqasid al-shari'ah*, which are developing in the contemporary era. It is different from the discussion of *maqasid* in classical literature, which tends to raise more material objects of *maqasid*. Meanwhile, most of the formal objects are only partially presented but are scattered in several themes of the proposal of al-fiqh. The study of contemporary *maqasid al-shari'ah* has been discouraged in a comprehensive and systematic scientific design. Some *maqasid* experts have now begun to present the concept of *maqasid* thinking as a more progressive alternative legal ijtihad methodology.

From the description of the object of the *maqasid* study, it is sufficient to become the basis and foundation that *maqasid* studies in contemporary developments have met scientific standards. The presence of *maqasid* studies with the integrity of their conception raises questions and skewed assumptions regarding the position of *maqasid* studies in Islamic law studies. Some parties think that the study of maqasid can shift the role and function of the *al-fiqh* proposal as a scientific discipline that is the main foothold for mujtahids in producing legal fatwas. Some even claim that their presence can dismantle all scientific constructions of Islamic law because, in *maqasid* thinking, they no longer make the arguments of revelation as a basis but are oriented towards the values of legal philosophy.

The assumption above shows a wrong assessment when directed to the study of *maqasid al-shari'ah* because the values of legal philosophy in the terminology of *maqasid* studies are none other than the universal goals of Sharia which are the result of a comprehensive analysis of all aspects of Islamic law as the formal object of *maqasid* studies. Meanwhile, regarding the assumption that the study of maqasid can shift the role and function of the proposal of al-fiqh, it should be understood that there is a synergistic relationship between maqasid al-shari'ah and the proposal of al-fiqh.

[27] Jasser Auda, *Maqasid Al-Shariah as Philosophy of Islamic Law* (International Institute of Islamic Thought, 2008), https://doi.org/10.2307/j.ctvkc67tg.
[28] Al-Rahman, *Tajdid Al-Manhaj Fi Taqwim Al-Turath*.
[29] Ahmad Cholik, *Filsafat Ilmu: Pendekatan Kajian Keislaman* (Arti Bumi Intarani, 2015).
[30] Ahmad Raysuni, *Muhadarat Fi Maqasid Al-Shari'ah* (Dar al-Kalimah, 2013).

The problem is that there is a relationship between *maqasid al-shari'ah* and the proposal of *al-fiqh*. Indeed, it is still being debated among Islamic jurists. Different opinions were triggered by a *maqasid* study that was separate from the proposal of al-fiqh and appeared as a scientific study with the completeness of scientific design. *Maqasid* studies today are no longer limited to discussions around the values of Islamic law but have reached their ontological, epistemological, and axiological dimensions.

Biography of Taha Abdurrahman

Taha Abdurrahman is a Moroccan philosopher. He is one of the foremost philosophers and thinkers in the Arab-Islamic world in the present era-his work centers on logic, the philosophy of language, and the philosophy of morality. Taha Abdurrahman is a reformer who builds ethical modernity and humanity based on ethical values and Islamic principles.[31] Taha Abdurrahman was born in 1944 in the city of El Jadida, Morocco. Taha grew up in El-Jadida until he finished elementary school. Taha moved to Casablanca and continued high school there. Taha completed his diploma (S1) in philosophy at Muhammad V University, Rabat. Taha completed his doctoral program in 1972 at the University of the Sorbonne with the work "An Essay on the Linguistic Structures of Ontology". In 1982 he earned a doctorate in literature with the work "An Essay on the Logic of Argumentative and Natural Reasoning" at the University of the Sorbonne. Taha then became a lecturer in the Logic Science course and a professor in language and logic at Mohamed V University in Rabat from the early seventies to 2005.[32]

