MORAL IDEAL-BASED QUR`AN INTERPRETATION ACCORDING TO SHĀṬIBĪ'S CONCEPT OF *MAQĀṢID AL-SHARĪ'AH*

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Abstract

The interpretation of the Qur`an has been frequently subjected to exploring legal aspects of verses, regardless of their underlying ethical bases. The goals of Islamic doctrines called as maqāṣid al-sharī'ah provide ethical judgements that can be functioned for this sake. Unfortunately, they have been applied just for legal formulation. This article employs Fazlur Rahman's theory of distinction between legal-specific and moral-ideal of Qur`anic doctrines. This perspective will be used to analyze moral dimensions of Shāṭibī's maqāṣid. In this article, it will be argued that the moral principles extracted from these goals can be functioned as the paradigm for interpreting the Qur`an. There are two models of moral value-based interpretation that can be developed. The first is ethical-historical interpretation. This interpretation aims to understand the verses of the Qur'an in the light of a historical context as the starting point, not only based on background or reason behind the verse that respond the historical situation, but also based on the moral message extracted from these ends. The second is the ethic-contextual interpretation. It is an interpretation that is projected to respond current issues by applying three interacting sides; present situations, the literary context, and the ideal-moral paradigm drawn from these ends.

Keywords: Ethical value, interpretation, maqāṣid al-sharī'a, paradigm

A.   Introduction

The development of the interdisciplinary approaches to the Qur'an today follows to two trends; first, approaches that are explored from sciences, namely natural and social sciences, and humanities; second, those which are taken from the Islamic

legacies, such as *uṣūl al-fiqh* based-approach.[1]

Viewed from the acceptance of Muslim intellectual to approaches to the Qur`an, the first trend of the approach is highly controversial. For instance, one of approaches explored from sciences is hermeneutics which is, according to some Muslim scholars, regarded to be able to offer new interpretations and to be responsive to contemporary issues faced by Muslim communities. However, this approach has been differently responded to by Indonesian Muslim intellectuals, as occurred in the Nahdhatul Ulama Congress in Cipasung in 1994. Many traditional Muslim scholars rejected it, since it was considered as the way of thinking of Liberal Islam.[2] The controversy is caused by the issue of the approach of interpretation.

Some of controversies are also due to this same factor, such as the controversy on disputed interpretation of the word "*awliyā`*" in the Qur`an (Q.5: 51). This case was triggered by a Chinese-Christian governor of Jakarta, Ahok's speech in front of Muslim people in Seribu Island in 2016. Besides political and religious ideological factors, the controversy was also rooted in principle from different approaches of interpretation of the verse.[3] According to Johanna Pink, in Indonesian context, the controversies about the Qur`an interpretation indeed have been caused by many factors, such as approaches and religious ideologies, such conservative, moderate, and modernist ideologies, which rise many tendencies of interpretation. Also, the theology of the government plays an important role in shaping the developing interpretations.[4]

The problem that overshadowed debates on approaches to the Qur`an in contemporary Indonesia, is that, in the eyes of rejecters, the hermeneutics is derived from the Bible studies, as evidenced by the criticism of intellectuals belonging to the International Institute for the Study of Islamic Thought and Civilization (INSIST), such as Adnin Armas and Adian Husaini[5] and criticism from several Islamic leaders in Indonesia, such as M. Quraish Shihab. Meanwhile, other groups insisted on the opinion that hermeneutics is compatible to be applied in the interpretation of the Qur'an, as proposed by M. Amin Abdullah,[6] Sahiron Syamsuddin,[7] and Abd. Moqsith

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[1] Richard C. Martin, citing Alford T. Welch's statement, said that Quranic studies can be classified into three main kinds, namely studies on interpretation, history of interpretation, and the roles of the Qur`an in thought and life of Muslim communities. The interpretation covers a wide range of methodological issues, including interdisciplinary interpretation of the Qur`an that use scientific theories. Martin, "Understanding Qur`an in Text and Context." *History of Religions* 21, no. 4 (1982): 361–84, https://doi.org/10.1086/462906.

[2] Ahmad Baso, *Islam Pasca-kolonial: Perselingkuhan Agama, Kolonialisme, dan Liberalisme* (Bandung: Mizan, 2005).

[3] See, for instance, a comparative study of M. Quraish Shihab and Hamka's interpretation of the word "*awliyā`*", in Abd Kholid et.al., "Rereading the Indonesiaan Interpretation of the Qur`an on Awliyā`: The Cases of Hamka and M. Quraish Shihab," *Qudus International Journal of Islamic Studies* 9, no. 1 (2021): 37–73.

[4] Johanna Pink, "Authority and Innovation in Contemporary Sunnī Tafsīr: Towards a Typology of Qur'an Commentaries from the Arab World, Indonesia and Turkey," *Journal of Qur`anic Studies* 12, no. 1 (2010): 73–76, https://doi.org/10.3366/E1465359110000963.

[5] See, for instance, Adnin Armas, *Metodologi Bibel Dalam Studi Al-Qur`an: Kajian Kritis* (Jakarta: Gema Insani Press, 2005). Also, see Adnin Armas, *Pengaruh Kristen-Orientalis Terhadap Islam Liberal: Dialog Interaktif Dengan Aktivis Jaringan Islam Liberal* (Jakarta: Gema Insani Press, 2004). Adnan Husaini, *Wajah Peradaban Barat: Dari Hegemoni Kristen Ke Dominasi Sekular-Liberal* (Jakarta: Gema Insani Press, 2005). 288-333; Adian Husaini and Abdurrahman al-Baghdadi, *Hermeneutika dan Tafsir Al-Qur`an* (Jakarta: Gema Insani Press, 2007).

[6] See, for instance, M. Amin. Abdullah, *Islamic Studies di Perguruan Tinggi: Pendekatan Integratif-Interkonektif* (Yogyakarta: Pustaka Pelajar, 2012).

Ghazali. [8]

In addition to Western scientific approaches, there are approaches which are taken from Islamic intellectual legacies or, borrowing Muḥammad al-Ghazālī's terminology, approaches taken from the classical Islamic legacies (*al-manāhij al-turāthiyyah*), such as the analysis of correlation (*al-munāsabah*), both between verses, inter-verses or in verses, as has been formulated by al-Biqā'ī (d. 885/1480) in *Naẓm ad-Durar fī Tanāsub al-Āyāt wa al-Suwar*.

