

Beyond Linguistic Formalism: Maṣlaḥah-Oriented Hermeneutics and the Reconstruction of Islamic Legal Reasoning in Ibn ‘Abd al-Salām

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Abstract

This article examines the reconstruction of Islamic legal reasoning through a maṣlaḥah-oriented hermeneutical framework in the legal thought of Izz al-Din Ibn Abd al-Salam. Existing studies have highlighted his contribution to maqāṣid al-sharīah and legal ethics, yet insufficient attention has been given to how maṣlaḥah functions as an operative interpretive method in textual istinbat. This study aims to analyze the epistemological foundations and methodological structure of his legal hermeneutics. This research employs qualitative library research based on the primary works of Ibn Abd al-Salam, particularly *Al-Imam fī Bayan Adillat al-Aḥkam*, *Qawaid al-Aḥkam*, and *Tafsir al-Quran*. Data were analyzed using content analysis and hermeneutical interpretation within the framework of Islamic legal theory. The study finds that Ibn Abd al-Salam positions maṣlaḥah not merely as a legal objective but as a methodological principle for interpreting revelation. His hermeneutical model operates through three interconnected mechanisms: identifying semantic-ethical indicators of benefit and harm in the Quran, establishing maṣlaḥah as the normative basis of legal commands and prohibitions, and interpreting legal meanings through contextual analysis of *siyaq al-kalam*. This approach integrates textual authority, ethical reasoning, and contextual awareness into a coherent system of legal derivation. The article argues that Ibn Abd al-Salam developed an early form of ethical

hermeneutics that transcends linguistic formalism while preserving the authority of revelation. This framework contributes to contemporary discussions on maqasid al-shariah, Islamic legal reform, and the reconstruction of Islamic legal reasoning by offering a model that remains normatively grounded while responsive to changing social realities.

Keywords: Maslahah, Hermeneutics, Islamic Legal Reasoning, Maqasid al-Shariah, Ibn Abd al-Salam.

Introduction

The continuing transformation of Muslim societies has intensified the need for a model of Islamic legal reasoning capable of preserving the authority of revelation while addressing changing social realities. Questions concerning gender justice, citizenship, human rights, environmental responsibility, and legal pluralism cannot always be resolved through the mechanical application of inherited legal formulations. These questions require jurists to determine not only what a legal text linguistically signifies but also what ethical purpose it seeks to realize. This problem has revived scholarly debate over the relationship between textual authority, rational judgment, and the objectives of the Sharia in the production of Islamic law. At the center of this debate is *maslahah*, understood as the realization of benefit and the prevention of harm within the normative boundaries of revelation.

Classical *usul al-fiqh* developed sophisticated linguistic instruments for deriving law from the Qur'an and Sunnah.¹ These instruments include the analysis of commands and prohibitions, general and specific expressions, explicit and implicit meanings, unrestricted and qualified texts, analogy, and other forms of textual indication. Such mechanisms remain indispensable because they safeguard interpretive discipline and prevent legal reasoning from becoming detached from authoritative sources. Nevertheless, several modern scholars have criticized approaches that reduce *istinbat* to the formal analysis of words and grammatical structures. Al-Jabiri, Nasr Hamid Abu Zayd, Fazlur Rahman, Wael B. Hallaq, and Mohammad Hashim Kamali, although working from different theoretical positions, have drawn attention to the limitations of legal reasoning that separates textual meaning from historical context, moral purpose, and social consequences. Their criticism does not necessarily invalidate linguistic analysis; rather, it raises the question of whether linguistic indications alone are sufficient to reveal the normative direction of the Sharia.

¹ Ahmad Yani Anshori and Landy Trisna Abdurrahman, "History of the Development of Mazhab, Fiqh and Uṣūl Al-Fiqh: Reasoning Methodology in Islamic Law," *Samarah* 9, no. 1 (2025): 273–98, <https://doi.org/10.22373/sjhc.v9i1.25355>.

Contemporary *maqasid al-shariah* scholarship has responded to this problem by emphasizing the objectives, values, and consequences of Islamic law. Mohammad Hashim Kamali highlights the importance of integrating textual interpretation with rational inquiry and the higher purposes of the law.² Jasser Auda develops a systems-based approach that presents the *maqasid* as multidimensional, interconnected, and responsive to social transformation.³ Khaled Abou El Fadl emphasizes the moral responsibility of interpreters and warns against authoritarian interpretations that reduce divine authority to the preferences of legal agents⁴. These contributions have substantially broadened the epistemological foundations of contemporary Islamic jurisprudence. However, much of this scholarship employs *maslahah* primarily as an evaluative objective, a justification for legal reform, or a principle applied when no specific textual rule is available. Less attention has been given to the possibility that *maslahah* may operate within the interpretation of revelation itself as a structured method for identifying the normative meaning of legal texts.

The legal thought of ‘Izz al-Din Ibn ‘Abd al-Salam offers an important foundation for addressing this problem. His works consistently present the Sharia as a normative system directed toward the production of benefits and the prevention of harms. For Ibn ‘Abd al-Salam, divine commands and prohibitions cannot be separated from the interests they realize or the harms they prevent. Human reason may identify many worldly benefits and harms, while revelation provides authoritative guidance regarding their normative value, hierarchy, and ultimate consequences. This relationship between reason and revelation indicates that *maslahah* occupies a position more fundamental than that of an external consideration added after the meaning of a text has been established. It participates in the process through which the normative direction and legal force of the text are understood.

Existing studies of Ibn ‘Abd al-Salam can generally be divided into three groups. The first examines his contribution to the historical development of *maslahah* and *maqasid al-shariah*. These studies identify him as an important figure in the transition toward a more systematic and ethically oriented conception of Islamic law. The second focuses on his classification of benefits and harms, including their degrees, priorities, conflicts, and relationship to divine commands and prohibitions. The third situates his legal thought within broader discussions

² Wildani Hefni, Imam Mustofa, and Rizqa Ahmadi, “Looking for Moderate Fiqh: The Thought of Mohammad Hashim Kamali on the Reformation of Rigidity and Inflexibility in Islamic Law,” *Al-Istinbath: Jurnal Hukum Islam* 10, no. 1 (2025): 30–57, <https://doi.org/10.29240/jhi.v10i1.10694>.

³ Ummu Aemanah et al., “Rethinking Maqāṣid Al-Sharī‘a in Marital Relations: A Systems Approach to Female Migrant Worker Families,” *Jurnal Ilmiah Mizani* 13, no. 1 (January 1, 2026): 62–78, <https://doi.org/10.29300/MZN.V13I1.8938>.