Taha Abdurrahman is widely recognized for his efforts to develop the theorization of ethics as the foundation for building modernity. In 2005, Taha became a member of the "World Association for the Study of the Hajj" and its representative in Morocco, and a member of the European Center. Taha also serves as head of the "Wisdom Forum for Thinkers and Researchers" in Morocco. In 2006, Taha was also awarded twice as one of the influential writers in the Moroccan Writers Award and an award from ISESCO in Islamic Thought and Philosophy. Taha grew up in a religious family. His father is an expert in Islamic law (*Fakih*). Taha got and inherited knowledge from his father, especially in terms of insight into the principles of Sharia. His father was his first teacher and one of the influential teachers who also influenced his thinking. In addition, among the figures who were also influential in Taha's thinking was his teacher named, Sami al-Nashar.[33]

Taha Abdurrahman is one of the most prolific modern Moroccan philosophers and intellectuals. Taha mastered various sciences, not only Sufism and legal traditions in Islam, but also the science of kalam, logic, grammar, and Neoplatonic and Aristotelian systems. They all played a major role in building moral philosophy and criticism of modernity. He is also well-versed in Greek, German, French, and English philosophical traditions. What was also important was its affiliation with the Budshishiyyah order, which played a fairly strong role in the power structure in Morocco. The Budshishiyyah Tarekat was a branch of the Qadiriyyah that successfully recruited elite and intellectual groups in the country. In court circles in North Africa, he received a very good reception.[34]

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[31] Qasim, "Qira'ah Tahdiriyyah Juz'iyyah Li Fikri Al-Failusufi Al-Maghribi Taha Abdurrahman ".," *KTUIFD* 4, no. 1 (2017).

[32] Taha Abd Al-Rahman, *Global Ethics Its Scope and Limits, VII* (Abu Dhabi, n.d.).

[33] Qasim, "Qira'ah Tahdiriyyah Juz'iyyah Li Fikri Al-Failusufi Al-Maghribi Taha Abdurrahman "."

[34] Z. K. Umam, "Al-Ilmu Nuurun: Taha Abdurrahman Dan Islam Sebagai Modernitas Alternatif Selain Barat," 2020, https://tirto.id/taha-abdurrahman-islam-sebagai-modernitas-alternatif-selain-barat-ftl1, diakses pada 14 Mei 2020.

Epistemology of Maqasid al-Shari'ah Taha Abdurrahman

Taha Abdurrahman is a contemporary Muslim thinker who emphasizes the importance of reforming the Islamic legal system based on *maqasid al-shari'ah*. In his works, Taha Abdurrahman carries out reforms specifically shown for the development of maqasid, such as the importance of integrating *maqasid* science with moral science, the importance of rereading existing traditional *maqasid* concepts, and the urgency of reforming the theory and new *maqasid* values.[35] The idea of reforming Taha Abdurrahman significantly contributes to reforming and creating a humanistic Islamic legal system based on ethical principles and religious values.

Taha Abdurrahman's understanding of the basic meaning of *maqasid al-shari'ah* is similar to the previous *Maqasidiyyun*. However, as a scientific discipline, Taha Abdurrahman has a different view from the ideas of the *Usuliyyun*. The classical *Usuliyyun* put *maqasid* as a science that discusses *maqasid al-shari'ah*. This classical terminology hangs and makes '*maslahat*' the connotation of *maqasid*. Etymologically, the word '*maslahat*' is 'isim to eat', suggesting that this '*maslahat*' denotes something taking sides. The classical *Usuliyyun* uses this assumption in the words '*jalb al-maslah'* ah' bringing benefit or '*ri'ayah al-maslahah*' to protect the benefit. Apart from that, '*maslahat*' is also connotated as '*al-ghardu*', which is the goal of Sharia. Parting with the meaning of '*maslahat*', as in the elaboration of classical *Usuliyyun* as in the words '*tahqiqal-maslahah al-'ammah*', the implementation of public benefits or '*talabal-maslahah al-khassah*' brings special benefits.[36]