Nowadays, there is a strong trend in renewal in the Islamic world to elevate the classical intellectual legacies to become foundations of contemporary approaches, as through the *maqāṣid al-sharī'a* and the *maqāṣid al-Qur`ān* as approaches in interpreting the Qur'an. This trend has been represented by the thoughts of some Muslim intellectuals affiliated with the International Institute of Islamic Thought (IIIT). Thinkers such as Ṭāhā Jābir al-'Alwānī from this institute and Aḥmad al-Raysūnī from *al-Ma'had al-'Ālī li al-Ḥaḍārah al-Islāmiyyah* are those who proposed this idea.[9]

In contrary to the first trend of approaches in Qur`an interpretation, the second one has not have been studied properly. In fact, the classical Islamic legacies, such as the *maqāṣid al-sharī'ah*, are needed to bridge between tradition and modernity. According to al-Raysūnī, a tradition (*aṣālah*) is not a rival to modernity (*ḥadāthah*) or vice versa; there is no dichotomy of tradition-modernity (*aṣālah-ḥadāthah*), tradition-renewal (*taqlīd-tajdīd*), and protection-rethinking (*muḥāfaẓah-murāja'ah*).[10]

One of the *uṣūl al-fiqh* based-approaches to the Qur`an is the *maqāṣid al-sharī'ah* approach, as can be studied from al-Shāṭibī's concept. Unfortunately, studies that have been conducted until now are still limited to theological and juridical perspectives. One of studies is Hamka Haq's *al-Shāṭibī: The Theological Aspect of the Concept of Maṣlaḥah in his Muwāfaqāt*, in which the *mashlaḥah* is regarded as an important part of the *maqāṣid*. This study concludes that the theological thought underlying his concept of the *maṣlaḥah* is rational based on theological doctrines of Mu'tazilah and Maturidiyyah of Samarkand.[11]

Most of studies conducted so far on the *maqāṣid* are legal studies. There is the accepted wrongly assumption that the *maqāṣid* is only relevant to be applied in legal

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[7] See Sahiron Syamsuddin Sahiron, *Hermeneutika dan Pengembangan Ulumul Qur`an* (Yogyakarta: Pesantren Nawasea Press, 2009).

[8] See Abd. Moqsith. Ghazali, *Argumen Pluralisme Agama: Membangun Toleransi Berbasis al-Qur`an.* (Jakarta: Katakita, 2009).

[9] Al-Raysūnī authored some works. See, for instance, Ahmad bin 'Abd al-Salām al-Rasyūnī, *al-Tajdīd al-Uṣūlī: Naḥwa Ṣiyāghah Tajdīdiyyah li 'Ilm Uṣūl al-Fiqh.* (Jordan: The International Institute of Islamic Thought, 2016).

[10] As Aḥmad al-Raysūnī said, there are three scientific movements that developed in the Arab Islamic world, namely: (1) integration and interaction movements, (2) dichotomization movements, and (3) fusion movements. Three trends of the movement originate from two bases, namely Islam *vis-a-vis* the West. The new element in Western civilization seems dominant and dominates the old elements, but is still influencing until now. In fact, in Islamic civilization, some efforts to search new foundations of interpretation develop. According to al-Raysūnī, this is the hallmark of Islamic civilization, namely that there is an internal shock in Islamic thought and civilization that will not defeat each other: between the old and the new, or vice versa, between tradition and modernity, or vice versa, and between preserving tradition and the spirit of renewal, or vice versa. See Aḥmad al-Rasyūnī, *al-Fikr al-Maqāṣidī: Qawā'iduh wa Fawā`iduh.* (Tunis: Manshūrāt Jarīdat al-Zamān, 1999).

[11] Hamka Haq, *Al-Shāṭibī: Aspek Teologis Konsep Mashlahah Dalam Kitab al-Muwāfaqāt.* (Jakarta: Erlangga, 2007).

issues, whether in the sense of its values, such as the value of moderation (*wasaṭiyyah*),[12] and its values for the prevention of radicalism (*taṭarruf*),[13] or in the sense of application of its values in wide contexts, as in the case of *kawin maupah* (marriage by wage after third *ṭalāq,* or as known in Islamic jurisprudence as *nikāḥ al-taḥlīl*),[14] banking,[15] economic and finance,[16] the increasing of house prices,[17] and measuring standard of the productivity of individuals and institutions based on Key Intangible Performance (KIP).[18]

The *maqāṣid al-sharī'ah* is more frequently applied to legal cases, as it appears to be done mainly by classical scholars, and also partly carried out by modern scholars such as Jamāl al-Dīn Muḥammad ʿAṭiyyah through his work, *Naḥwa Tafʿīl Maqāṣid al-Sharī'ah*.[19] As asserted by Jasser Audah, the founder of the Maqaṣid Institute in London,[20] it should be applied widely, both as an approach in Islam renewal, including for contemporary legal opinion-making, as well as in the context of the Qur`an interpretation, as in solving claims of contradiction between verses of the Qur'an in the case of abrogation,[21] and the study of thematic interpretations.[22]

Similar to Jasser Audah, Aḥmad al-Raysūnī also proposed this approach to be a way of thinking which he called 'the *maqāṣidic* paradigm' (*al-fikr al-maqāṣidī*), namely the paradigm that is deeply rooted in searching for values contained in the ends of the Islamic doctrines and that underlies Islamic principles. In brief, the paradigm is a thought enlightened with the knowledge of the *maqāṣid* (ends), adhering to its principles, and producing its functions'.[23]

From the two current trends of research conducted, both theological and legal, it seems that many researchers assumed wrongly that the core principles of the *maqāṣid*

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[12] Kuttiyani Muhammad Muneer and Abdul Rahim Rahim, "The Principle of Wasaṭiyyah as a Higher Objective of the Sharī'ah: A Historical Survey," *Intellectual Discourse* 25, no. 2 (2017): 341–55.

[13] Nawawi Nawawi, "Ta`sīs Maqāṣid Al-Sharī`ah al-Taqaddumiyyah Li Radd al-Fikr al-Irhābī Wa al-Taṭarrufī (Dirāsah Taḥlīliyyah Uṣūliyyah)," *Qudus International Journal of Islamic Studies* 5, no. 1 (2017): 117–42.

[14] Endy Saputra and Busyro Busyro, "Kawin Maupah: An Obligation to Get Merried After Talak Tiga in the Tradition of Binjai Village in Pasaman District: A Maqāṣid al-Sharī'ah Reviwe," *Qudus International Journal of Islamic Studies* 6, no. 2 (2018): 181–219.

[15] Azman Mohd Noor et.al., "The Importance of Understanding the Maqasid of Shari'ah in the Development of Islamic Banking and Financial System," *Shajarah: Journal of Islamic Thought and Civilization* 21, no. 3 (2016): 41–45.

[16] Nur Kholis at.al., "The Significance of Maqasid Syariah Principles in Improving Islamic Economics and Finance"," *International Journal of Innovation, Creativity and Change* 13, no. 3 (2020): 1342–53.

[17] Rosylin Mohd Yusof et.al., "Enhancing the House Price Index Model in Malaysia Towards a Maqasid Shariah Perspective: an Empirical Investigation," *Shajarah: Journal of Islamic Thought and Civilization*, Special Issue (2018): 225–53.

[18] Luqman Zakariyah et.al., "The Theoretical Framework for Measuring Key Intangible Performance (KIP) in Research and Publication Using Maqāṣid al-Sharī'ah (MS)." *Intellectual Discourse* 28, no. 2 (t.t.): 409–31.

