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### AL-ISTIQRĀ' AL-MA'NAWĪ AS A METHODOLOGICAL MODEL FOR UNDERSTANDING ISLAMIC LAW

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#### Abstract

This study aims to analyze the model of understanding Islamic law through the approach of al-Istiqrā' al-Ma'nawī and to examine its outcomes and implications for the development of contemporary Islamic law. The al-Istiqrā' al-Ma'nawī approach represents an inductive method that emphasizes the extraction of meaning from various partial evidences derived from the Qur'an, Hadith, and the principles of uṣūl al-fiqh, in order to formulate inclusive legal principles oriented toward the objectives of Islamic law (Maqāṣid al-Sharī'ah). This research employs a qualitative method with a normative-philosophical approach, involving the analysis of normative texts, the perspectives of classical and contemporary scholars, and the maqāṣid framework in understanding Islamic law. The findings indicate that the al-Istiqrā' al-Ma'nawī approach is capable of producing a comprehensive, integrative, and contextual understanding of Islamic law. This approach does not merely focus on the textual dimension, but also takes into account the objectives of the Sharī'ah and the social realities surrounding the application of the law. Its relevance is reflected in its ability to respond to various contemporary issues in Islamic law, such as digital transactions, public policy, and broader concerns of social welfare. Nevertheless, this approach also has limitations, particularly the potential for subjectivity and overgeneralization if not supported by a rigorous methodological framework. Therefore, al-Istiqrā' al-Ma'nawī can be positioned as a strategic model in the reform of ijtihād methodology to develop Islamic law that is adaptive, moderate, and oriented toward justice and public welfare.

**Keywords:** *Al-Istiqrā' al-Ma'nawī*, Methods of Understanding Islamic Law, Contemporary Ijtihād.

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### Abstrak

Penelitian ini bertujuan untuk menganalisis model pemahaman hukum Islam melalui pendekatan al-Istiqrā' al-Ma'nawī serta mengkaji hasil dan implikasinya terhadap perkembangan hukum Islam kontemporer. Pendekatan al-Istiqrā' al-Ma'nawī merupakan metode induktif yang menitikberatkan pada penggalian makna dari berbagai dalil parsial, baik yang bersumber dari al-Qur'an, hadis, maupun kaidah ushul fiqh, guna merumuskan prinsip-prinsip hukum yang inklusif dan berorientasi pada Maqāṣid al-Syarī'ah. Penelitian ini menggunakan metode kualitatif dengan pendekatan normatif-filosofis melalui analisis terhadap teks-teks normatif, pandangan ulama klasik dan kontemporer, serta kerangka maqāṣid dalam memahami hukum Islam. Hasil penelitian menunjukkan bahwa pendekatan al-Istiqrā' al-Ma'nawī mampu menghasilkan pemahaman hukum Islam yang komprehensif, integratif, dan kontekstual. Pendekatan ini tidak hanya berfokus pada dimensi tekstual, tetapi juga mempertimbangkan tujuan syariat serta realitas sosial yang melingkupi penerapan hukum. Relevansinya tampak dalam kemampuannya merespons berbagai persoalan hukum Islam kontemporer, seperti transaksi digital, kebijakan publik, dan isu-isu kemaslahatan sosial. Namun demikian, pendekatan ini memiliki keterbatasan, khususnya potensi subjektivitas dan kecenderungan generalisasi apabila tidak ditopang oleh kerangka metodologis yang ketat. Oleh karena itu, al-Istiqrā' al-Ma'nawī dapat diposisikan sebagai model strategis dalam pembaruan metodologi ijtihad guna mengembangkan hukum Islam yang adaptif, moderat, serta berorientasi pada keadilan dan kemaslahatan umat.