Meanwhile, Taha Abdurrahman has a different view regarding the meaning of benefit 'maslahat'. In his view, *'maslahat'* does not indicate something partial or limited, as the terminology of the classical *Usuliyyuns*. However, '*maslahat*' is the name of something boundless and impartial. In this case, Taha Abdurrahman tends to use' salah 'as the connotation of *maqasd*. So, *maqasid* science is the science that studies the 'wrong' worth of the world and the hereafter. In another sense, *maqasid* science is the science that "studies" the feasibility of humans in this world and the hereafter. In addition, Taha Abdurrahman also believes that' *maslahat* 'is not a goal but a way of' *maslak* '. Thus, *maqasid* knowledge is interpreted as the study of the paths that can bring feasibility to humans to manifest *ubu'diyyah* characteristics to Allah.[37]

From the above description, it can be understood that the conception of *maqasid* science in the terminology of Taha Abdurrahman is connotated as' wrong *ilm*'. Does this terminology raise various questions, such as how to become a pious human being, "*salihan*"? How can humans bring about pious deeds? As it is known, "wrong" is "*qimah khuluqiyah*," an ethical value that is the mother of other ethical values. In this case, Taha Abdurrahman also believes that the value' wrong 'is the parent of other ethical values such as' *khair*' and '*sa'adah*' because it includes basic principles and methods.[38]

One of the progressive conceptions of *maqasid* Taha Abd al-Rahman, which is different from the previous *Maqasidiyyun*, is that it does not place maqasid as part of the science of the idea of *al-fiqh*. Taha Abdurrahman believes that *maqasid* science includes three basic theories that distinguish it from other theories in the science of the origin of *al-fiqh*. The three theories include; 1) *Nadariyah al-Maqsudat,* which discusses the concept of dilaliyyah 'guidance or argument' for Syar'i khitab, 2) *Nadariyah al-qusud*, which discusses the concept of will. 3) *Nadariyah al-maqasid* discusses

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[35] Al-Rahman, *Su'al Al-Manhaj Fi Ufuqi Al-Tasisi Liunmudhaji Fikri Jadidi.*
[36] Al-Rahman.
[37] Al-Rahman.
[38] Al-Rahman.

the concept of values for the Syar'i khitab.[39] In the literature of Islamic studies, both explicitly and implicitly, the three basic theories of *maqasid, maqsud, qasdu,* and *maqsad,* are *'ausaf akhlaqiyyah'* ethical characteristics. Based on this description, Taha Abdurrahman also calls *maqasid* science' *ilm al-akhlaqi',* whose object is' human wrong ', human worthiness.[40]

Taha Abdurrahman believes that *maqasid al-shari'ah* is the core objective of all *ijtihad* methodologies. Furthermore, Taha Abdurrahman also emphasized that the realization of *maqasid* can be achieved through *maqasid* science, which includes the three principles of the theory of morality; *nadariyah al-af'al* (action theory), *nadariyah al-niyyat* (intention theory), and *nadariyah al-qiyam* (value theory). The three principles of the theory are the building structures of Islamic morality. In addition, Taha Abdurrahman also believes that the classification of *maqasid* values inevitably, traditional models are considered to be more fractional and differential 'in nature. The *maqasid* value classification is also considered unable to cover various contemporary problems due to space, time, and culture differences. In Taha Abd al-Rahman's view, there needs to be a renewal and a new classification of *maqasid* values.

Reform Paradigm Maqasid Values according to Taha Abdurrahman

Taha Abdurrahman is of the view that Islamic law includes law *taklifi* (*al-taklifi*) and hukum wad'i (*al-wadi*),[41] they are interrelated with the principles of moral '*Akhlaqi*' in terms of rules, requirements, and values. Based on this view, Taha Abdurrahman considers that Islamic law includes two integrated aspects: fiqh and moral' *akhlaqi*.[42] The aspect of *fiqhi* is built on the principles of materialism (*al-madi*), Dahir deeds (*dahir al-a'mal*), and causal justification (*ta'lil al-sababi*). Meanwhile, the aspect of *akhlaqi* is built on the principles of moralism (*al-ma'nawi*), inner deeds (*inner al-a'mal*), and teleological or objective justification (*ta'lil al-gha'i*). These two aspects show the opposite. The implication is that Islamic law is built based on problematic aspects, namely, the '*fiqhi*' aspect and the '*akhlaqi*' aspect.[43]