⁴ Khaled Abou El Fadl, “Qur’anic Ethics and Islamic Law,” *Journal of Islamic Ethics* 1, no. 1–2 (2017): 7–28, <https://doi.org/10.1163/24685542-12340002>.

of Islamic legal ethics, rationality, and the transformation of medieval legal theory. Felicitas Opwis, Ahmad al-Raysuni, Mariam Sheibani, and other scholars have demonstrated the centrality of moral evaluation in his jurisprudence. Nevertheless, these studies have not sufficiently reconstructed how Ibn ‘Abd al-Salam employs *maslahah* as an operative mechanism of textual *istinbat*. In particular, limited attention has been paid to the relationship between semantic indicators in the Qur’an, the assessment of benefit and harm, and the contextual function of *siyaq al-kalam* in determining legal meaning.

This article fills that gap by reconstructing a *maslahah*-oriented hermeneutical framework from Ibn ‘Abd al-Salam’s legal thought. Its novelty lies in demonstrating that *maslahah* does not function merely as the ultimate objective of Islamic law or as a supplementary consideration applied in the absence of explicit texts. Rather, it functions as a methodological lens through which textual indications, commands, prohibitions, moral evaluations, and contextual relationships are interpreted. Accordingly, the article addresses the following question: how does Ibn ‘Abd al-Salam transform *maslahah* from a general legal objective into an operative principle of textual interpretation? This central question is elaborated through three related inquiries: how are benefit and harm identified through the semantic and rhetorical indicators of revelation; how do different degrees of *maslahah* and *mafsadah* affect the normative force of commands and prohibitions; and how does *siyaq al-kalam* delimit and clarify the legal meaning of a text?

To answer these questions, this study employs qualitative library research and examines Ibn ‘Abd al-Salam’s principal works, particularly *al-Imam fi Bayan Adillat al-Ahkam*, *Qawa’id al-Ahkam fi Masalih al-Anam*, *al-Fawa’id fi Ikhtisar al-Maqasid*, and his Qur’anic commentary.⁵ The relevant passages are analyzed through qualitative content analysis and hermeneutical interpretation. The analysis identifies recurring concepts, semantic indicators, normative classifications, and contextual mechanisms through which Ibn ‘Abd al-Salam connects textual meaning with benefit and harm. His ideas are subsequently placed in conversation with classical *usul al-fiqh* and contemporary scholarship on Islamic legal hermeneutics. This procedure makes it possible to distinguish Ibn ‘Abd al-Salam’s original formulations from their contemporary theoretical implications.

The article argues that Ibn ‘Abd al-Salam developed an early model of ethical legal hermeneutics based on three interconnected mechanisms. First, he identifies semantic and rhetorical indicators within revelation that signal benefit, harm, praise, blame, reward, punishment, divine approval, and divine rejection. Second, he treats *maslahah* and *mafsadah* as the normative foundations of

⁵ ‘Abd Al-Salâm and ‘Izz al-Dîn ‘Abd al-‘Azîz Ibn, “Al-Imâm Fî Bayân Adillah Al-Ahkâm” (Beirut: Dâr al-Basyâr al-Islâmiyah, 1987).

commands and prohibitions, while their relative weight helps determine different levels of legal obligation and prohibition. Third, he employs *siyaq al-kalam* to clarify the intended direction of legal expressions and to prevent interpretations of benefit from exceeding the normative boundaries of revelation. Through these mechanisms, textual authority, ethical reasoning, and contextual understanding are integrated into a coherent process of legal derivation. This reconstruction shows that moving beyond linguistic formalism does not require abandoning the text; it requires interpreting textual language within the ethical and purposive structure that gives Islamic law its normative meaning.

This study employed qualitative library research to reconstruct the role of *maslahah* in the legal reasoning of ‘Izz al-Din Ibn ‘Abd al-Salam. It combined a conceptual approach with textual and hermeneutical analysis. The conceptual approach was used to examine the relationship among *maslahah*, *mafsadah*, *istinbat*, legal commands and prohibitions, and *siyaq al-kalam*. Textual analysis was employed to identify the categories and patterns of legal reasoning contained in Ibn ‘Abd al-Salam’s writings. Meanwhile, the hermeneutical approach was used to explain how linguistic indications, ethical purposes, and the context of discourse interact in the construction of legal meaning. This combination enabled the study to analyze his ideas not merely as separate doctrinal statements but as an interconnected method of Islamic legal interpretation.

The primary sources consisted of Ibn ‘Abd al-Salam’s works that directly discuss legal evidence, benefit, harm, and the purposes of the Sharia, particularly *al-Imam fi Bayan Adillat al-Ahkam*, *Qawa’id al-Ahkam fi Masalih al-Anam*, and *al-Fawa’id fi Ikhtisar al-Maqasid*. These texts were selected because they contain his most systematic explanations of the relationship between revelation, legal valuation, benefit, and harm. His Qur’anic commentary was used selectively when a passage directly clarified the interpretation of a verse examined in the study. The secondary sources included academic books, journal articles, dissertations, and studies addressing Ibn ‘Abd al-Salam, *maslahah*, *maqasid al-shariah*, Islamic legal theory, and contemporary legal hermeneutics. Secondary literature was used to locate Ibn ‘Abd al-Salam’s thought within the historical development of Islamic jurisprudence and to compare the findings with contemporary discussions of ethical and contextual legal reasoning.

Data were collected through documentary study. The researchers first identified passages containing the principal terms and their conceptual equivalents, including *maslahah*, *mafsadah*, *khayr*, *sharr*, *nafa’*, *darar*, *amr*, *nahy*, *dalalah*, *siyaq*, and *maqasid*. The selected passages were then classified according to their function in Ibn ‘Abd al-Salam’s legal reasoning. The classification covered: statements explaining the ethical foundations of the Sharia; textual indicators of benefit and harm; the relationship between benefit and legal commands; the relationship between harm and legal prohibitions; the gradation

and conflict of benefits and harms; and the use of discourse context in determining legal meaning. Passages that merely mentioned these terms without contributing to the construction of his interpretive method were not treated as principal analytical data.