**Kata Kunci:** *Al-Istiqrā' al-Ma'nawī*, Metode Pemahaman Hukum Islam, Ijtihad Kontemporer.

## INTRODUCTION

Islamic law constitutes a normative system grounded in divine revelation, characterized by universality, dynamism, and relevance across time and space. Ideally (*das sollen*), Islamic law functions as a guiding framework capable of ensuring justice, public welfare (*maṣlaḥah*), and legal certainty for humanity in all aspects of life. However, in empirical reality (*das sein*), the rapid development of digital technology, the complexity of the global economy, social transformation, and shifting patterns of social relations have generated new legal challenges that are not fully addressed by prevailing approaches to understanding Islamic law, which remain largely textual-legalistic (al-Qarāfī, 1998; Kamali, 2008; Auda, 2011).

Contemporary legal issues – such as digital transactions, artificial intelligence, biotechnology, modern public policy, gender justice, and economic globalization – are often approached in a fragmented manner. Some approaches continue to rely on *bayānī* (textual) and *qiyāsī* (analogical) methods, while the *istiṣlāḥī* (public interest-based) approach is frequently employed in a normative sense without a systematic methodological framework. Consequently, the resulting legal constructions tend to fall into two extremes: textual rigidity that lacks responsiveness to social realities, or excessive flexibility that risks distancing the law from the authority of revelation (al-Shāṭibī, 2004; Hallaq, 1997; Zuhaili, 2006).

Theoretically, the discipline of *uṣūl al-fiqh* provides a range of methodological tools that enable a constructive dialogue between text and reality. One such approach is *al-Istiqrā' al-Ma'nawī*, an inductive method that examines partial evidences to derive universal meanings and overarching objectives of the *Sharī'ah* (*maqāṣid al-sharī'ah*). Through this approach, the foundational principles of Islamic law are not derived from a single textual source, but from an integrated, systemic, and holistic understanding oriented toward public welfare (al-Shāṭibī, 2004; Ibn 'Āshūr, 2006).

Although *al-Istiqrā' al-Ma'nawī* has long been substantively employed by classical scholars in the formulation of legal maxims (*qawā'id fiqhiyyah*) and the

development of *maqāṣid al-sharī'ah*, in contemporary academic discourse it is often treated merely as a derivative inferential technique rather than as an independent and operational methodological model. Most studies on *ijtihād* methodologies continue to focus on *bayānī*, *qiyāsī*, and *istiṣlāḥī* approaches, while *al-Istiqrā' al-Ma'nawī* remains underexplored as a comprehensive, systematic, and context-sensitive framework for legal understanding. This condition indicates a significant research gap (Hallaq, 1997; Auda, 2011).

Furthermore, existing studies on *al-Istiqrā' al-Ma'nawī* rarely connect it directly with contemporary legal issues, such as digital transactions, modern public policy, social justice, and global economic dynamics. The approach is more frequently discussed within the conceptual domain of *maqāṣid* rather than as a concrete methodological instrument for interpreting and responding to modern legal realities. Therefore, there is a need for research that not only examines *al-Istiqrā' al-Ma'nawī* at a theoretical level but also evaluates its practical relevance and implications (Kamali, 2008; Zaidan, 2014).

In the Indonesian context – as a country with a Muslim-majority population and a plural legal system that integrates Islamic law, customary law, and state law – the need for a model of Islamic legal understanding that is moderate, adaptive, and oriented toward public welfare becomes increasingly urgent. The country's socio-cultural diversity and legal complexity require a methodological approach that is not only faithful to the *naṣṣ* (authoritative texts) but also capable of engaging constructively with national realities. In this regard, *al-Istiqrā' al-Ma'nawī* holds significant strategic potential for further development (Azra, 2015; Auda, 2011).

Based on these considerations, the novelty of this study lies in its effort to position *al-Istiqrā' al-Ma'nawī* as an operational, systematic, and integrative model for understanding Islamic law – one that synthesizes *naṣṣ*, *maqāṣid al-sharī'ah*, and social reality. This study does not merely treat *al-istiqrā'* as a legal inferential technique, but develops it as a comprehensive methodological framework for interpreting and advancing contemporary Islamic law (Auda, 2011; Ibn 'Āshūr, 2006).

Thus, a clear gap emerges between the ideal of Islamic law as an adaptive system and the prevailing reality of its interpretive methodologies, which remain largely partial and fragmented. This gap constitutes the primary rationale for conducting this research (Hallaq, 1997; Kamali, 2008).