As the *Maqasidiyyun*'s conception, in the view of Taha Abd al-Rahman, *maqasid al-shari'ah* has three basic buildings: *maqsudat, qusud,* and *maqasid* are the core of the entire methodology of the application of Islamic law. In the aspect of *maqsudat,* Islamic law is characterized by '*ma'nawi*' moralism. It is built based on 'fitrah' fitrah while still paying attention to the aspects of deeds and provisions of the Shari'a. The *qusud* aspect places Islamic law with a '*tajridi*' nature of impartiality and is built based on the '*iradah*' of will while still paying attention to the aspects of the forehead of deeds. Meanwhile, in the *maqasid* aspect, Islamic law is characterized by '*maslahi*' of benefit. It is built on the principle of wisdom while maintaining the causes hidden from the causes of thirst.[44] Thus, the realization of Islamic law, which includes two aspects of fiqhi and aspects of morality, can be achieved through *maqasid,* which includes these three basic buildings.

It is common knowledge that traditional *Maqasidiyyun* classifies *maqasid* values into three 'levels of necessity', namely necessity or emergency (*daruriyyat*), need or hajat (*hajiyyat*), and completeness or tahsiniat (*tahsiniyyat*). The values of necessity (*al-qiyam al-daruriyyah*) are manifested as essential values. By losing them, they can destroy the order of human life in both the religious

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[39] Al-Rahman, *Tajdid Al-Manhaj Fi Taqwim Al-Turath.*
[40] Al-Rahman, *Su'al Al-Manhaj Fi Ufuqi Al-Tasisi Liunmudhaji Fikri Jadidi.*
[41] Muhammad Abu Zahrah, *Usul Al-Fiqh* (Beirut: Dar al-Fikr al-'Arabi, 2010).
[42] Al-Rahman, *Tajdid Al-Manhaj Fi Taqwim Al-Turath.*
[43] Al-Rahman.
[44] Al-Rahman.

and world aspects. The value of needs (*al-qiyam al-hajiyyah*) is considered unessential and below the level of *al-qiyam al-daruriyyah*. These values are manifested in the form of "*anat*" of difficulty and "*diq*" of distress if not fulfilled. Meanwhile, the value of completeness (*al-qiyam al-tahsiniyyah*) is considered a value below the value of necessity and beautifies the values of the previous *maqasid*. These values are manifested in social norms such as insults and others.[45] The three classifications of traditional *maqasid* values are illustrated by a hierarchical structure. These levels of maqasid values are interrelated; each level serves and complements the more basic level.[46]

Like the contemporary *Maqasidiyyun*, who criticized the inevitable classification of the values of the traditional model of *maqasid*, Taha Abdurrahman also criticized the classification from general and specific aspects. Taha Abdurrahman generally criticizes the fractional and differential aspects of the *maqasid* value of traditional necessity. As the value of necessity (*al-qiyam al-daruriyyah*) which includes 'protection' against *daruriyyat al-khamsah*, which includes; *hifz al-din* (protection of religion), *hifz al-nafs* (protection of body and soul), *hifz al-'aql* (protection of reason), *hifz al-nasl* (protection of heredity), and *hifz al-mal* (protection of property). Taha Abdurrahman considers that *daruriyyat al-khamsah* can also have other maqasid values, such as the value of haj and *tahsini*.[47] Thus, *maqasid* values are integrated.

In particular, Taha Abdurrahman criticized the classification of the *maqasid* value of traditional necessity from two aspects of value: the value of necessity (*al-qiyam al-daruriyyah*) and the aspect of the value of necessity (*al-qiyam al-hajiyyah*). In the aspect of *al-qiyam al-daruriyyah*, Taha Abdurrahman believes several shortcomings and mistakes exist. First, criticism of the restrictions on *al-qiyam al-daruriyyah*, which only includes *daruriyyat al-khamsah*, namely; *hifz al-din, hifz al-nafs, hifz al-'aql, hifz al-nasl, and hifz al-mal*. In reality, with changes in the context of space, time, culture, and science, Taha Abdurrahman is of the view that there is no prohibition against entering new dimensions as *al-qiyam al-daruriyyah* such as *hifz al-'adl* (protection of justice), *hifz al-hurriyyah* (protection of freedom), *hifz al-takaful* (social security protection), and other dimensions.[48] Jaser Audah also expressed this criticism by carrying out the reform of *maqasid* values from those that were previously nuanced of protection ('protection') and preservation ('preservation') to *maqasid* values that had a sense of development ('development') and the glorification of Human Rights. ('human rights').[49]s