The data were analyzed through four stages. First, descriptive analysis was conducted to identify Ibn ‘Abd al-Salam’s definitions, classifications, and principal propositions without separating them from their original textual contexts. Second, thematic coding was used to organize the selected passages into three central analytical categories: semantic-ethical indicators, the normative assessment of *maslahah* and *mafsadah*, and contextual interpretation through *siyāq al-kalam*. Third, relational analysis was undertaken to determine how these categories operate together in the process of legal derivation. At this stage, the study examined whether *maslahah* functions only as the objective of an established rule or also participates in determining the normative meaning and legal force of a text. Fourth, hermeneutical reconstruction was employed to formulate a coherent model of Ibn ‘Abd al-Salam’s legal reasoning and to assess its significance for contemporary Islamic legal theory.

To maintain interpretive validity, every central proposition was traced to a specific passage in Ibn ‘Abd al-Salam’s primary works and examined in relation to the surrounding discussion. Findings derived directly from the primary texts were distinguished from the researchers’ contemporary interpretation and theoretical extension. Comparisons with modern hermeneutical theories were used as analytical tools rather than as claims of direct historical influence on Ibn ‘Abd al-Salam. The consistency of the reconstructed framework was also examined across his principal works through source triangulation. This procedure reduced the risk of drawing broad conclusions from isolated statements and ensured that the proposed *maslahah*-oriented hermeneutical model remained grounded in Ibn ‘Abd al-Salam’s own legal writings.

Discussion

Textual *Istinbāṭ*: Problems and Hermeneutic Alternatives

In the Islamic legal tradition, *istinbāṭ* is understood as the process of searching for and determining the law from its sources, both explicit and implicit in the texts of the Qur’ān and Hadith.⁶ In general, the method of *istinbāṭ* in the *uṣūl* tradition is divided into two main approaches: The linguistic approach (*ṭuruq al-laḥẓiyyah*) which is characterized by its emphasis on word structure and linguistic forms. In contrast, the semantic or meaning approach (*ṭuruq al-ma’naviyyah*) is more concerned with the substantive meaning and purpose of the

⁶ ‘Alī Jum‘ah, *Tārīkh Uṣūl Al-Fiqh* (Kairo: Dār al-Muqaṭṭam lil-Nashr wa-al-Tawzī‘, 2015), 33.

law. This approach involves the process of reasoning about the meaning of the lafaz, one of which is qiyas.⁷

In practice, the *istinbat* method developed in the classical *uṣūl al-fiqh* tradition has been subject to criticism due to its excessive reliance on linguistic rules and formalistic logical structures. Muslim scholars such as Al-Jābirī (1986), al-Āshmawī (1983), and Abu Zayd have highlighted the textualist approach as a factor that hinders the flexibility and renewal of Islamic law. The tendency towards textualism in the Islamic legal tradition, as a legacy of *bayānī* subordination of reason to language, effectively precludes the possibility of dynamic articulation of law in society.⁸ Formal lafazh-based *istinbat* has made Islamic law appear mechanical, disconnected from reality, and unable to address contemporary issues.⁹ According to Abu Zayd, the meaning of the text is not absolute, but is determined by its socio-historical context. The interpretation of Islamic law must include not only the structural elements of the text, but also the moral values it seeks to actualize.¹⁰ This criticism is the basis for the hermeneutic approach in the interpretation of Islamic legal texts. In this approach, meaning is not fixed and singular, but the result of a dynamic interaction between text, reader, and context.¹¹

According to Wael B. Hallaq, the excessive emphasis on the continuity of formal aspects that ignore the essence of Islamic legal theory results in a rigid method that hinders the ability of Islamic law to adapt to social changes.¹² Consequently, there is an urgent need for contemporary Muslim scholars to revitalize the epistemology of Islamic law, which is no longer solely dependent on lafazh and *qiyās*. Instead, there is a need to incorporate aspects of *maslahah* and the objectives of sharia as a substantive value framework.¹³

⁷ M Abu Zahroh, *Uṣūl Al-Fiqh* (Beirut: Dar al-Fikr al-Arabi, 1957), 115.

⁸ Zaid Eyadat and Hanadi Riyad, "A Critique of Al-Jabri's Arab Ethical Reason," in *Islam, State, and Modernity*, 2018, 219–247, https://doi.org/10.1057/978-1-137-59760-1_12.

⁹ M. S. Al-Ashmawī, *Uṣūl Al-Shari'ah* (Beirut: Dar al-Iqra, 1983).

¹⁰ Muhammad Khalid Masud, *Classical Islamic Legal Theory as Ideology: Nasr Abu Zayd's Study of Al-Shafi'i's Al-Risala*, *Islamic Studies in the Twenty-First Century*, 2017.

¹¹ Fazlur Rahman, "Islamic Modernism: Its Scope, Method and Alternatives," *International Journal of Middle East Studies* 1, no. 4 (1970): 317–33, <https://doi.org/doi:10.1017/S0020743800000714>.

¹² W. B. Hallaq, "Uṣūl Al-Fiqh: Beyond Tradition. *Journal of Islamic Studies*," *Oxford University Press* 3, no. 2 (1992): 172–202.

¹³ M. H. Kamali, "Methodological Issues in Islamic Jurisprudence," *Arab Law Quarterly* 11, no. 1 (1996): 3, <https://doi.org/https://doi.org/10.2307/3381731>.

A number of contemporary Muslim scholars, such as Mohammad Hashim Kamali,¹⁴ Jasser Auda,¹⁵ and Khaled Abou El Fadl,¹⁶ have advocated the integration of ethical values and *maslahah* into the framework of Islamic law as a response to the challenges of the modern era. The *maqāṣid* approach they developed, such as Auda's systemic approach that views law based on dynamic human interests (*maṣāliḥ*), does emphasize the importance of moral objectives in the shari'a.¹⁷ However, the *maṣlahah* aspect in legal reasoning from the text (*istinbat*) is still rarely used as the main paradigm in their interpretive methodology. Substantive values are often only applied to cases that do not have explicit textual guidance, while the construction of law from the text is still dominated by the literal *lafziyyah* approach.

In this situation, the ideas of 'Izz al-Dīn ibn 'Abd al-Salām provide a good model for legal reasoning because they prioritize *maslahah* as the main way to understand the meaning of a text, helping to create a value-focused approach in Islamic law interpretation. Several scholars who have studied 'Izz al-Dīn ibn 'Abd al-Salām's thoughts have concluded that his idea of placing *maṣlahah* as the core of legal reasoning can be read in this spirit, as an attempt to revive the Shari'a as an ethical system that is responsive to dynamic human realities.¹⁸ Hallaq identifies Ibn 'Abd al-Salām as part of the functional turn in legal theory, which prioritizes ethical substance over formalist interpretation.¹⁹ Likewise, Ahmad al-Raysuni and Felicitas Opwis highlight Ibn 'Abd al-Salām as one of the earliest jurists to explicitly integrate utility and harm assessments into legal reasoning. According to Opwis, Ibn 'Abd al-Salām's contribution to the evolution of the problem gives *maṣlahah* a central and operative role in the production of norms.²⁰ Mariam Sheibani in her study found aspects of Izzuddin's innovation as a scholar who succeeded in consolidating Islamic legal theory in

¹⁴ Kamali.