This study focuses on three main dimensions. First, it explores the conceptual construction and methodological characteristics of *al-Istiqrā' al-Ma'nawī* in understanding Islamic law through the integration of *naṣṣ*, *maqāṣid al-sharī'ah*, and social reality. Second, it analyzes the operational forms and outcomes of its application in formulating Islamic legal responses to contemporary issues. Third, it examines its epistemological strengths, methodological limitations, and practical implications for the development of a contextual, adaptive, and welfare-oriented Islamic law (Auda, 2011; Zaidan, 2014).

This research aims to provide a comprehensive explanation of the concept and characteristics of methods for understanding Islamic law by positioning *al-Istiqrā' al-*

Ma'nawī as a meaning-based inductive approach. It also undertakes a critical analysis of its application in addressing contemporary legal problems, while highlighting its methodological implications for the renewal of Islamic law, particularly in promoting flexibility, contextuality, and a strong orientation toward public welfare (al-Shāṭibī, 2004; Ibn 'Āshūr, 2006).

Theoretically, this study contributes to the strengthening and development of uṣūl al-fiqh methodology oriented toward maqāṣid al-sharī'ah through a meaning-based inductive approach, thereby enriching the intellectual framework for a more substantive and contextual understanding of Islamic law. Practically, the findings are expected to serve as a reference for academics, muftis, and policymakers in formulating Islamic legal rulings that are adaptive, moderate, and responsive to social dynamics, technological advancements, and the needs of contemporary society (Kamali, 2008; Auda, 2011).

## LITERATURE REVIEW

### *Approaches to Islamic Law in Uṣūl al-Fiqh*

The methodological understanding of Islamic law is grounded in the discipline of uṣūl al-fiqh as the primary framework for the process of legal derivation (Mu'adzah, 2022). Uṣūl al-fiqh functions as a systematic intellectual structure for deriving legal rulings from their principal sources—the Qur'an and the Sunnah—through a set of principles and methods of reasoning formulated by classical scholars (Al-Amidi, 2003; Hallaq, 1997).

Over time, scholars have developed several principal approaches to understanding and formulating Islamic law, notably the bayānī, ta'lilī (qiyās), and istiṣlāḥī (maṣlaḥah-based) approaches. These approaches constitute the foundational methodological pillars of classical Islamic law and serve as key references in the practice of ijtihād across different legal schools (Al-Zuhaili, 2006; Kamali, 2008).

The bayānī approach emphasizes textual analysis from a linguistic perspective, including the examination of wording, sentence structure, and the contextual background of revelation (Abidin dan Alhabsyi, 2025). This method plays a crucial role in preserving the authenticity of the meaning of the naṣṣ (authoritative texts) and preventing interpretive deviations lacking strong linguistic and textual foundations. However, it is often considered limited when addressing new issues that lack explicit textual references (Al-Shāṭibī, 2004; Hallaq, 1997).

The ta'lilī or qiyāsī approach employs analogical reasoning by extending legal rulings from an original case (aṣl) to a new case (far') based on a shared effective cause ('illah) (Al-Amidi, 2003; Kamali, 2008). Epistemologically, qiyās functions as a legitimate instrument for generating knowledge of Islamic law, with its level of validity highly dependent on the accuracy of identifying the 'illah (effective cause). Qiyās can be understood both as a legal proof and as an act of ijtihād performed by a mujtahid in linking the original case (aṣl) with a new case (far') based on the similarity of their underlying cause. The validity of qiyās is determined by the fulfillment of four essential

elements: the *aṣl*, the *far'*, the ruling (*ḥukm*), and the *'illah*, with the *'illah* serving as the most fundamental element as it functions as the connecting link between the ruling and the case. The determination of the *'illah* is carried out through systematic methods, including textual evidence (*naṣṣ*), consensus (*ijmā'*), and *ijtihād*, thereby ensuring that the extension of legal rulings rests upon a solid methodological foundation and can be scientifically justified (Hayati and Warman, 2023).