Second, criticism of the differential in aspects of *daruriyyat al-khamsah*. In this context, Taha Abdurrahman considers that the unity of the value of necessity (*al-qiyam al-daruriyyah*) which includes *daruriyyat al-khamsah* cannot be separated from one another. It is based on the view that *hifz al-mal* will only be realized with *hifz al-'aql*. In another sense, there is an 'aql' element in the aspect of *hifz al-mal*.[50] Likewise, and integrated, it cannot be separated. This criticism is in line with Jaser Auda's reforms in his *Maqasidi* system, the hierarchy of mutual influence (*al-harakiriyyah al-mu'tamadatu tabaduliyyan*; interrelated hierarchy) of the Islamic legal system. In particular, it provides improvements in the reach of *maqasid*.[51]

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[45] Al-Rahman, *Su'al Al-Manhaj Fi Ufuqi Al-Tasisi Liunmudhaji Fikri Jadidi*.
[46] Auda, *Maqasid Al-Shariah as Philosophy of Islamic Law*.
[47] Al-Rahman, *Su'al Al-Manhaj Fi Ufuqi Al-Tasisi Liunmudhaji Fikri Jadidi*.
[48] Al-Rahman.
[49] Auda, *Maqasid Al-Shariah as Philosophy of Islamic Law*.
[50] Al-Rahman, *Su'al Al-Manhaj Fi Ufuqi Al-Tasisi Liunmudhaji Fikri Jadidi*.
[51] Auda, *Maqasid Al-Shariah as Philosophy of Islamic Law*.

Third, criticism of the specificity of one of the values of *daruriyyat al-khamsah*. In this context, Taha Abdurrahman rejects one of the values of *daruriyyat al-khamsah* as a shari'ah value. Protection of religion (*hifz al-din*), which is specified as a shari'ah value, connotes shari'ah ', is also interrelated and integrated with other values. In addition, Taha Abdurrahman also denied that what is meant by' din 'in *hifz al-din* does not only cover aspects of aqidah and worship. Thus, the specialization is considered unfounded because the law that is realized in other aspects of *daruriyyat* is also realized in the aspect of *hifz al-din*.[52]

Meanwhile, the criticism of Taha Abd al-Rahman, specifically shown in the value of needs (*al-qiyam al-hajiyyah*), also includes several views. First, criticism of the final position of *al-qiyam al-tahsiniyyah,* which is legitimate, should take precedence. As is common knowledge, the traditional *Maqasidiyyun* limits *al-qiyam al-tahsiniyyah* as a moral glorification of *'makarim al-'akhlaq'*. However, the placement of *makarim al-'akhlaq* at the third level of the inevitability of the *maqasid* makes it a perfect '*kamaliyah*' character, unable to reach any other level. Based on the *'ghayah'* aspect of the goal, this conception is assessed by Taha Abdurrahman as' *ghayah al-fasad*. In addition, as explained by the *Maqasidiyyun*, *maqasid* science studies the feasibility of '*masalih*', another name for the 'connotation' of *al-qiyam al-akhlaqiyyah* (moral values).[53] Thus, morality should take precedence and be placed at the main level of the other levels.