[19] Aḥmad bin ʿAbd al-Salām al-Raysūnī, *al-Tajdīd al-Uṣūlī: Naḥwa Ṣiyāghah Tajdīdiyyah li ʿIlm Uṣūl al-Fiqh* (Jordan: The International Institute of Islamic Thought, 2016).

[20] See http:// www.maqasid.org. (accessed on October 25, 2021).

[21] Jasser Audah, *Al-Maqasid Untuk Pemula* (Yogyakarta: Suka Press, 2013), 60–70.

[22] Audah, 82–83.

[23] Aḥmad al-Raysūnī, *al-Fikr al-Maqāṣidī: Qawāʿiduh wa Fawā`iduh* (Tunis: Manshūrāt Jarīdat al-Zamān, 1999), 35.

only contain the two aspects. According to al-Shāṭibī, the universal maxims (*al-qawā'id al-kulliyyah*) associated with the *maqāṣid al-sharī'ah* are not only theological principles, fundamental Islamic doctrines (*al-uṣūl al-'āmmah*), and essential teachings related to practices, but also related to moral principles.[24]

Indeed, the *maqāṣid al-sharī'ah* should no longer be regarded as a mechanical frame of reference in the formulation of laws, but further, as a "thinking paradigm" in viewing various problems in Islam, including in the context of the interpretation of the Qur'an. This is on the theoretical side. On the other hand, there are some people who carry out the theory and its application in liberal meaning as Abd. Moqsith Ghazali did.[25]

One of the prominent thinkers about the *maqāṣid* is al-Shāṭibī through his work, *al-Muwāfaqāt*. There is no doubt that he formulated the *maqāṣid* on the basis of moral principles. However, the question is whether it is true that the *maqāṣid* is a paradigm that is used only to limited areas of application within the Islamic law, as shown in the practice of legal-judgement (*istinbāṭ al-aḥkām*) by classical Muslim jurists, or it is a perspective or paradigm that is used practically to address the problems of broad economic, legal, and even social issues. On the other hand, is it true that the *maqāṣid*, as suggested by some contemporary Muslim thinkers, such as al-Raysūnī and Jasser Audah, as mentioned above, has such a wide scope of application, that it is considered the starting point for the rise of civilization?

The core of these issues will be answered in this article by focusing the study on the *maqāṣid al-sharī'ah* according to al-Shāṭibī. This article will aim to; first, describe this concept; second, analyze the moral values that underlie that concept and to identify it as a paradigm (way of thinking); third, reconstruct the so-called moral paradigm for the interpretation of the Qur'an through two models, namely ethical-historical interpretation and ethical-contextual interpretation.

This article attempts to prove that the *maqāṣid al-sharī'ah* should not be applied narrowly to issues of Islamic law only, as the classical Muslim jurists have done, or it should be applied to too broad fields for which there are no standards.[26] The *maqāṣid* must be applied as a paradigm that is not limited to Islamic law, but with the standard of underlying moral principles. These principles are universal, because they depart from the fundamental teachings of Islam, such as the principle of spirituality, and depart from human nature, such as the principle of basic needs (elementary) and other ones. These principles are the moral paradigm as the basis for the interpretation of the Qur'an.

B.   Method

This article applies a philosophical-hermeneutical approach. At the first step, the concept of *maqāṣid al-sharī'ah* according to al-Shāṭibī will be described, then analyzed

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[24] Abū Isḥāq al-Shāṭibī, *Al-Muwāfaqāt fi Uṣūl al-Sharī'ah,* vol. II (Beirut: Dar al-Kutub al-Ilmiyah, 2003)., 88.

[25]Abd. Moqsith. Ghazali, *Metodologi Studi al-Qur`an* (Jakarta: Gramedia Pustaka, 2009). See a critical assessment of Moqsith's approach in Wardani, *Trend Perkembangan Pemikiran Kontemporer: Metodologi Tafsir Al-Qur'an di Indonesia* (Yogyakarta: Kurnia Kalam Semesta, 2017).

[26]For further information on the use of the *maqāṣid* argument in an arbitrary and confusing way in the case of the permissibility of polygamy for men and the obligation of wearing *ḥijāb* on women in Malaysia, see Muhammad Adib Samsuddin and Salasiah Hanin Hamjah, "Confusion Concerning the Use of Maqaṣid Al-Shari'ah in Some Social Issues in Malaysia," *Mediterranean Journal of Social Sciences* 6, no. 6 (2015): 369–74.

by drawing its moral values. The moral aspect will be analyzed by applying ethical philosophy theory, such as instrumentalism and ethical pragmatism. In this context, the researcher will collaborate between the explanation of philosophy and Islam about morality. According to Fazlur Rahman, the teachings of the Qur'an contain two inseparable aspects, namely the specific legal aspect and the moral foundation. He said, "The moral teaching should be systematized first, based on both the general principles stated explicitly in the Quran, the latter occurring far more frequently. Then, the actual legal prescriptions of the Qur'an should be understood and interpreted in the light of these moral teachings in order to derive systematic legislation from the Qur'an. It is equally important to keep in viewing the socio-historical background to see how these moral objectives and principles were concretely embodied in the legal form in the Qur'an."[27]

At the second step, after the underlying moral principles are extracted from al-Shāṭibī's concept of the *maqāṣid*, the implications will be analyzed in the interpretation of the verses of the Qur'an. The theory is applied from the perspective of Fazlur Rahman's hermeneutics. Through his theory of double movement, he offers two models of interpretation: first, the ethical-historical interpretation, namely interpreting the verses of the Qur'an, which cannot be separated from their historical context, while understanding the essence of its moral purpose (ethical-historical interpretation); second, ethical-contextual interpretation, namely interpretation for the sake of contextualizing the messages of the Qur'an by moving back and forth between the past and the present.[28]

C.   Shāṭibī's Concept of the *Maqāṣid al-Sharī'ah*

The word "*maqāṣid al-sharī'ah*" is formed from two words: *maqāṣid* and *sharī'ah*. The word "*maqāshid*" is the plural of *maqṣid* taken from *qā-ṣād-dāl* which originally and linguistically has three meanings, namely coming to or intentionally doing (something), breaking, and saving. From the first original meaning, for instance, it is said "*qaṣadtuhu qaṣdan wa maqṣadan*" (I came to or did it on purpose). From the second one, for instance, it is said "*qaṣadtu al-shay` kassartuhu*" (I solved it). Meanwhile, from the third one, for instance, it is said "*al-nāqah al-qaṣīd*" (a fat camel).[29]

Al-Shāṭibī classifies the objectives of *sharī'ah* (*maqāṣid al-sharī'ah*) into four kinds. The first is the objectives of God as the law-maker (*Shārī'*) when establishing it from the beginning. Based on this point of view, the objectives can be classified hierarchically into elementary (*ḍarūriyyah*), supplementary (*ḥājiyyah*), and complementary (*taḥsīniyyah*). This classification, according to Aḥmad al-Raysūnī, comes from al-Juwaynī (d. 478/1085). This classical jurist divided the objectives into five categories that basically can be simplified into five: (1) those related to elementary ones, for instance, the rule of retribution (*qiṣāṣ*) can explained by its objective in nurturing bloodshed and creating a deterrent effect for others; (2) those related to general needs or purposes, but the needs do not reach the elementary level, such as the rule of

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[27] Fazlur Rahman, "Islam: Challenges and Opportunities," in *Islam: Past Influence and Present Challenge,* ed. Alford T. Welch, Pierre Cachia, and William Montgomery Watt (Edinburgh: Edinburgh University Press, 1979).