Meanwhile, the *istiṣlāḥī* approach prioritizes public welfare (*maṣlaḥah*) as a central consideration in legal determination, particularly in areas not explicitly addressed by textual sources. The *Istislahi* theory is based on the principle that the primary objective of the *Sharī'ah* is to realize public welfare (*maṣlaḥah*) and prevent harm. Within this approach, legal determination does not rely solely on textual evidence or analogical reasoning (*qiyās*), but rather on the objectives of the *Sharī'ah* (*maqāṣid al-sharī'ah*) (As'ad, Musyahid and Sultan, 2025). This approach provides flexibility in responding to social developments, yet it requires strict methodological control to ensure alignment with the *naṣṣ* and the foundational principles of the *Sharī'ah* (Al-Ghazālī, 1993; Al-Shāṭibī, 2004).

Despite their significance, these three approaches often operate in a fragmented manner and are not fully integrated within a comprehensive, systemic methodological framework. This fragmentation highlights the need for an approach capable of integrating text, legal objectives, and social reality – an objective that may be achieved through *al-Istiqrā' al-Ma'nawī* (Auda, 2011).

### ***The Concept of al-Istiqrā' in the Islamic Intellectual Tradition***

Etymologically, *al-istiqrā'* in Arabic denotes the act of examining, observing, or collecting something repeatedly. In the context of Islamic scholarship, it refers to an inductive method – drawing general conclusions from a set of partial data, evidences, or cases (Al-Jurjānī, 2000).

Within the tradition of *uṣūl al-fiqh*, the method of *istiqrā'* has been employed since the early development of Islamic law, even if not always explicitly labeled as such. Scholars have frequently utilized this method in formulating legal maxims (*qawā'id fihiyyah*) and general principles of Islamic law that are not directly derived from a single textual source (Hallaq, 1997; Al-Zuhaili, 2006).

The most prominent figure in systematically developing the concept of *istiqrā'* is al-Shāṭibī in his seminal work *al-Muwāfaqāt*. He argues that the universal principles of the *Sharī'ah* – particularly *maqāṣid al-sharī'ah* – cannot be established based on one or two textual evidences alone, but rather through a comprehensive examination of the entire legal structure of Islam (Al-Shāṭibī, 2004). According to al-Shāṭibī, *al-istiqrā' al-ma'nawī* is a model of induction that produces general legal principles without requiring observation of all partial cases. This method is similar to *al-istiqrā' al-nāqīṣ*, a form of induction that does not encompass all cases but relies on the majority of cases deemed representative in formulating a general rule. In practice, such an inductive principle had already been employed by Imām al-Shāfi'i, for instance in determining the menstrual cycle of women, including its minimum and maximum duration (Mashduqi, 2012).

According to al-Shāṭibī, *istiqrā'* is essentially meaning-based (*ma'nawī*), rather than merely formal or structural. It emphasizes the unity of meaning and the overarching objectives of the Shari'ah derived from multiple partial evidences. Similar inductive patterns can also be found in other Islamic disciplines such as *tafsīr*, *kalām*, and *fiqh*, demonstrating that inductive reasoning is an integral part of the Islamic intellectual tradition (Ibn 'Āshūr, 2006).

### ***Al-Istiqrā' al-Ma'nawī as a Meaning-Based Inductive Method***

Unlike empirical induction as developed in modern Western philosophy, *al-Istiqrā' al-Ma'nawī* focuses on extracting normative meaning from the texts of the Shari'ah. The object of induction in this method is not empirical facts, but rather values, objectives, and legal orientations embedded within the *naṣṣ* (Al-Shāṭibī, 2004; Ibn 'Āshūr, 2006).

This method operates by collecting a number of evidences that share a common directional meaning and then deriving universal principles from them. Through this process, legal maxims and the overarching objectives of the Shari'ah emerge as the foundation of the Islamic legal system. Thus, *al-Istiqrā' al-Ma'nawī* functions not merely as an auxiliary analytical tool, but as a principal method in constructing a coherent legal system (Auda, 2011).