¹⁵ J. Auda, *Maqashid Syariah A Beginner's Guide* (London: The International Institute Of Islamic Thought, 2008).

¹⁶ Khaled Abou El Fadl, "Islam and the Theology of Power," *Middle East Report* 221 (2001): 28–33.

¹⁷ K. Gasimov, "Ijtihad in the Light of the Goals of Sharia: Jasser Auda's Ethical and Legal Theory. Islamology," *ISLAMOLGY* 8, no. 2 (2019), <https://doi.org/https://islamology.in/journal/article/view/176>.

¹⁸ M. Abu Bakar and A. K. Abdul Rahim, "Maqasid Al-Shariah Theory: A Comparative Analysis Between The Thoughts Of Al-Shatibi And 'Izz Al-Din Ibn 'Abd Al-Salam," *International Journal of Academic Research in Business and Social Sciences* 11, no. 8 (2021): 180–93, <https://doi.org/https://doi.org/10.6007/IJARBS/v11-i8/10683>.

¹⁹ Hallaq, "Usūl Al-Fiqh: Beyond Tradition. Journal of Islamic Studies."

²⁰ F. M. M. Opwis, "Maslaha: An Intellectual History of a Core Concept in Islamic Legal Theory," 2001.

the midst of difficult and tense times; through his concept of *maslahah*, he provided a fresh perspective in legal theory that was considered rigid and dry.²¹

Studies that have been conducted on ‘Izz al-Dīn ibn ‘Abd al-Salām have not found a special study that involves his thoughts in detail regarding the redefinition of *istinbāṭ* as a moral act and goal. Thus, this article seeks to fill the critical gap in the literature by offering a focused and epistemological analysis of Ibn ‘Abd al-Salām's legal derivation theory. This study will focus on how ‘Izz al-Dīn ibn ‘Abd al-Salām's innovation articulates a systematic hermeneutics in which *maṣlaḥah* operates as a normative foundation and methodological lens for interpreting revelation. In doing so, this study contributes to the growing body of scholarship that reconsiders the epistemic structure of Islamic legal theory beyond the constraints of formal textualism.

Epistemological Foundations of Legal Reasoning in ‘Izz al-Dīn ibn ‘Abd al-Salām

In the legal thought of ‘Izz al-Dīn ibn ‘Abd al-Salām, there is a distinctive epistemological framework in which ethical considerations and rational analysis are integral parts of understanding and applying divine law. For him, Sharia should not be reduced to merely a compilation of rules derived solely from linguistic data, but must be understood as a comprehensive moral system oriented toward the welfare of humanity.²² This approach has significant methodological consequences, where *maṣlaḥah* is no longer viewed as a mere supplementary element but elevated to the status of a primary principle in the process of *istinbāṭ* (legal discovery).

Unlike most Islamic scholars who rigidly separate text and reason in seeking laws from legal sources (*nuṣuṣ al-shar‘iyyah*), ‘Izz al-Dīn ibn ‘Abd al-Salām argues that knowledge of benefits (*nafa‘*) and harms (*ḍarar*) can be accessed independently by human reason as part of human nature (*ṭabī‘*).²³ For ‘Izz al-Dīn, Islamic law fundamentally aims to achieve these moral values, so understanding the purpose of law becomes a crucial epistemological foundation.²⁴ This approach reflects his teleological rationalism, which emphasizes the outcomes and purposes of law, not just its formal sources.

‘Izz al-Dīn ibn ‘Abd al-Salām asserts that the fundamental nature of Islamic law (*sharī‘ah*) is predicated on benefit's (*maṣāliḥ*). There is no divine

²¹ M. Sheibani, “Islamic Law in an Age of Crisis and Consolidation: ‘Izz Al-Dīn Ibn ‘Abd Al-Salām (577-660/1187-1262) and the Ethical Turn in Medieval Islamic Law” (2018).

²² ‘Abd Al-Salām and ‘Izz al-Dīn ‘Abd al-‘Azīz Ibn, “Al-Imām Fī Bayān Adillāh Al-Ahkām” (Beirut: Dār al-Bayyār al-Islāmiyah, 1987), 284.

²³ Al-Salām and Ibn.

²⁴ Sheibani, Islamic Law in an Age of Crisis and Consolidation: ‘Izz al-Dīn Ibn ‘Abd al-Salām (577-660/1187-1262) and the Ethical Turn in Medieval Islamic Law.

commandment that exists without *maṣlahah*, and the value of *maṣlahah* brought forth in the law is not for and does not return to Allah as the creator of the law, but rather returns to the interests of humanity.²⁵ This theological foundation has significant epistemological consequences, where the search for ‘*Illah (ratio legis)*’ is not merely a technical process but also a moral and rational inquiry. The interpretation of law thus becomes a cognitive task that synthesizes revelation and ethical reasoning. Moreover, his method subtly criticizes the epistemic limits of classical *uṣūl al-fqh*, which often privileges textual formalism over rational judgment. Without rejecting traditional tools such as linguistic analysis (*al-dilālāh al-laḥẓiyyah*) and *qiyās*, but he repositions them within a larger ethical framework in which revelation must be understood as aiming toward the realization of *maṣlahah*.²⁶ This elevates *ta’līl* (reasoning based on purpose) to an epistemically higher position

In the context of modern hermeneutics, the epistemological framework established by ‘Izz al-Dīn ibn ‘Abd al Salām reflects Hans Georg Gadamer’s ‘*fusion of horizons*’ theory, wherein the process of comprehending a text occurs through the dynamic interplay between the historical context (*text history*) and the reader’s circumstances (*fusion of horizons*).²⁷ This suggests that the text is not regarded as a static entity, but rather as a dynamic revelation that perpetually interacts with the moral and social context of the people throughout its historical progression. Gadamer rejects an overly technical-formal interpretation method, because the meaning of the text should be produced from a dialectical process between the text and the reader who lives in a particular context where the text lives.²⁸

‘Izz al-Dīn Ibn ‘Abd al Salām’s approach, which places the verses of the Qur’an in a contextual dialogue with moral goals (*maqāṣid*), brings an understanding of the dynamic historical process of the text, so that the verses of law are understood not as static structures but as revelations that are open to the realities and needs of society in different times and places. In this context, legal knowledge is not generated through textual interpretation alone but through a process of ethical deliberation informed by al-Qur’an and human experience. ‘Izz al-Dīn ibn ‘Abd al-Salām’s insistence on the rational intelligibility of law aligns him with earlier theologians such as al-Juwaynī, al-Ghazālī, and Fakhr al-

²⁵ Al-Salām and Ibn, “Al-Imām Fī Bayān Adillah Al-Ahkām.”