[28] Rahman, *Islam dan Modernitas*, trans. Ahsin Muhammad (Bandung: Pustaka, 1995), 7–9; Farid Esack, *Qur'an, Liberation and Pluralism: an Islamic Perspective of Interreligious Solidarity Against Oppression* (Oxford: Oneworld Publications, 1997), 66.

[29] Ibn Fāris, *Mu'jam Maqāyīs al-Lughah,* ed. 'Abd al-Salām Muḥammad Hārūn, vol. 5 (Beirut: Dar al-Fikr, n.d).

borrowing (*āriyah*); (3) those which are not included in elementary, nor supplementary, but included in the category of efforts to complete the honors and efforts to reduce shortcomings, such as the rule of *ṭahārah*; (4) those which are not included in the category of elementary, nor complementary, and are placed in the third level, because they are limited to somethings that are recommended; (5) those which cannot be explained by reason or any category of purpose.[30] In this context, al-Shāṭibī adopted al-Juwaynī's categorization. The influence of the later on the former is also evidence of influence of the basis of theology into *maqāṣid*.[31] Al-Juwaynī was one of pioneers in formulating the *maqāṣid* before al-Ghazālī (d. 1111 A.D.). Other Muslim jurists who contributed to formulate it were Izzuddin ibn 'Abd al-Salām (d. 1262 A.D.) and Ibn Qayyim al-Jawziyyah (d. 1350 A.D.).[32]

The elementary objective (*ḍarūriyyah*) is defined as "the aim that puts forward getting of benefits (*maṣlaḥah*), both those related to religion and of the worldly-life. If this goal is not met, the benefits will be disrupted, resulting in harm and chaos, and even death; and in terms of the hereafter, it will result in not being saved, a loss of afterlife joy, and clear damages".[33] Classical Muslim jurists consider this objective fundamental so that every *madzhab* of Islam (*millah*) recognizes it.[34]

It covers preserving religion (*ḥifẓ al-dīn*), soul (*ḥifẓ al-nafs*), nurturing offspring (*ḥifẓ al-nasl*), preserving property (*ḥifẓ al-māl*), and reason (*ḥifẓ al-'aql*). These five elementary objectives are usually referred to as five necessary needs (*al-ḍarūriyyāt al-khams*), which are usually arranged hierarchically based on the order of importance or judgment. Al-Juwaynī became the pioneer in this context.[35]

Here are the distributions of these objectives to the worship, customs, *mu'āmalah*, and *jināyah* segments based on sustainability and avoiding extinction:[36]

Table 1: Elementary Objectives (*Ḍarūriyyah*)

No.	Segments	Elementary Objectives	Kinds of Protection	
			Sustai-nability	Avoiding Extinction
1.	Worship	Preserving religion	√	
2.	Customs	Preserving soul and reason	√	
3.	*Mu'āmalah* (commercial tran-saction)	Nurturing offspring, Preserving property, soul, and reason	√	
4.	*Jināyah* (crimes)	All objectives		√

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[30] al-Raysūnī, *al-Fikr al-Maqāṣidī: Qawā'iduh wa Fawā`iduh,* 49-51.

[31] Aḥmad al al-Raysūnī, *Naẓariyyat Al-Maqāṣid 'Ind al-Shāṭibī* (Rabat: Dār al-Amān, 1991), 51.

[32] Sulistiyono Susilo and Abdul Ghofur, "Maslaha as the Philosophical, Political, and Legal Basis on the Islamic Banking Legislation in Indonesia," *Global Journal of Al-Thaqafah* 7, no. 1 (2017): 14.

[33] Abū Isḥāq al-Shāṭibī , *Al-Muwāfaqāt fī Uṣūl al-Sharī'ah,* vol. II (Beirut: Dar al-Kutub al-Ilmiyah, 2003).

[34] al-Shāṭibī, *Al-Muwāfaqāt Fi Uṣūl al-Sharī'ah*, II:8.

[35] Aḥmad al-Raysūnī, *Naāariyyat al-Maqāṣid 'Inda al-Shāṭibī,* 51.

[36] al-Shāṭibī, *Al-Muwāfaqāt Fi Uṣūl al-Sharī'ah*, II:7–8.

Prayer, almsgiving, fasting, and pilgrimage, for instance, are stipulated as the objectives intended to preserve aspects of religion in terms of their sustainability. While, in the daily human habits, food, drinks, clothing, and shelter are permissible to maintain the continuity or existence of souls and mind. The elementary objectives (*ḍarūriyyah*) become the basis for the supplementary (*ḥājiyyah*) and complementary (*taḥsīniyyah*) objectives. Therefore, if it is not achieved, then other objectives cannot be realized, including the complementary ones (*takmīlī*). If no cause exists, for instance, that necessitates a retributive punishment (*qiṣāṣ*), then the reciprocity which is its objective is also not accomplished.[37]

From the aspect of the objective or benefit to the subject's target, the elementary objectives (*ḍarūriyyah*) can be divided into two kinds, namely *ḍarūriyyah 'ayniyyah* (elementary objective of individual) that is the objective of the Muslim individually; (2) *ḍarūriyyah kifā`iyyah* that is the elementary objective of Muslim community.[38]

The following objective, the supplementary, is related to God's desire to remove difficulties in life that usually hit human if such objective is ignored.[39] Like the elementary objective, it is also considered by God as the objective concerning worship, customs, commercial transaction (*mu'āmalah*), and crime (*jināyah*). In worship, for instance, this objective is reasonable from the legislation of relief (*rukhṣah*) of worship when being sick on a trip. Concerning custom (*ādah*), for instance, it is permissible to hunt, to enjoy good and lawful foods, to drink, to dress cloths, and to build houses. In the aspect of *mu'āmalah*, for instance, this objective invests the legislation of *musāqāh*[40] and *salam*.[41] In the aspect of crime, there are provisions regarding punishment for killing and injuring, and paying *diyat* for the victim's family.[42]

The lowest level of the objectives of this category, the complementary, is an objective related to efforts to obtain worthy life viewed from custom ('ādah)[43] and to keep away things considered, based on common sense, as degrading human's dignity or causing despicable. According to al-Shāṭibī, the principle that underlies this objective is moral glory (*makārim al-akhlāq*),[44] and courtesy (*adab*).[45] The religious doctrine (*sharī'ah*) which direct to this objective aims to improve man's quality of life (*al-taḥsīn wa al-tazyīn*), so that its nature only adds or supports the elementary and supplementary objectives.[46]

The second is the objectives of law-maker (*Shāri'*) in making *sharī'ah* to be understood. According to al-Shāṭibī, for the sake of this objective, God revealed the

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[37]al-Shāṭibī, *al-Muwāfaqāt fi Uṣūl al-Sharī'ah,* vol. II, 13-14.