Contemporary scholars view this approach as advantageous because it integrates textual and purposive dimensions in a balanced manner. It avoids rigid literalism without detaching itself from the authority of revelation. Therefore, *al-Istiqrā' al-Ma'nawī* is regarded as a bridge between normative and rational approaches in Islamic law (Kamali, 2008; Auda, 2011).

### ***Maqāṣid al-Shari'ah as a Product of al-Istiqrā' al-Ma'nawī***

The concept of *Maqāṣid al-Shari'ah* represents one of the most significant developments in contemporary Islamic jurisprudence. It refers to the higher objectives intended by Islamic law to preserve public welfare and prevent harm in human life (Ibn 'Āshūr, 2006; Auda, 2011).

Methodologically, *maqāṣid* are not established based on a single textual source but through an inductive examination of the entire corpus of Islamic law. In this sense, *maqāṣid* can be understood as a direct product of *al-Istiqrā' al-Ma'nawī*. The five essential values (*al-ḍarūriyyāt al-khams*) are derived from various legal rulings dispersed throughout the Qur'an and the Sunnah (Al-Shāṭibī, 2004).

In contemporary discourse, the scope of *maqāṣid* has expanded beyond these five essentials to include social, economic, political, and environmental dimensions. This expansion reflects the flexibility of *maqāṣid* as both an ethical and methodological framework for developing Islamic law that responds to modern challenges (Auda, 2011).

Nevertheless, some critiques argue that contemporary *maqāṣid*-based approaches tend to be overly normative and ethical, lacking methodological rigor in the process of legal derivation. Therefore, reinforcing *al-Istiqrā' al-Ma'nawī* as the methodological foundation of *maqāṣid* becomes essential to maintain its scientific robustness (Kamali, 2008).

### *Literature Review on Maqāṣid and Istiqrā' Approaches*

Previous studies indicate that the maqāṣid approach has been widely applied in contemporary Islamic legal studies, particularly in Islamic economics, human rights, and family law. These studies generally emphasize the importance of public welfare and justice in the formulation of Islamic legal rulings (Auda, 2011; Kamali, 2008).

In Islamic economics, maqāṣid are used to evaluate the substance of modern financial products to ensure they go beyond formal contractual compliance. In family law, maqāṣid serve as a normative basis for strengthening the protection of women and children. In public law, they function as an ethical foundation for developing just policies (Chapra, 2008; Kamali, 2008).

However, most of these studies position maqāṣid primarily as normative objectives without explicitly grounding them in an inductive methodological process based on al-Istiqrā' al-Ma'nawī. Moreover, studies that specifically examine al-Istiqrā' al-Ma'nawī as an operational model for understanding Islamic law remain relatively limited (Hallaq, 1997; Auda, 2011).

### *The Position of This Study within Islamic Legal Scholarship*

Based on a review of existing studies, this research positions itself as a methodological inquiry that emphasizes al-Istiqrā' al-Ma'nawī not merely as a theoretical concept, but as an operational approach to understanding and developing Islamic law (Auda, 2011).

This study does not only treat maqāṣid as legislative objectives but also explores how they are derived through a process of meaning-based induction from the totality of Sharī'ah evidences. In doing so, it seeks to address a methodological gap in contemporary Islamic jurisprudence by establishing an integrated relationship between textual sources, legal objectives, and social reality (Kamali, 2008; Ibn 'Āshūr, 2006).

## **METHODS**

This study employs a qualitative research design with a library-based (library research) approach. The library research method is selected because the primary object of this study consists of concepts, theories, and the intellectual constructions of scholars related to the method of al-Istiqrā' al-Ma'nawī in understanding Islamic law. This type of research enables an in-depth exploration of normative and methodological ideas developed within both classical and contemporary Islamic intellectual traditions (Zed, 2008; Creswell, 2014).

The approach adopted in this study is normative-philosophical. The normative approach is utilized to examine the sources of Islamic law, the principles of uṣūl al-fiqh, and the methodological construction of maqāṣid al-sharī'ah as a framework for legal derivation (istinbāt). Meanwhile, the philosophical approach is employed to analyze the epistemological, ontological, and axiological dimensions of al-Istiqrā' al-Ma'nawī as an

inductive and meaning-based model for understanding Islamic law (Hallaq, 1997; Auda, 2011).

