

Imām Shātībī's Contribution to Maqāsid Al-Sharī'ah

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Course: Maqasid al-Shariah, FQH 501

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Introduction

Indeed, all praise is due to Allah, we praise Him, we seek His assistance, we seek forgiveness from Him, we seek refuge in Allah from the evil of our own selves and the evils of our actions. Whoever Allah guides none can lead astray and whoever He leads astray none can guide. And I bear witness that none is worth of worship except Allah who has no partner, and I bear witness that Muhammad is His servant and Messenger.

To proceed:

Imām Abū Ishāq Ibrāhīm bin Mūsā bin Muḥammad al-Lakhmī ash-Shāṭibī was one of the greatest scholars and jurists. His teachings and works have been a major contribution to the field of Islamic jurisprudence and the field of Maqāṣid al-Sharī'ah.

Not much is known about his life. It is not known when and where Imām al-Shāṭibī was born. Some Historians estimate that it must have been around the year 720 H. However, it is known that he died in Granada in the year 790 H.¹

He followed the Mālikī madhhab and studied under the scholars of Granada, among others under Ibn al-Fakhkhār al-Bīrī, a great scholar of the Arabic language; Abū Ja'far al-Shaqqūrī, a grammarian and jurisprudent; Abū Sa'īd ibn Lubb, a Mufti; Abū 'Abd Allāh al-Balansī, a grammarian and mufassir; Imam Abū 'Abd Allāh al-Sharīf al-Tilmisānī, the greatest scholar of his time; Abū 'Abd Allāh al-Maqqarī, an author of Islamic legal maxims; Abū al-Qāsim al-Sabtī, a leading scholar of linguistics, Abū 'Alī al-Zawāwī, a scholar of Usūl al-Fiqh; and Ibn Marzūq al-Khaṭīb, a scholar of hadīth.²

¹ Mas'ud, M. Khalid. "Abū Ishāq Shāṭibī: His Life and Works." *Islamic Studies* Vol. 14, no. No. 2 (1975): pp. 145-161.

² al-Raysuni, Ahmad. *Imam Al Shatibi's Theory of the Higher Objectives and Intents of Islamic Law*. Herndon, Virginia: International Institute of Islamic Thought, 2005.

Imām al-Shāṭibī wrote several books, some of which have been printed and made available for us today. One of these books is called al-Muwāfaqāt.³ It is divided into five parts. The third part of this book elaborates on the maqāṣid al-sharī'ah, the objectives or goals of the sharī'ah,⁴ which will be briefly described in this research paper.

This research paper is divided into two sections.

Section 1: A brief description of the maqāṣid al-sharī'ah as Imām al-Shāṭibī presented them in his book al-Muwāfaqāt.

Section 2: The impact of Imām Shāṭibī's maqāṣid ash-Sharī'ah on the fields of fiqh, uṣūl al-fiqh, etc.

May Allāh allow us to increase our understanding of the contribution that Imām al-Shāṭibī made to the field of Fiqh, Uṣūl al-Fiqh, Maqāṣid al-Sharī'ah and other fields. Ameen.

A Brief Description of Imām al-Shāṭibī's Theory of Maqāṣid al-Sharī'ah

Imām al-Shāṭibī categorised the maqāṣid al-Sharī'ah into the following main categories:

1. Higher maqāṣid of the Lawgiver (Allāh). This category was divided into four subcategories:
 1. Allāh's higher maqāṣid in establishing the Law
 2. Allāh's higher maqāṣid in establishing the Law for the understanding of the people
 3. Allāh's higher maqāṣid in establishing the Law as a standard of behaviour
 4. Allāh's higher maqāṣid in making people accountable before Allah's law

³ ibn Ashur, Muhammad al-Tahir. *Treatise on Maqasid al-Shari'ah*. London: Al-Maqasid Research Centre, 2006

⁴ al-Raysuni, Ahmad. *Imam Al Shatibi's Theory of the Higher Objectives and Intents of Islamic Law*. Herndon, Virginia: International Institute of Islamic Thought, 2005.

2. Maqāsid of the mukallaf (those who are accountable) or human maqāsid⁵

Allāh's higher maqāsid in establishing the Law

Imām al-Shātibī divided the higher maqāsid into three categories:

1. ḍurūrāt (necessities): The ḍurūrāt are those things that are necessary for humans' spiritual, physical and material well-being (i.e. protection of religion, human life, progeny, material wealth and human faculty of reason ('aql)).
2. ḥājīyāt (needs): The ḥājīyāt are those things that are needed to remove hardship and difficulty, and to create ease.
3. Taḥsīnīyāt (embellishments): The taḥsīnīyāt are those things that are not as important as the necessities and needs, but they function as beautification in life, such as good habits and customs.