[38]al-Shāṭibī, *al-Muwāfaqāt fi Uṣūli al-Sharī'ah,* vol. II, 137.

[39]al-Shāṭibī, *al-Muwāfaqāt fi Uṣūl al-Sharī'ah,* vol. II, 9. See also al-Raysūnī, *Naẓariyyat al-Maqāṣid 'Inda al-Shāṭibī,* 146.

[40]*Musāqāh* is to give the garden to someone who will manage it with an agreement that after the harvest, the results are divided according to the provisions or the agreement. Sayyid Sābiq, *Fiqh al-Sunnah,* vol. III (Beirut: Dār al-Fikr, 1983), 288-291.

[41]*Salam* is selling items that did not exist when the transaction was made, but the specifications were explained, with cash payments. Lihat Sābiq, *Fiqh al-Sunnah,* vol. IIII, 71–75.

[42] al-Shāṭibī, *Al-Muwāfaqāt fī Uṣūl al-Sharī'ah,* vol. II, 9.

[43]What is meant by al-Shāṭibī with customs here are daily activities. They can also mean habits. Some of the customs are recognized by religion, which are called "*shar'i* habits" (*al-'awā`id al-shar'iyyah*). See further, especially in relation to *bid'ah*, Muhammad Khalid Mas'ud, *Shâtibi's Philosophy of Islamic Law* (Islamabad: Islamic Research Institute, 1995).

[44]al-Shāṭibī, *al-Muwāfaqāt fi Uṣūl al-Sharī'ah,* vol. II, 9.

[45]al-Raysūnī, *Naẓariyyat al-Maqāṣid 'Inda al-Shāṭibī,* 146.

[46]al-Shāṭibī, *Al-Muwāfaqāt fi Uṣūl al-Sharī'ah,* vol. II, 10.

entire of Qur`anic verses in Arabic; with no foreign vocabularies (*'ajam*), or Arabized ones (*mu'arrab*). This principle was drawn by al-Shāṭibī by induction (*istiqrā`*) of several verses of the Qur'an.[47] Therefore, the teachings of the Qur`an can be understood. In his logical reasoning, if the Qur'an was revealed in Arabic, then there are no non-Arabic expressions in it. Based this consideration, the real point that al-Shāṭibī wanted to say is that the Qur'an was revealed in an oral language that already exists and could be understood by the Arabs themselves in various forms and styles of language, such as words whose coverage or clarity is either general (*'āmm*), particular (*khāṣṣ*), clear (*ẓāhir*), or not clear (*ghayr ẓāhir*).[48] According to al-Shāṭibī, the principle of understanding linguistic phenomena like this was initiated by al-Shāfi'ī (150-204 AH) in his work, *al-Risālah*.[49]

The third is the objective of the law-maker in establishing the *sharī'ah* to be obeyed, both in terms of obligation and prohibition (*taklīf*). In this context, according to al-Shāṭibī, the *taklīf* must be within the capabilities of subject (*mukallaf*). According to al-Shāṭibī, the beyond capacity-*taklīf* is impossible, although from the perspective of reason, is possible. Furthermore, if there are textual arguments, apparently understood either from the Qur`an or ḥadīth, that suggest its possibility, then it must be understood in terms of making previous conditions, consequences, or indications. For instance, the prohibition of death for Muslims, except when they are being Muslim (Q. 2: 132) that indicates apparently a beyond capacity-*taklīf*, must be understood as a prohibition to create conditions or previous causes that could lead Muslims to disbelief. Likewise, the ḥadīth stating, "*Be a servant of Allah who is killed, do not be a servant of Allah who kills*" must be understood as a prohibition of killing.[50]

The fourth is the objectives of the law-maker (*Shāri'*) in entering the *mukallaf* under His law. This is actually a peak objective because all objectives are directed in the final stages of human's life to spiritual need. According to al-Shāṭibī, the *sharīah* was made in order to make the responsible Muslims (*mukallaf*) to become truly the servants of God (*'abd Allāh*) by removing him from the attraction of his lust. Being a servant of God means devoting oneself (*ta'abbud*) to God. This objective is understood by al-Shāṭibī from the following textual and logical arguments: (1) that the Qur`an mentions the worship of Him as the purpose of creation, explains of how to worship Him, and mentions of reproach against those who violate this purpose; (2) that based on habit and experience, the welfare of worldly life could be achieved, except by suppressing the attraction of lust and consistently focusing on the achievement of goals.[51]

Avoiding the attraction of lust, according to al-Shāṭibī, covers paying attention to the true meaning of commands and prohibitions in carrying out worship, such as the negative tendency of the *fuqahā`* or Muslim jurists' way of thinking who only understand commands but do not understand how to do it. [52]

D. Moral Values in the *Maqāṣid al-sharī'ah*

The elementary objectives (*ḍarūriyyāt*) are those ones that should be achieved based on the 'philosophy' of the preserving of the most basic and necessary needs.

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[47]Namely: Q. 12: 2, Q. 26: 195, Q. 16: 103, and Q. 41: 44.

[48]al-Shāṭibī, *Al-Muwāfaqāt fi Uṣūl al-Sharī'ah,* vol. II, 49-50.

[49] Mas'ud, *al-Shātibi's Philosophy of Islamic Law,* 51.

[50] Mas'ud, *al-Shātibi's Philosophy of Islamic Law,* 82.

[51] al-Shāṭibī, 130.

[52] al-Shāṭibī, 132.

Without these, the pillars of religion and life will not be established, even the salvation in the hereafter will not be obtained. The underlying foundation is the theological and the most basic need-based reasons. The purpose of *ḥājiyyāt* is to meet the need for ease and relief (*rukhṣah*), although the needs are not elementary, but necessary. The underlying foundation is the reason for performing rituals and making the easy life. At the lowest level, the purpose of *taḥsīniyyāt* objectives, which are related to the necessities of life more properly, even luxuriously, the purpose is in accordance with considerations which, according to al-Shāṭibī, are based on moral virtues (*makārim al-akhlāq*). Aesthetic values also underly this objective.