Data analysis in this study is conducted using descriptive-analytical and normative-critical methods. The descriptive method is employed to systematically present the concepts, characteristics, and operational mechanisms of *al-Istiqrā' al-Ma'nawī*. Subsequently, the analytical method is used to examine its epistemological strengths, methodological coherence, and relevance within the context of contemporary Islamic law (Miles, Huberman, & Saldaña, 2014).

In addition, this study applies a comparative analysis by contrasting *al-Istiqrā' al-Ma'nawī* with other methods of legal derivation (*istinbāt*), such as the *bayānī*, *qiyāsī*, and *istiṣlāḥī* approaches. The final stage of analysis involves drawing conclusions inductively, namely by formulating *al-Istiqrā' al-Ma'nawī* as a comprehensive, contextual, and welfare-oriented framework for understanding Islamic law (Auda, 2011; Kamali, 2008).

## RESULTS AND DISCUSSION

### *General Overview of the al-Istiqrā' al-Ma'nawī Approach in Islamic Legal Studies*

*Al-Istiqrā' al-Ma'nawī* in the understanding of Islamic law represents a form of inductive method that emphasizes the collection of partial meanings derived from various evidences, including the Qur'an, Sunnah, *ijmā'*, and the social practices of Muslim communities, which are then synthesized into universal legal principles. Unlike *al-istiqrā' al-tām* (complete induction), which requires exhaustive coverage of all data, *al-Istiqrā' al-Ma'nawī* focuses on the coherence of the spirit of the law (*rūḥ al-ḥukm*) and the objectives of the Sharī'ah (*maqāṣid*) derived from a set of evidences sharing a common meaning (Al-Shāṭibī, 2004; Ibn 'Āshūr, 2006).

*Al-istiqrā' al-ma'nawī* is a method of legal determination that does not rely on a single piece of evidence, but rather on a collection of evidences that are systematically combined, even though each may reflect different aspects and objectives. Through this integration of evidences, a comprehensive legal ruling is formulated. In line with this understanding, it is emphasized that Islamic legal scholars should not determine the objectives of the Lawgiver (*al-Shāri'*) based solely on a single proof or a single methodological approach. Instead, such objectives must be derived through a comprehensive examination of all relevant evidences, whether they are *zāhir* (apparent), *muṭlaq* (unrestricted), *muqayyad* (restricted), *kullī* (universal), or *juz'ī* (particular), across various domains of *fiqh*. Furthermore, consideration must also be given to *qarā'* in *al-aḥwāl* (contextual indicators), both those explicitly transmitted (*manqūlah*) and those not explicitly stated (*ghayr manqūlah*) (Duski, 2013).

Within the context of this study, *al-Istiqrā' al-Ma'nawī* is positioned as a model for understanding Islamic law that is not merely textual, but also substantive and contextual. Its application requires thematic analytical skills, mastery of *maqāṣid al-sharī'ah*, and sensitivity to the social contexts underlying legal rulings. The findings

indicate that this approach is effective in bridging normative texts and empirical realities without compromising the authority of revelation (Auda, 2011; Kamali, 2008).

### ***Results of Applying the al-Istiqrā' al-Ma'nawī Model in Understanding Islamic Law***

#### **1. Identification of Meaning Patterns from Legal Evidences**

The application of al-Istiqrā' al-Ma'nawī demonstrates that identifying patterns of meaning involves collecting Qur'anic verses and hadiths that share similar themes, objectives, and legal orientations. For instance, in the theme of justice ('adl), all evidences related to the prohibition of injustice, the command to uphold justice, and the enforcement of rights are analyzed thematically, leading to the conclusion that justice constitutes a universal principle in the implementation of Islamic law (Al-Qarāfi, 1998; Al-Shāṭibī, 2004).