Second, criticism of the neglect of legal provisions. The *Usuliyyun* have determined that *al-qiyam al-tahsiniyyah* also covers all types of syar'i laws, both in the form of demands and choices. In this context, *al-qiyam al-tahsiniyyah* can be obligatory as in the taharah aspect, and it is haram (prohibition) as in the aspect of buying and selling, and consuming something unclean. Based on this conception, Taha Abdurrahman rejects *Usuliyyun's* view, which stipulates that *al-qiyam al-tahsiniyyah* only beautifies values at the previous level and does not affect the order of human life in both the religious and world aspects.[54]

Third, criticism of the neglect of reasonable restrictions for all levels. The explanation of *'makarim al-'akhlaq'* of moral glorification has been mentioned in the sahih Hadith narrated by Abi Hurairah, which reads: "إنما بعثت لأتمم مكارم الأخلاق" indeed I (Muhammad) was sent to perfect the glory of morals (morals). Based on this hadith, Taha Abdurrahman is of the view that the adoption of Islamic law should contain good morals, as the main mission of the Prophet was sent to all his followers. The realization of this mission will not be achieved, except by placing 'morality' in the central position of the level of necessity.[55] In addition, Taha Abdurrahman also holds the view that' *makarim al-'akhlaq* 'is holistic, covering all other levels of necessity.[56]

New Classification of Maqasid Values According to Taha Abdurrahman

Taha Abd al-Rahman's criticism of the *maqasid* values conception of the inevitability of the traditional model includes three things. First, the values of *maqasid* are not limited to a certain number, as the traditional *maqasid* classification limits *maqasid al-daruriyyah* to five types of cases (*daruriyyat al-khamsah*). Second, the difference in the values of the maqasid at their level should be returned to the difference in the level of their moral '*akhlaq*'. They placed the types of cases '*daruriyyat al-khamsah*' on moral values. Third, the moral glorification of '*makarim al-'akhlaq*' covers

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[52] Al-Rahman, *Su'al Al-Manhaj Fi Ufuqi Al-Tasisi Liunmudhaji Fikri Jadidi.*
[53] Al-Rahman.
[54] Al-Rahman.
[55] Al-Rahman.
[56] Al-Rahman, *Tajdid Al-Manhaj Fi Taqwim Al-Turath.*

all levels of *maqasid* values without exception. In another sense, it includes the aspect of *makarim al-'akhlaq* in all '*masalih*' of glorification.[57]

Based on these three views, Taha Abdurrahman carries a new concept of *maqasid* values as a substitute for classifying existing *maqasid* values. The new   values are considered capable of responding to various complex contemporary problems due to space, time, and culture changes, including covering various problems of Muslim minorities in various regions. The *maqasid* values system is called Taha Abdurrahman as "*al-qiyam al-akhlaqiyyah*".[58] The classification of the *maqasid* values includes;[59]

First, *al-qiyam al-hayawiyyah* or *qiyam al-naf'u* and *al-dararu* also called "*al-masalihal-hayawiyyah*", namely the meanings of morality in the form of benefits and dangers which are generally used as values that are materialism in the form of sensory (*hissiyyah*), material (*madiyah*), and physical (*badaniyyah*). The realization of *al-qiyam al-hayawiyyah* can be in the form of '*ladah*' pleasure when getting *naf'u* (benefit) and '*al-alam*' sick when getting *dararu* (danger). This dimension of *al-qiyam al-hayawiyyah* also includes all glorifications such as in *hifz al-nafs, hifz al-'aql, hifz al-nasl, and hifz al-mal.*[60]

Second, *al-qiyam al-'aqliyyah* or *qiyam al-hasan* and *al-qabhu*, also called "*al-masalihal-'aqliyyah*" meaning morality in the form of good and bad, are generally used as rationalistic values. In the form of personality (*nafsiyyah*) and mentality ('*aqliyyah*). The realization of *al-qiyam al-'aqliyyah* can be in the form of '*farah*' pleasure when getting good and '*huzn*' sadness when getting bad. The dimensions of *al-qiyam al-'aqliyyah* can be security (*amn*), freedom (*hurriyyah*), and other values.[61]