²⁶ Al-Salām and Ibn.

²⁷ D. Vessey, “Gadamer and the Fusion of Horizons,” *International Journal of Philosophical Studies* 17, no. 4 (2009): 531–542, <https://doi.org/https://doi.org/10.1080/09672550903164459>.

²⁸ I. X. Larrauri Perterra, “On Gadamerian Hermeneutics: Fusions of Horizons, Dialogue, and Evolution(s) within Culture as Dynamic System of Meaning,” *Eidos: A Journal for Philosophy of Culture* 4, no. 4 (2021): 45–62, <https://doi.org/https://doi.org/10.14394/eidos.jpc.2020.0040>.

Dīn al-Rāzī, who argued for the compatibility of reason and revelation. Yet he goes further by integrating these premises into a coherent method of *istinbāt*, in which *maṣlaḥah* serves not only as a guiding value, but as an operating principle in deriving rules from the text.

Critique of Linguistic Formalism in Legal Theory

One of the main innovations in ‘Izz al-Dīn ibn ‘Abd al-Salām's legal theory is his approach that liberates the process of *istinbāt* from the shackles of linguistic formalism that dominated classical *uṣūl al-fiqh*. Unlike the traditional jurists who dwelled on analyzing linguistic formalism, such as the taxonomy of speech acts (*dilālah al-alfāz*), modes of command (*amr*) and prohibition (*nahy*), classification of general (*‘amm*) and specific (*khaṣṣ*) texts, explicit (*manṭuq*) and implicit (*mafhūm*) meanings, including the theory of “*al-aṣl fī al-amr li al-wujūb*” (commands are essentially obligations) and “*al-aṣl fī al-nahy li al-taḥrīm*” (prohibitions are essentially prohibitions), and other semantic mechanisms.²⁹ Legal meanings are seen as part of how language is structured, and figuring them out usually means looking at these language structures without considering wider moral or social issues.

‘Izz al-Dīn ibn ‘Abd al-Salām expanded the horizons of legal interpretation to include moral, social, and teleological considerations. In his view, to gain a proper understanding of sharia law, one must grasp the essential purpose of the texts of the Qur'an and Sunnah. He considers that every command (*amr*) does not stand formally alone, but is intended to produce benefit and avoid harm, or both at once. Conversely, the prohibition in the texts aims to prevent mafsadah and keep people away from harm.³⁰ He tried to integrate linguistic analysis with moral considerations so that *istinbāt* was no longer just a deciphering of language structures but an effort to understand the law as an instrument to realize justice and benefit (*maṣlaḥah*). Thus, his approach does not reject traditional linguistic mechanisms but places them within a broader framework, where the purpose of sharia (*maqāṣid*) becomes the main axis of interpretation.

It appears that ‘Izz al-Dīn ibn ‘Abd al-Salām is implicitly critiquing not only methodological technicalities but also the underlying epistemic models of classical legal theory. By prioritizing linguistic formalism over moral substance, linguistic formalism may inadvertently obscure the fundamental objective of divine law. He proposes a jurisprudence that prioritizes the intended effect of texts on human life over their surface-level interpretations. In this respect, ‘Izz al-Dīn ibn ‘Abd al-Salām's approach is in line with criticisms of Islamic legal theory put forward by contemporary scholars, such as Khaled Abou El Fadl. El

²⁹ Abu Zahroh, *Ushul Al-Fiqh*.

³⁰ ‘Izz al-Dīn ‘Abd al-‘Azīz ibn ‘Abd al-Salām, *Al-Fawa'id Fi Ikhtisār Al-Maqāṣid, Am, Al-Qawā'id Al-Ṣughrá (Al-Ṭab'ah 1)* (Beirut: Dār al-Fikr al-Mu'āṣir, 1996).

Fadl argues that classical *uṣūl* often reduces divinity to textual literalism and ignores the ethical obligations of the interpreter.³¹ Similarly, Mohammad Hashim Kamali underlines the limitations of rigid linguistic models and emphasizes the need for an integrative reading that takes *maqāṣid* and *‘aql* (reason) seriously.³² Despite working in very different historical contexts, these scholars have in common with ‘Izz al-Dīn ibn Abd al-Salām the idea that the moral essence of the law should be the basic principle for its interpretation.

Thus, ‘Izz al-Dīn ibn ‘Abd al-Salām's innovation of linguistic formalism can be called a critique in a more subtle form that is not simply a rejection of a style of legal reasoning, but a call to reorient Islamic legal theory toward its ethical telos. By doing so, he establishes the foundation for a hermeneutics in which revelation is conceptualized as moral discourse, and the responsibility of the jurist is to discern the ethical wisdom (*ḥikmah*) inherent in the text.

Maṣlaḥah* as a Primary Tool of Textual *Istinbāṭ

As outlined earlier, ‘Izz al-Dīn ibn ‘Abd al-Salām's jurisprudential framework indicates a paradigm shift in the role of *maṣlaḥah*. This framework represents a transition from *maṣlaḥah*'s previous status as an additional consideration in legal reasoning to its new status as the primary hermeneutical lens used to interpret scriptural texts. In formulating a *maṣlaḥah*-oriented hermeneutic, ‘Izz al-Dīn ibn ‘Abd al-Salām does not treat the Qur’ānic text as a set of rigid legal formulations, but rather as a moral discourse embedded with semantic indicators that point to benefit (*maṣlaḥah*) or harm (*mafsadah*). These indicators serve as interpretive instruments (*dalālat al-naṣṣ*) to uncover the ethical underpinnings inherent in legal commands and prohibitions. ‘Izz al-Dīn ibn ‘Abd al-Salām's methodological synthesis between rational ethics and scriptural authority provides the basis for his compendium of textual expressions that serve as signs of God's intent.