Practically, this study finds that al-Istiqrā' al-Ma'nawī provides a more comprehensive understanding of legal meaning compared to purely literal approaches. In Islamic economics, for example, the prohibition of ribā is not understood solely through isolated textual references, but through the broader ethical framework of the Shari'ah that rejects exploitation, injustice, and economic inequality. Thus, ribā is interpreted not merely as formal interest, but as any transaction that undermines justice and human dignity (Chapra, 2008; Auda, 2011).

The method of *al-istiqrā' al-ma'nawī* constitutes a part of the epistemology of Islamic law, aiming to address the question of the most appropriate way to understand the objectives of the Lawgiver (al-Shāri') as embedded in the Qur'an and Sunnah as the primary sources of Islamic law, as well as how this method can be employed to resolve various legal issues arising within society (Duski, 2013).

#### **2. Formulation of General Rules Based on Universal Meanings**

A key outcome of applying al-Istiqrā' al-Ma'nawī is the formulation of universal legal maxims grounded in the unity of meaning within Shari'ah evidences.

##### *a. Lā Ḍarar wa Lā Ḍirār*

This maxim affirms that all forms of harm and damage must be eliminated. Through al-Istiqrā' al-Ma'nawī, this principle is derived from various evidences prohibiting harm, promoting the protection of life and property, and encouraging preventive measures against wrongdoing. It serves as a foundational principle in contemporary legal decision-making, including digital consumer protection, child protection, and the regulation of high-risk transactions (Al-Qarāfi, 1998; Al-Shāṭibī, 2004).

##### *b. al-Mashaqqah Tajlib al-Taysīr*

This maxim reflects the inductive finding that the Shari'ah consistently facilitates ease when individuals face undue hardship. Through al-Istiqrā' al-Ma'nawī,

various evidences on legal concessions (rukhaṣ), tolerance, and the alleviation of obligations reveal a universal meaning that the Shari'ah is inherently flexible and compassionate. Its implications extend from facilitating worship for the ill to providing legal flexibility in digital public services and emergency conditions (Al-Shāṭibī, 2004; Kamali, 2008).

*c. Taṣarruf al-Imām 'alā al-Ra'iyah Manūṭ bi al-Maṣlaḥah*

This maxim is derived from Shari'ah texts and the practices of the Prophet and early caliphs, indicating that political authority in Islam is intrinsically bound to public welfare. Al-Istiqrā' al-Ma'nawī reveals a consistent pattern that public policies are legitimate only when they promote justice, societal protection, and social reform. This principle underpins modern Islamic constitutional thought, including digital governance and environmental regulation (Ibn Taymiyyah, 2005; Auda, 2011).

These maxims are not derived from single textual sources but from a constellation of evidences sharing a unified orientation toward public welfare. In this study, their application proves effective in addressing contemporary issues such as Islamic fintech, digital zakat, and customary marriage practices (Kamali, 2008; Auda, 2011).

### **3. Integration of Naṣṣ, Maqāṣid, and Social Reality**

Another significant finding is the strong integration between normative texts (naṣṣ), the objectives of the Shari'ah (maqāṣid), and social reality. The al-Istiqrā' al-Ma'nawī model demonstrates that the relationship between text and context is not dichotomous but complementary within an integrated jurisprudential framework (Ibn 'Āshūr, 2006; Auda, 2011).

For example, in child protection issues, legal rulings are not based solely on verses concerning parental obligations but also on the broader corpus of evidences related to the preservation of life, intellect, and lineage. Inductive analysis reveals that the Islamic legal system is fundamentally oriented toward safeguarding the five essential values (al-kulliyyāt al-khams), thereby establishing child protection as a universal legal obligation (Al-Shāṭibī, 2004).

## ***Discussion on the Strengths of the al-Istiqrā' al-Ma'nawī Model***

### **1. Comprehensive Legal Understanding**

A primary strength of al-Istiqrā' al-Ma'nawī lies in its ability to generate a holistic and in-depth understanding of Islamic law. It goes beyond literal textual interpretation to uncover the underlying values and objectives, aligning with the flexible (murūnah) and adaptive nature of Islamic law (Al-Shāṭibī, 2004; Kamali, 2008).