Table 2: Levels of Moral Values

No.	Levels	Forms	Foundations
1.	Elementary	Preserving religion, soul, reason, offspring, and property	Necessities Most basic needs
2.	Supplementary	convenience, relief	Human's needs Making life easily Removing difficulties
3.	Complementary	Completing the necessities of life properly viewed from aspect of propriety and beauty	Aesthetic function Moral virtues Tradition and wisdom

From the order of urgency and basic needs, elementary objectives are related to theological beliefs (life of hereafter), rituals and survival, both physically (soul and property) individually and collectively (descendants) and physically (mind). At the second level, the supplementary objectives (*ḥājiyyāt*), the underlying considerations shift from the most urgent and the most elementary to the needs, except for the theological aspects, such as faith. All aspects of the purpose of the elementary needs (*ḍarūriyyāt*) also apply to supplementary needs (*ḥājiyyāt*). On the basis of need, it is prescribed to have relief (*rukhṣah*). Meanwhile, for the purpose of complementary ones (*taḥsīniyyāt*), it is prescribed the etiquette of eating and drinking, as well as dressing beautifully when entering the mosque, and other pleasures, showing the underlying foundation of feasibility in life and worship, and certainly not related to theological issues as in elementary objectives.

Table 3: Aspects and Domains of Need

1.	Objectives (Needs)	Aspects	Domains
	Elementary		
	Preserving religion	Worship and belief	Hereafter life
	Preserving soul	Life	Physical and psychological
	Preserving reason	Life	Psychological
	Preserving descendants	Life	Descendants

	Preserving property	Life	Physical
2.	Supplementary		
	Convenience and relief	Worship and life	All aspects: hereafter life, physical, mental, individual, social
3.	Complementary		
	Beauty and social aspects Feasibility of living	Worship and life	All aspects of life and worship

The objectives are graded as follows. First, the essential objective, or even the ultimate goal, namely the objective aimed by God to be achieved by *mukallaf*, is to make them be the servants of God ('*abd Allāh*). This is the highest designation. The effort taken to achieve this is by heeding God's commands. This effort is directed to transcend the material needs of life towards a spiritual need.

Second, the instrumentalist objectives, namely those which are mandated by law, contain human needs, whether in terms of the preserving religion, soul, reason, descendant, and property. All these needs are called as objectives because they are aimed to be achieved by humans. In principle, viewed from their nature as necessities, they constitute means, instruments, or tools that enable humans to live properly.

These objectives do not only contain immaterial values, such as theological and spiritual values, but also viewed from the perspective of humanistic psychology, contain human's needs. Based on Abraham H. Maslow's hierarchy of needs theory, human's needs cover psychological, security, social, self-esteem, and self-actualization needs. Although this theory was then tested by Alderfer (1969) and the test concluded conformity with Maslow's theory in three levels of human needs, namely: existence (needs for security), connectedness (social needs and self-esteem), and development (self-actualization),[53] it remains relevant to understand al-Shāṭibī's concept of the *maqāṣīd*. However, the need for self-actualization, according to Roger's research, is determined by the fulfillment of the needs at lower levels, because the peak experience cannot be achieved by itself without the fulfillment of other needs.[54] Meanwhile, unlike Roger, al-Shāṭibī's concept of being the servant of God is not a peak experience, but the goal of human from their creation.

This distinction between essential objectives and instrumentalist objectives is based on the distinction between "purpose" (*ghāyah*) and "means" (*wasīlah*). The distinction not only appears in the thought of classical Muslim scholars, but also of contemporary scholars, such as Muḥammad al-Ghazālī, Yūsuf al-Qaraḍāwī, and Fayṣal Mawlāwī. Even, Ṭāhā Jābir al-'Alwānī elaborates the distinction and applies it more broadly, not only in a legal context, but as a reference in making decisions regarding society and culture.[55] Furthermore, based on Q. 2: 282, Rouget Garoudi concludes that there are two related things, namely the historical fact and the eternal value.[56] The distinction is certainly closely related to the essential and instrumental objectives, as

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[53] William K Graham and Joe Balloun, "An Empirical Test of Maslow's Hierarchy Theory," *Journal of Humanistic Psychology* 13, no. 1 (1973): 97–98.

[54] David L Rennie, "Two Thought on Abraham Maslow," *Journal of Humanistic Psychology* 48, no. 4 (2008): 445, https://doi.org/10.1177/0022167808320537.

[55] Jasser Auda, "Maqasid Approach to Contemporary Application of the Shariah," *Intellectual Discourse* 19 (2011): 200–201.
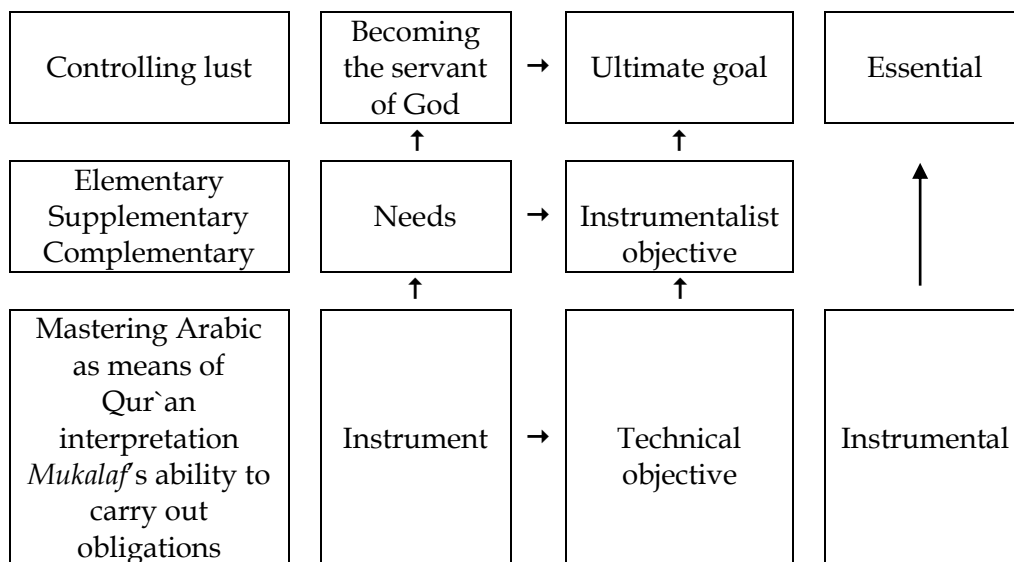
[56] Auda, 203.

we understand from the gradation of objectives in Shāṭibī's *maqāṣid*. Abdul Karim Soroush also suggests that each verse has an essential and accidental message; the first relates to value, while the second relates to the function of verse messages at cultural, social, and historical contexts.[57] However, in contrast to the concept of these thinkers, it can be understood, from al-Shāṭibī's thought, that the distinction is not only between ends and means (instruments, tools), but also among these objectives.