Third, *al-qiyam al-ruhiyyah* or *qiyam al-salah/al-khair* and *al-fasad/al-sharr*, also called "*al-masalihal-ruhiyyah*", namely the meanings of morality in the form of glory and damage, which are used as values. -values that are spiritualism (*ruhiyyah*) and moralism (*ma'nawiyyah*). The realization of *al-qiyam al-ruhiyyah* is in the form of happiness (*sa'adah*) when it gets glory and misery when it gets damaged. The dimensions of *al-qiyam al-ruhiyyah* can be in the form of *ihsan, rahmah, mahabbah, tawadu '*, and *khusu'*.[62]

The reforms and conceptions of the value of the *maqasid* Taha Abdurrahman have several implications. First, there is a multi-value in a case. In the view of Taha Abd al-Rahman, Islamic law should not be judged by mono values or be hung with one benefit as legal stipulations based on the *maqasid* classification of necessity in the traditional model. However, a case can include multiple laws or depend on its various benefits. For example, the prohibition on killing includes several benefits, including 1) maintaining individual life (*hifz al-hayat*), which is *al-qiyam al-hayawiyyah*, 2) protecting the community (*hifz al-mujtami 'al-insani*) which is *al-qiyam al-'aqliyyah*, and 3) guarding the spirit (*hifz al-nafkhah al-rabbaniyyah*) which is *al-qiyam al-ruhiyyah*.[63]

Second, the implication of not having priority in the classification of *al-qiyam al-akhlaqiyyah*. As the classification of the *maqasid* necessity of the traditional model is a priority, placing *al-maqasid al-daruriyyah*, which includes *daruriyyat al-khamsah* at the first level, in the classification of *al-qiyam al-akhlaqiyyah*, these matters such as *hifz al-nafs, hifz al-nasl*, and *hifz al-mal* can occupy the third level (*al-qiyam al-ruhiyyah*).[64] Likewise, *al-qiyam al-tahsiniyyah* can occupy different levels.

[57] Al-Rahman.
[58] Al-Rahman.
[59] Al-Rahman, *Su'al Al-Manhaj Fi Ufuqi Al-Tasisi Liunmudhaji Fikri Jadidi.*
[60] Al-Rahman.
[61] Al-Rahman.
[62] Al-Rahman.
[63] Al-Rahman, *Tajdid Al-Manhaj Fi Taqwim Al-Turath.*
[64] Al-Rahman, *Su'al Al-Manhaj Fi Ufuqi Al-Tasisi Liunmudhaji Fikri Jadidi.*

Conclution

Taha Abdurrahman is of the view that *maqasid al-shari'ah* is a scientific discipline that has a methodological framework. *Maqasid* science is interpreted as the study of the paths that can bring feasibility to humans to realize the benefit of humans in the world and the hereafter. The paradigm of reform of *maqasid* values according to Taha Abdurrahman is based on the hadith of the Prophet "*Innama Buitstu Liutamimma Makaarimal Akhlak*" which is holistic in nature encompassing all levels of needs that are an integral part of Islamic law.

Taha Abdurrahman generally criticizes the *maqasid* values conception of the inevitability of the traditional model. The classification of new *maqasid* values according to Taha Abdurrahman is contained in the concept of "*al-qiyam al-akhlaqiyyah*" Include *al-masalih al-hayawiyyah, al-masalih al-'aqliyyah*, and *al-masalih al-ruhiyyah*. The concept of *al-qiyam al-akhlaqiyyah* is in the form of benefits that are materialism, values of goodness that are rationalism, and values of glory that are spiritualism. Taha Abdurrahman*'s* classification of *maqasid al-shari'ah* revises the conception of the *Shatibi maqasid*.

This research supports the ideas of contemporary Muslim thinkers towards reforming the philosophy of classical Islamic law (proposal of *al-fiqh*) as a methodology for applying Islamic law, which is considered to be literalistic with the concept of an Islamic legal system based on *maqasid al-shari'ah*. This methodology includes aspects of materialism, rationalism, and spiritualism. In particular, this research also supports the reform and ideas of *maqasid* Taha Abdurrahman with new models and classifications of *maqasid* values. The considerations of *maqasid* Taha Abdurrahman in various contemporary problems are relevant and considered more effective and efficient and bring greater benefits to the ummah and humanity.

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