The findings indicate that purely textual (bayānī) approaches often face limitations in addressing novel issues not explicitly mentioned in the texts. In contrast,

al-Istiqrā' al-Ma'nawī offers legal solutions by identifying universal meanings across the broader framework of Islamic teachings (Auda, 2011).

## **2. Relevance to Contemporary Legal Issues**

The approach proves highly relevant in addressing contemporary challenges such as digital transactions, cryptocurrencies, gender equality, modern governance, and environmental concerns. By tracing universal values—such as justice, transparency, public welfare, and harm prevention—it enables Islamic law to engage constructively with modern realities while maintaining its normative identity (Chapra, 2008; Auda, 2011).

## **3. Reduction of Inter-Madhab Conflicts**

The study also finds that al-Istiqrā' al-Ma'nawī has the potential to reduce conflicts among Islamic legal schools. By emphasizing shared meanings and objectives rather than technical differences in legal reasoning, it reframes divergences as methodological variations rather than contradictions of truth (Hallaq, 1997).

### ***Critique of the Limitations of the al-Istiqrā' al-Ma'nawī Model***

This study identifies several limitations. *First*, there is a potential for subjectivity in determining universal meanings, as the outcomes of induction depend heavily on the intellectual capacity and epistemological orientation of the mujtahid (Kamali, 2008).

*Second*, there is a risk of overgeneralization, where broad conclusions are drawn from evidences that may have specific contextual limitations. This risk necessitates strict methodological control through the principles of uṣūl al-fiqh to avoid erroneous legal conclusions (Al-Zuhaili, 2006).

*Third*, the approach requires strong multidisciplinary expertise, including proficiency in tafsīr, hadith, maqāṣid, and modern social sciences. Without a solid scholarly foundation, it may be misused to justify particular interests (Auda, 2011).

### ***Implications for the Development of Islamic Law in Indonesia***

In the Indonesian context, al-Istiqrā' al-Ma'nawī contributes to the development of Islamic law that is moderate, inclusive, and oriented toward public welfare. This approach aligns with the adaptive character of Indonesian Islam, which engages with local culture while maintaining core Sharī'ah principles (Azra, 2015).

It is also highly relevant in the formulation of fatwas and public policies, as it enables Islamic law to function as a system of social ethics and public values, rather than being confined to ritual law (Auda, 2011; Kamali, 2008).

### ***Synthesis of Findings and Main Conclusions***

Based on the findings and discussion, this study concludes that al-Istiqrā' al-Ma'nawī is an effective model for uncovering the universal meanings of Islamic law, integrating textual sources, maqāṣid, and social realities, and addressing contemporary legal challenges. However, it requires rigorous methodological control to avoid subjectivity and overgeneralization. Accordingly, al-Istiqrā' al-Ma'nawī can be regarded

as a strategic model for the development of Islamic law that is contextual, moderate, and oriented toward public welfare (Al-Shāṭibī, 2004; Auda, 2011).

## CONCLUSION

Based on the analysis and discussion, this study concludes that al-Istiqrā' al-Ma'nawī is an inductive method that emphasizes the derivation of universal meanings from various partial evidences in order to formulate comprehensive principles of Islamic law. This approach is capable of integrating textual sources (naṣṣ), maqāṣid al-sharī'ah, and social realities, thereby producing a legal understanding that is not merely legal-formal, but also substantive, contextual, and oriented toward public welfare (maṣlaḥah). Its application has proven effective in addressing contemporary issues such as digital transactions, public policy, and social justice through thematic analysis and the identification of universal patterns of meaning. In terms of its strengths, this approach demonstrates a high degree of flexibility, a strong orientation toward public welfare, and the capacity to reduce inter-madhab differences. However, it also has limitations, particularly the potential for subjectivity and overgeneralization if not guided by a rigorous uṣūl al-fiqh framework. In the Indonesian context, al-Istiqrā' al-Ma'nawī carries strategic implications for the development of Islamic law that is moderate, adaptive, and just. It is also highly relevant for use in the formulation of fatwas, public policies, and the renewal of ijtihād methodology, thereby positioning it not only as an inferential method but also as an operational methodological model for understanding contemporary Islamic law.

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