The categorisation into these categories is still applied today in the field of maqāsid al-Sharī'ah.^{6 7}

Allāh's higher maqāsid in establishing the Law for people's understanding

The objectives of this category are regarding how people can understand Allāh's law.

The Qur'ān was revealed in the Arabic language. Allāh says in the Qur'ān:

“Indeed, We have sent it down as an Arabic Qur'ān that you might understand.”

(Sūrah Yūsuf, 12:2)

However, the people to whom it was revealed were unlettered. Allāh says in the Qur'ān:

⁵ Ibid.

⁶ Ibid

⁷ ibn Ashur, Muhammad al-Tahir. *Treatise on Maqasid al-Shari'ah*. London: Al-Maqasid Research Centre, 2006

“It is He who has sent among the unlettered [Arabs] a Messenger from themselves reciting to them His verses and purifying them and teaching them the Book [i.e., the Qur’ān] and wisdom [i.e., the sunnah]” (Sūrah al-Jumu’ah, 62:2)

Therefore, we can understand that whoever wants to understand and then learn Allāh’s law, has to learn the Arabic language.

It should be mentioned that this category of objectives is disputed as it may only be seen as a basis for understanding, but not as an objective.⁸

Allāh’s higher maqāsid in establishing the Law as a standard of behaviour

This category of maqāsid discusses two topics:

1. Those deeds which are beyond human capacity. The scholars agree that such deeds are not required, as this is what Allāh says in the Quran, Sūrah al-Baqarah, verse 286.
2. Those deeds which are within human capacity, but they involve hardship. Imām Shāṭibī mentions: “The Lawgiver’s intention in the requirements He makes is not to impose hardship and suffering thereby.” He then goes on to explain that Allāh may require some deeds that involve hardship but that this hardship is similar to the hardship that is required for making a living. He also explains that people should not make their matters more difficult in hope of reward because Allah ”has not established self-torment as a means of drawing near to Him or attaining to His presence.”⁹

⁸ al-Raysuni, Ahmad. *Imam Al Shatibi’s Theory of the Higher Objectives and Intents of Islamic Law*. Herndon, Virginia: International Institute of Islamic Thought, 2005.

⁹ As quoted in al-Raysuni, Ahmad. *Imam Al Shatibi’s Theory of the Higher Objectives and Intents of Islamic Law*. Herndon, Virginia: International Institute of Islamic Thought, 2005.

Allāh's higher maqāṣid in making people accountable before Allāh's law

The main subject of this category is that none and nothing falls outside Allāh's law as Allāh is the Lawgiver. Imām Shāṭibī states, "In relation to human beings, Islamic Law is an all-inclusive universal. In other words, none of its rulings is addressed exclusively to some but not others, and no one whatsoever can escape coming within its jurisdiction."

He goes on to explain further that this category results in several rules "every action which is based on the mere fulfilment of one's desires and without regard for what God has commanded, prohibited, or left open to human choice, is invalid without exception" and "Living on the basis of one's desires and whims leads to that which is blameworthy even if it should take the form of that which is praiseworthy..."¹⁰

Human maqāṣid

The second main category of maqāṣid, namely the human maqāṣid are not explained with rules as with the first main category. Instead, Imām Shāṭibī mentions several cases and what the maqāṣid are in these cases.¹¹

The Impact of Imām al-Shāṭibī's maqāṣid

Many of the topics that Imām al-Shāṭibī wrote about were not new to the scholars. He applied a lot of principles that were laid down by the uṣūliyyīn and the Mālikī madhhab. However, there were some new and innovative aspects as well.

One of the most innovative aspects of his work is the "twin realm of the fundamentals of jurisprudence and the objectives of the Law".¹²

¹⁰ Ibid.

¹¹ Ibid.

¹² Ibid.

Therefore, scholars frequently refer to Imām Shātibī's contribution.¹³ This new contribution changed and facilitated the use of ijtihād, as maqāsid-based ijtihād was then possible. It helped scholars and non-scholars to understand Islamic law at a much deeper level and facilitated people to connect with the laws of Allāh, to see great wisdom in Allāh's law even though that wisdom may never be fully comprehended by the limited human intellect.

Conclusion

It can be concluded that Imām Shātibī made a major contribution to the science of maqāsid al-Sharī'ah. His theory of maqāsid al-Sharī'ah facilitates ijtihād and helped people to understand Islamic law at a much deeper level and to connect with Allāh's laws.

And Allāh knows best.

¹³ ibn Ashur, Muhammad al-Tahir. *Treatise on Maqasid al-Shari'ah*. London: Al-Maqasid Research Centre, 2006

References

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