A comprehensive study of ‘Izz al-Dīn ibn ‘Abd al-Salām's methodology in his work *al-Imām fī Adillāt al-Aḥkām* reveals three main approaches he used in analyzing texts found in the Qur’ān. **First**, identification of a number of semantic and rhetorical indicators in the Qur’ān that point to *maṣlaḥah* or *mafsadah*. The interpretation of the text is read through the so-called “*semantic-ethical register*” such as attributing the terms *‘adl* (justice), *iḥsān* (benevolence), *madh* (praise), *ta’ẓīm* (exaltation), *rahmah* (grace), and so on, as linguistic signs of divine intent indicating the benefit of human beings. Conversely, words such as *isā’ah* (harm),

³¹ Khalid Abou El Fadl, “On Christian Men Marrying Muslim Women (Updated),” Scholar of the House, 2011.

³² Kamali, “Methodological Issues in Islamic Jurisprudence.”

censure (zamm), *ẓulm* (injustice), *fasād* (corruption), *‘uqūbah* (punishment), and so on, indicate legal prohibitions rooted in the prevention of harm.³³

Overall, there are 33 indicators of *ihsān* (goodness) and 47 indicators of *isā’ab* (badness) that can be systematically mapped as “*semantic-ethical registers*” scattered throughout the Qur’ānic verses. These indicators range from praise of the doer (*madḥ al-fā’il*), praise of the deed (*madḥ al-fi’l*), promises of reward or forgiveness, to descriptions of condemnation of bad deeds, threats of sanctions, or negative labels such as “*rijs*” (unclean), “*ithm*” (sin), or “*maql*” (hatred).³⁴ These 80 indicators can be summarized into at least six broad semantic categories, each of which highlights a particular dimension of the text that is judgmental in nature. For the convenience of the reader, the six categories will be presented in the following table:

Table.1 Six Categories of Indicators

for the Semantic-Ethical Register of ‘Izz al-Dīn ibn ‘Abd al-Salām

No	Category	Semantic Function	Maṣlaḥah Example	Mafsadah Example
1	Praise & Blame Indicators	Moral and theological valuation of actions and agents	Praise of the act or doer (Q. 41:33), (Q.29:45)	Blame of the act or doer (Q. 2:102), (Q. 9:10)
2	Divine Consequences	Rewards or punishments attached to the action	Promise of reward or guidance (Q. 7:96)	Threat of punishment or misguidance (Q. 24:63)
3	Prophetic Reactions	Validation or rejection through prophetic speech or prayer	Prophets make du‘ā’ with/for the act (Q. 12:101)	Prophets renounce or reject the doer (Q.43:88)
4	Divine Approval or Rejection	Indications of God's pleasure or anger	God loves the act or the doer (Q. 2:195)	God does not love the act or the doer (Q. 2:276)
5	Spiritual Impact	Influence on the soul and afterlife status	Peace, safety, and forgiveness (Q. 2:112)	Divine hostility or spiritual blindness (Q. 63:3)
6	Descriptive Moral Labeling	Describing acts with moral qualifiers	Acts described as <i>ma’rūf</i> or <i>ṭayyib</i> (Q. 2:263), (Q.3:104)	Acts described as <i>rijs</i> or <i>fāḥishah</i> (Q. 7:71), (Q.3:93)

³³ Al-Salām and Ibn, “Al-Imām Fī Bayān Adillah Al-Ahkām.”

³⁴ Al-Salām and Ibn.

The initial phase of comprehending the text proposed by ‘Izz al-Dīn ibn ‘Abd al-Salām employs the semantic-ethical register mode, which evokes parallels with Umberto Eco's hermeneutic semantic theory. According to him, the text is open to interpretation, yet is constrained by its internal code, known as the open work and reader model.³⁵ In this paradigm, the reader of the text functions as a co-author, contributing to the text's development through their engagement with the implicit reader model. In a similar vein, ‘Izz al-Dīn's step creates indicators of meaning built from within the text itself as an internal semiotic framework that allows the reader to find ethical messages from the text in a structured manner without ignoring its ambiguity.

Secondly, making *maṣlaḥah* as the normative basis for legal orders (*amr*) and prohibitions (*nahy*), where every text that contains a clear *maṣlaḥah* automatically indicates an order (*amr*), and every text that contains a clear *mafsadah* indicates a prohibition (*nahy*). Then, to determine its legal status (*wājib*, *sunnah*, *ḥaram*, *makrūh*, and *mubāḥ*), it is necessary to measure how much weight the resulting *maṣlaḥah* and *mafsadat* carry. Every *ma'mur bih* (commanded) does not always indicate an obligation because it can indicate an obligatory or *sunnah* ruling, depending on the weight of the *maṣlaḥah*. Likewise, the *manḥiy* ‘*anh*’ (forbidden) does not always indicate a forbidden law because it depends on the weight of the *mafsadat*. When the *maṣlaḥah* and *mafsadat* are equal, the status becomes permissible.³⁶ This means that if a text contains *maṣlaḥah* based on existing semantic indicators, it should be understood as a form of command or recommendation, depending on the weight of its *maṣlaḥah*. Conversely, if the text indicates *mafsadah*, then the text should be understood as a prohibition and warning, depending on the weight of the *mafsadah*. This approach shows the normative logic behind the text, which is based on moral goals and benefits (*maṣlaḥah*).

Third, understanding the legal meaning of a text by considering the context in which it is expressed (*siyāq al-kalām*). ‘Izz al-Dīn ibn ‘Abd al-Salām emphasized the importance of the position of the verse in the chain of discourse, the intention of the speaker, the identity of the interlocutor, and the moral direction of the surrounding redaction. This is important to properly recognize the *maṣlaḥah* contained in the text. For example, what is the context of the situation, intention, praise (*madḥ*) or blame (*ẓamm*) discussed in a Qur’anic verse. In this case, ‘Izz al-Dīn gives the barometer of the context of the verse to ‘*urf isti‘mal*’ (prevailing custom). This third step is intended to clarify things that still look global and emphasize (*tariḥ*) things that are still vague or strengthen those

³⁵ Leroy Huizenga, *The New Isaac: Tradition and Intertextuality in the Gospel of Matthew* (BRILL, 2009), <https://doi.org/https://doi.org/10.1163/ej.9789004175693.i-340>.