The third is the technical objectives or more precisely just instruments because although al-Shāṭibī calls them objectives, but in principle they are instruments or technical in nature. In this case, the "objectives" intended by al-Shāṭibī are as follows: (1) the objectives desired by the law-maker (God) in setting *taklīf* which in this case must be in accordance with the capabilities of the *mukallaf* because the *taklīf* that is beyond human ability (*taklīf mā lā yuṭāq*) is theologically unacceptable; (2) the objectives are intended to be understood, so that the *sharī`ah* was revealed in purely Arabic and is addressed to the Arab community who are *ummī*. Concerning the first objective, an actual ability could be called as a means, tool, instrument, or technique so that *taklīf* can be carried out. Likewise, related to the second one, Arabic which is the language of the Qur`an is an instrument for understanding Islamic doctrines. The concept of *ummi* emerged from al-Shāṭibī`s view that as the *taklīf* that must be understood, of course, then the language of the Qur'an is a language that is easy to understand, because it does not contain foreign vocabularies and does not require complicated scientific explanations. Likewise, the concept of *ummiyyat al-sharī'ah* (literally means: illiteracy of *sharī'ah*) emerged from his view of the Arabic as the language by which the Qur'an was revealed. All of these are technical and instrumentalist elements which do not really end by themselves.

The three levels of objectives are interrelated. From the bottom up, these levels move from an instrumentalist to an essentialist nature of the objective. This distinction departs from the differentiation of objective in proper meaning as being in itself and as being a means or instrument supporting real objectives.

Scheme 1: Levels of Objectives

E.   Moral Values of the *Maqāṣid al-sharī'ah*

The moral values contained in the *maqāṣid* are classified into three kinds. The first is theological-transcendental value. According to Jasser Auda, the *maqāṣid* is actually a value system. These values underly the teachings of Islam even though they are termed variously by scholars; public interest (*al-maṣāliḥ al-'āmmah*), unspecified interests (*al-maṣāliḥ al-mursalah*), avoiding damage (*mafsadah*), wisdom behind the text (*ḥikmah*), conformity in legal analogy (*munāsbat al-qiyās*), the basis for choosing the priority (*aṣl al-istiḥsān*), and the basis behind the assumption of the principle of sustainability (*aṣl al-istiṣḥāb*).[58] Among them, the values are the theological ones. In Shāṭibī's view, the ultimate goal of *taklīf* is to become a "servant of God", meaning "to devour" (*ta'abbud*) to God by worshiping Him. However, the real essence of self-servitude and worship is "returning to God in all circumstances, submitting to His laws in every situation" (*al-rujū` 'ilā Allāh fī jamī' al-aḥwāl, wa al-inqiyād ilā aḥkāmih 'alā kull ḥāl*).[59] The principle that underlies this teaching is the principle of oneness of Allāh as the only God who deserves to be worshiped.[60] "Returning to God" means that everything is ascribed to His creativity as the actor. This belief constitutes the feeling of transcendence. Rudolf Otto, in his *The Idea of the Holy*, explains this feeling as an awareness of something beyond what is seen in the real world. It is experienced by humans with two different experiences. On the one hand, he is amazed (*fascinosum*), but on the other hand he feels trembling because something transcendent has a terrifying power (*tremendum*).[61]

This idea might seem closer to the sufistic rather than to theological tendency. However, whether it is more theological or sufistic, it is clear that transcendence is the awareness of religious people. Interestingly, al-Shāṭibī included two verses on this matter, namely Q. 51: 56-57 which contain the statement that worship or *ta'abbud*, as an inner awareness of God as the origin of everything. It is associated as the goal of human and jinn creation; and Q. 2: 21 which links the commandment of devotion to the human creation because it is possible for humans to be aware of their God because of the feeling of createdness. From a phenomenological perspective, religious experience is a feeling of defense that arises because of a feeling of creation. All of this are experienced subjectively by religious people.[62] This idea was developed by Otto from Schleiermacher's concept about our createdness (*Geschaffenheit*).[63]

The second is theological-pragmatic value. The objectives that are intended by God to be meaningful for human from the beginning by revealing *sharī'ah* are basically based on the needs of humans. In relation to human needs, these objectives are instrumentalist in the sense that the various kinds of protection are indeed the objectives, but all of them are instruments for humans in a broad sense. In such a

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[58] Jasser Auda, "A Maqasid Approach to Contemporary Application of the Shariah", *Intellectual Discourse*, vol. 19 (2011), 195.

[59] al-Shāṭibī, 129.

[60] Al-Shāṭibī cited Q. 4: 36 that contains the commandment of worship and the prohibition of polytheism.

[61] Rudolf Otto, *The Idea of the Holy: an Inqury into the Non-rational Factor in the Idea of the Divine and Its Relation to the Rational,* trans. John W. Harvey (Oxford and New York: Oxford University, 1958).

[62] Buddhy Munawar-Rahman, "'Pengalaman Religius Dan Logika Bahasa,'" *Ulum Al-Qur`an*, 1990, 80–81.

[63] A.D Smith, "Ottos's Criticism of Schleiermacher," *Religious Studies: An International of Philosophy of Religion* 45, no. 2 (2009): 187–204, https://doi.org/10.1017/S0034412508009761.

context, it can be understood that there is an ethical pragmatism that underlies it. The pragmatism here means that something is considered to be good ethically if it is useful, based on social construction, for other people.[64] However, in contrary to pragmatism in the philosophy of ethics, the pragmatism aspect in al-Shāṭibī's *maqāṣid* does not adhere to the sense of relativism. These needs are intended to be useful for the *mukallaf*. The evidence that strengthens this side of pragmatism is that, according to al-Shāṭibī, the servants of God whose needs are fulfilled collectively and equitably are like a mirror (*mir`āh*), which functions to reflect the nature of God's grace. [65]

The third is the instrumentalist value. In Islamic law, a distinction is made between purpose (*maqṣad*) and means (*wasīlah*). The distinction is very important because not all benefits are objectives that God intended to be realized from the beginning, but some of them are means or instruments to achieve real goals. However, if the means or instrument is a condition for the achievement of the real goal, then it is valuable too. As a legal maxim in Islamic jurisprudence, "something which then obligations cannot be perfected except with it, then it also becomes obligatory" (*mā lā yatimm al-wājib illā bihi, fahuwa wājib*) and "means have the same legal status as the goals" (*li al-wasā`il ḥukm al-maqāṣid*).

F.   Two Models of Moral Ideal-Based Interpretation

In Qur`an interpretation, there are technical and paradigmatic aspects. As a mental aspect in the approach of Qur`an interpretation, the moral-ideal paradigm serves as a value reference framework in interpreting the Qur'an. Therefore, there should be no interpretation whose results are contrary to the universal moral ideal. The paradigm functions as a control and guiding principle of interpretation.

In relation to ethics-based historical and contextual interpretations, as offered by Fazlur Rahman as a framework, the moral ideal paradigm contained in *maqāṣid al-sharī'ah* has the following functions. The first is the ethical-historical interpretation. It is an interpretation that seeks to understand the verses of the Qur`an from the historical context as the background of the revelation of the verse. Borrowing Fazlur Rahman's concept, as a perspective, the "historical context" is meant as "situational context", a context that can be taken into consideration in formulating ideal (normative) and factual (historical) aspects.[66]

Similar to Fazlur Rahman's idea that the ideal and factual aspects can also be understood from the text of the verse, then in the *maqāṣidic* perspective, historical interpretation is used to understand the moral-ideal message which is understood from the reasons behind the verse that responds to the historical situation, as known as *taqṣīd*.[67]

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[64]"Pragmatist Ethic", in
https://www.qcc.cuny.edu/socialsciences/ppecorino/ethics_text/Chapter_10_Postmodernis m_Pragmatism/Pragmatist_Ethic.htm (Accessed on October 20, 2021).

[65] al-Shāṭibī, *Al-Muwāfaqāt fi Uṣūl al-Sharī'ah,* vol. II, 186–87.

[66] Safet Bektofic, "Towards a Neo-Modernist Islam: Fazlur Rahman and the Rethinking Islamic Tradition and Modernity," Dalam Studia Theologica: Nordic Journal of Theology, Vol. 70, No. 2 (2016), 8. Http://Dx.Doi.Org/10.1080/0039338X.2016.1253260," *Studia Theologica: Nordic Journal of Theology* 70, no. 2 (2016): 8, https://doi.org/10.1080/0039338X.2016.1253260.

[67]*Taqṣīd* is an effort to understand and formulate the objectives of *sharī'ah* through verses of the Qur'an or ḥadīth. Basically, according to al-Shāṭibī, there are four ways, namely the method of reasoning that balances the two radical reading of the Qur`an; literalist and substantialist (Bāṭiniyyah). See Wardani, *Islam Ramah Lingkungan: Dari Eko-Teologi al-Qur`an Hingga Fiqh al-Bî`ah* (Banjarmasin: IAIN Antasari Press, 2015).

In addition, the moral-ideal message can also be extracted from *maqāṣid al-sharī'ah*. In such a context, al-Shāṭibī's *maqāṣid* makes a theoretical contribution in looking at historical and ethical values in the verse that is being interpreted. Thus, we have to consider two main aspects of interpretation; historical context and universal moral-ideal message. Another thing that must be considered is the literary context that must be understood through a thematic or a systematic approach. Thus, there are three interacting sides, namely the historical context, literary context, and the ideal-moral paradigm drawn from the *maqāṣid al-sharī'ah*.

Scheme 2: The threefold aspects of ethical-historical interpretation
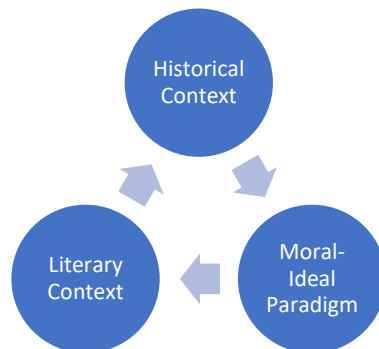
The second is the ethical-contextual interpretation. It is the interpretation of the verses of the Qur'an by responding to and considering the current context being faced, then having a dialogue with moral-ideal values as an interpretive paradigm. Thus, there are three interacting sides, namely the present situation, literary context, and the ideal-moral paradigm drawn from the *maqāṣid al-sharī'ah*.

Scheme 3: The threefold aspects of ethical-contextual interpretation
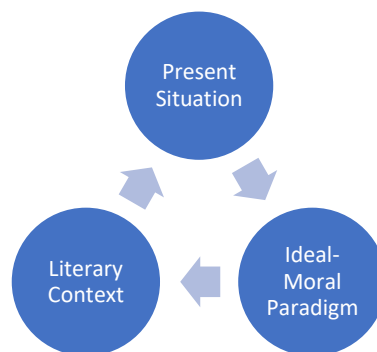
The basic difference between Fazlur Rahman's moral-ideal message and the moral-ideal message in al-Shāṭibī's *maqāṣid* is that the first is very vulnerable to essentialism, while the second considers that the teachings of the Qur'an cannot be fully understood in terms of reason (*ratio legis*, '*illah*) underlying it. Some of the teachings of the Qur`an are reasonable (*ta'aqqulī*), while others are not reasonable, but submissive (*ta'abbudī*).

In the application to the interpretation of the Qur`an, the moral-ideal aspects of the *maqāṣid* -- because of their universality to be applied in understanding Quranic doctrines—are used as the frame of reference, as if they are major premises. This is because the principles contained in moral values applied to all human beings, are

recognized by all schools of Islam, used as a provision of *sharī'ah*, and used as the foundation of Islam. The verses of the Qur`an that are being interpreted, because they contain specific rules, are particular (although not every verse always has a particular charge) or casuistic, so that they are deductively (*qiyās*) referred to the universal ideal-moral principles.

G. Conclusion

The *maqāṣid al-sharī'ah* viewed from the aspect of the objectives of the law-maker in establishing the law includes four things as stated. From the ideal-moral aspect that underlies the formulation of these objectives, there is the gradation and hierarchy of ethical thinking (moral judgment). Based on al-Shāṭibī's concept of *maqāṣid*, these objectives are universal, so that they are the needs of all humans, and if so, then the moral-ideal values that underlie them are universal too.[68] Thus, the universality is also due to the value system.[69]

Al-Shāṭibī formulated the *maqāṣid* from a methodological process that came to a convincing conclusion and arrived at a universal conclusion. The universality of its value content does not only underlie rituals or practices, but also beliefs, because *sharī'ah* is not identical with *fiqh*, but with Islam, so that it becomes an Islamic principle. Furthermore, these universal values can be applied as a frame of reference for thinking in religious considerations.

In the context of the interpretation of the Qur'an, the moral-ideal values can be a moral frame of reference, also be a controlling and guiding principle in interpreting the Qur'an. There are two models of Qur`an interpretation based on the *maqāṣid al-sharī'ah* ethical paradigm that are offered. The first is the ethical-historical interpretation model, which is an interpretation that has an ethical paradigm and leads to consideration of the historical context when the Qur'an was revealed. In this case, it is necessary to interact between the historical context, the literary context of the verse, and the moral-ideal paradigm. The second is the ethical-contextual interpretation model, which is an interpretation that also has an ethical paradigm, but leads to the consideration of the present context. Actually, the historical context remains a consideration, because by analyzing this context, the moral-ideal of the verse can be understood in addition to through *maqāṣid al-sharī'ah*. However, the accentuation is on the current conditions with the demands of the people which are also changing in changing phases of time. In principle, there are also three elements that should interact, namely the present context, the literary context, and the moral-ideal paradigm.

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[68]Abū Isḥāq al-Shāṭibī, *Al-Muwāfaqāt fi Uṣūl al-Sharī'ah*, vol. II (Beirut: Dar al-Kutub al-Ilmiyah, 2003), 88; Jasser Auda, "A Maqasid Approach to Contemporary Application of the Shariah", *Intellectual Discourse*, vol. 19 (2011), 212.

[69]Jasser Auda, "A Maqasid Approach to Contemporary Application of the Shariah", *Intellectual Discourse*, vol. 19 (2011), 195.

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