³⁶ Al-Salām and Ibn, “Al-Imām Fī Bayān Adillah Al-Ahkām.”

that are clear.³⁷ Finally, the context of expression (*siyāq al-kalām*) is used not only to support the literal meaning, but also to ensure that the interpretation of *maṣlahah* does not go beyond the limits outlined by revelation.

The process of interpretation according to Friedrich Schleiermacher is not enough just to understand the linguistic structure of a text (*grammatical interpretation*), but must try to understand the intention of the author of the text in the context (*psychological interpretation*).³⁸ For this reason, understanding the context of the sentence as a whole and paying attention to the intention of the author of the text which is sometimes hidden in the structure of the text itself are two things that are urgent to get the true meaning.³⁹ The necessity to consider *siyāq al-kalām* to understand the meaning of the text initiated by ‘Izz al-Dīn ibn ‘Abd al-Salām has an understanding that understanding a text without paying attention to its context and discourse structure will lead to mistakes.

Although different from Schleiermacher who emphasizes on “authorial intent”, ‘Izz al-Dīn still considers the normative purpose of the text in the structure of Islamic values such as *maṣlahat* and wisdom. However, his spirit is to break linguistic reductionism for a more complete understanding of the law and prioritize human benefits. Accordingly, the methodology of textual interpretation in ‘Izz al-Dīn ibn ‘Abd al-Salām’s thought is based on a synthesis between linguistic indicators, the principle of substantial benefit, and awareness of the discourse context. This development signifies the important contribution of his thought in building a hermeneutical-ethical methodology of legal *istinbāt* while remaining rooted in the authority of the Qur’an.

Case Applications and Contemporary Relevance

The interpretation of legal texts with a *maṣlahat* approach represents the most promising avenue for integrating the Qur’anic perspective into a comprehensive contextualization framework. This approach could prove invaluable in addressing modern-day issues and problems.⁴⁰ In the context of Islamic legal reform, the primary objective is to advance the interests of humanity.⁴¹ While scholars may propose more humanistic approaches, these must be firmly anchored in the fundamental source of law to prevent any inconsistency between the legal authority (*naṣ*) and the practical applications of

³⁷ Al-Salām and Ibn.

³⁸ Schleiermacher Friedrich, *Hermeneutics : The Handwritten Manuscripts* (America: Missoula, Mont. : Published by Scholars Press for the American Academy of Religion, 1977).

³⁹ W. R. Osborne, “Paradigm Shifts: The Philosophical Hermeneutics of Friedrich Schleiermacher,” *Midwestern Journal of the Theology* 10, no. 2 (2011): 62–74.

⁴⁰ Duderija, “Toward a Scriptural Hermeneutics of Islamic Feminism,” *Journal of Feminist Studies in Religion* 31, no. 2 (2015): 45, <https://doi.org/https://doi.org/10.2979/jfemistudreli.31.2.45>.

⁴¹ Kamali, “Issues in the Legal Theory of Uṣūl and Prospects for Reform,” *Islamic Studies*, 2001, <https://doi.org/https://www.jstor.org/stable/20837072>.

the law. Therefore, there is a need for formulations in understanding *naş* that reflect the harmony of legal discovery through textual interpretation with contextual legal reasoning.

In the context of contemporary legal theory, this orientation finds common ground with the works of scholars such as Jasser Auda, who re-articulates *maqāṣid*-based reasoning as a systemic and dynamic method of interpretation.⁴² Similarly, Mohammad Hashim Kamali, Abdullah Ahmed an-Naim, as well as Hasan Hanafi, use the concept of *maşlahah* to address contemporary social and civil rights issues, seeing it as a link between divine revelation and public rationality. It appears that these scholars continue the path begun by ‘Izz al-Dīn ibn ‘Abd al-Salām with the idea that the integrity of Islamic law lies not in rigid adherence to the language of the text, but in realizing the moral vision embedded in it.

This approach is very important in order to solve contemporary problems that often experience deadlock due to classical legal interpretations that are still maintained. The interplay between traditional textual interpretation and contextual reasoning has historically presented a complex challenge in addressing contemporary legal issues.⁴³ The significant rejection of certain classical fiqh products perceived to be gender-biased, for instance, has prompted a re-evaluation of the legal production process.⁴⁴ Conversely, there are scholars who uphold textual interpretation as an inherited tradition shaped by the insights of preceding scholars. Traditional textualists defend the fiqh product of the 2:1 inheritance split between men and women because the textual and explicit *naş* say so. On the other hand, progressive contextualist scholars consider this provision irrelevant today. It reflects a patriarchal element in the formation of laws for women.⁴⁵

Therefore, ‘Izz al-Dīn ibn ‘Abd al-Salām's textual hermeneutic formula can be an alternative approach to solving the above problems. His idea of integrating the logic of *maşlahah* in the technique of textual interpretation of legal sources provides new strength in the theory of progressive Islamic law and

⁴² Jasser Auda, *Maqasid Al-Shariah as Philosophy of Islamic Law: A Systems Approach* (London: International Institute of Islamic Thought, 2008).

⁴³ J Barnes, "Contextualism: The Modern Approach to Statutory Interpretation," *University of New South Wales Law Journal* 41, no. 4 (2018): 1083–1113, <https://doi.org/https://doi.org/10.53637/PRVR3704>.

⁴⁴ Z. Mir-Hosseini, "The Challenges of Islamic Feminism," *Gender a Výzkum / Gender and Research* 20, no. 2 (2019): 108–122, <https://doi.org/https://doi.org/10.13060/25706578.2019.20.2.486>.

⁴⁵ M. Bakhshizadeh, *Changing Gender Norms in Islam Between Reason and Revelation* (1st Ed.), Budrich UniPress, 2018; A. Mashhour, "Islamic Law and Gender Equality: Could There Be a Common Ground?: A Study of Divorce and Polygamy in Sharia Law and Contemporary Legislation in Tunisia and Human Rights Quarterly," *Human Rights Quarterly, Query* 27, no. 2 (2005): 562–96, <https://doi.org/https://www.jstor.org/stable/20069797>.

response to change. Surah al-Nisa verse 11, the basis of the 2:1 inheritance ratio between women and men, must be interpreted from the perspective of benefit (*maṣlahah*) and harm (*mafsadah*). In interpreting this verse, Ibn ‘Abd al-Salām uses a straightforward and uncomplicated approach. He explains the meaning of this verse in the context of its revelation. According to him, this verse was revealed in the context of Arab society, which traditionally did not grant inheritance to women, weak boys, and men who could not fight. In response, the verse establishes women's right to a share of inheritance equal to half of a man's share.⁴⁶ By looking at the context of the text (*siyāq*), it appears that the provision of 2:1 inheritance is to provide equal rights between men and women. This suggests that the provision of women's half of men's share is not a form of discrimination, but rather a step of progress in a society that previously completely denied women inheritance rights. He reads the verse as an embodiment of the principle of progressive justice, where the text of revelation is present to reform social injustice. In today's context, this approach opens space for the renewal of Islamic inheritance law that remains based on the Qur'an but is able to respond to more substantial demands for gender justice. With socio-cultural developments that result in the existence of women increasing and if the 2:1 ratio does not show the value of equality anymore, it is legitimate to update and adjust and show the benefits for women and men.⁴⁷ This is done to get a comprehensive measurement of the weight of *maṣlahah* and *mafsadah*.

He also provides a fairly inclusive view on women's leadership and the permissibility of a Muslim working under a non-Muslim government. According to Ibn ‘Abd al-Salām, the verse that mentions men as leaders of women in Surah al-Nisa: 34 refers to men's responsibility towards their wives in terms of educating and directing them towards their obligations to Allah.⁴⁸ In this case, the verse does not automatically indicate the necessity for men to be leaders in general, both in politics and in the public sphere, but specifically speaks of leadership in the context of the household. For him, women can be appointed to public office in situations where no man is capable or worthy of being a leader. because he does not make gender a parameter for leaders, but emphasizes more on capacity, public benefit, and managerial ability.⁴⁹

⁴⁶ ‘Abd al-Salām, *Al-Fawā'id Fī Ikhtīṣār Al-Maqāṣid, Aw, Al-Qawā'id Al-Ṣuḡhrá (Al-Ṭab'ah 1)*, 306–307.

⁴⁷ H. Muhammad and F. A. Kodir, *Fiqh Perempuan: Refleksi Kiai Atas Wacana Agama Dan Gender (Cet. IV)*. (Yogyakarta: LKIS, 2007).

⁴⁸ ‘Abd al-Salām, *Al-Fawā'id Fī Ikhtīṣār Al-Maqāṣid, Aw, Al-Qawā'id Al-Ṣuḡhrá (Al-Ṭab'ah 1)*, 320.

⁴⁹ ‘Izz al-Dīn ‘Abd al-‘Azīz ibn. ‘Abd al-Salām, *Qawā'id Al-Aḥkām Fī Maṣāliḥ Al-Anām (A. Al-L. H. Abd Al-Rahman, Ed.)* (Beirut: Dar al-Kutub al-‘Ilmiyah, 1999), 78–79.

In the contemporary context, when the discourse on women's leadership in the Islamic world is still met with resistance, Ibn 'Abd al-Salām's thought provides strong *fiqhīyyah* legitimacy to break down structural barriers without having to go outside the framework of *shari'a*.

In the context of individual Muslims working under non-Muslim governments, this is permissible provided that they uphold the principles of professionalism and moral responsibility. For Ibn 'Abd al-Salām, the presence of a Muslim in an administrative position in a non-Muslim political and governmental structure does not automatically indicate ideological allegiance or denial of his faith.⁵⁰ In the contemporary situation, Muslims participate in many governmental, legal, and economic institutions, in various secular states. This perspective provides a framework for the integration of spiritually responsible and socially functional citizenship. Likewise, it addresses exclusionary views that rigidly separate religious allegiance and engagement in pluralistic political orders. According to the above overview, it is clear that the approach utilized by 'Izz al-Dīn ibn 'Abd al-Salām has an increasingly important significance in the modern context. This is particularly evident given the complex legal challenges faced by Muslim societies, such as human rights issues, gender equality, legal pluralism, and the ongoing environmental crisis. A large number of these issues are not explicitly addressed in classical legal texts. Therefore, a purely formalist approach—which relies solely on the literal meaning of the texts—is insufficient. The *maṣlaḥah*-oriented framework proposed by 'Izz al-Dīn ibn 'Abd al-Salām offers a methodological opportunity for the renewal of Islamic law. It preserves the integrity of revelation while creating space for contextualized moral and rational considerations.

Conclusion

This study concludes that 'Izz al-Dīn Ibn 'Abd al-Salam positions *maṣlaḥah* not only as the objective of Islamic law but also as an operative principle in interpreting legal texts. His legal reasoning brings together textual indications, ethical evaluation, and contextual understanding through three interconnected mechanisms. First, semantic and rhetorical expressions in revelation—such as praise, blame, reward, punishment, divine approval, and divine rejection—function as indicators of benefit and harm. Second, the relative weight of *maṣlaḥah* and *mafsadah* provides a normative basis for distinguishing different levels of commands and prohibitions. Third, *siyaq al-kalam* clarifies the direction of a legal expression by considering its textual setting, communicative purpose, and relationship with the surrounding discourse. These mechanisms

⁵⁰ Abu Bakar and Abdul Rahim, "Maqasid Al-Shariah Theory: A Comparative Analysis Between The Thoughts Of Al-Shatibi And 'Izz Al-Din Ibn 'Abd Al-Salam."

demonstrate that ethical purpose is embedded within, rather than imposed upon, the process of textual *istinbat*.

The principal theoretical contribution of this study is the reconstruction of Ibn ‘Abd al-Salam’s thought as an early model of *maslahah*-oriented legal hermeneutics. This reconstruction qualifies the conventional opposition between textual formalism and unrestricted contextualism. Ibn ‘Abd al-Salam neither abandons linguistic analysis nor treats social benefit as an independent authority capable of overriding revelation. Instead, he places linguistic indications within a broader ethical and purposive structure in which reason evaluates benefit and harm while revelation establishes their normative direction and limits. His framework therefore offers a method of Islamic legal reasoning that remains textually grounded while providing analytical space for examining the moral purposes and social consequences of legal interpretation.

The contemporary relevance of this framework lies primarily in its methodological orientation, rather than in the automatic production of new legal rulings. It may assist scholars in evaluating issues involving gender justice, citizenship, human rights, legal pluralism, and other changing social conditions, but its application requires careful examination of relevant texts, contexts, and competing benefits and harms. Since this study is limited to a conceptual reconstruction of selected works of Ibn ‘Abd al-Salam, it does not claim that every contemporary legal reform can be directly attributed to him. Further research should test the reconstructed framework through focused studies of particular legal problems and compare it with the approaches of other *maqasid*-oriented jurists. Such research would clarify both the potential and the normative limits of *maslahah* as a method of contemporary Islamic legal interpretation.

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