

Objectives of Islamic Law” Sharia” and Contemporary Renewal Theories

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Abstract

The researcher wanted in her article to uncover some contemporary studies that are based on the calendar view of the objectives of Sharia, some of which are related to the shape and the other of the reality of higher objectives of sharia ,which raised a wide problem and a wide discussion both about the faculties of the five or the addition to it, as well as the distinction between the purposes of creation and the goals of the person in charge of the judgments Freedom and justice and the need to establish the state, and some of them added a new classification includes worship, sanity and freedom, and some of the expansion of the purposes of the transfer from the five faculties to the four areas, and did not ignore the researcher renewal, which was outside the framework of Islamic and called for the current Modernist directed all his attention to the provisions of the provisions of the purposes, which led to the waste of the provisions of legitimacy mandate.

Keywords: *Contemporary Studies, Objectives of Sharia, Classification.*

1. INTRODUCTION

In the name of Allah, the Most Gracious, the Most Merciful. Peace and blessings be upon the Messenger of Allah, Muhammad, and his pure and noble family.

The renewal of objectives in contemporary thought is associated with the names of scholars who sought to reconsider many of the objective’s disciplines. They aimed to develop and not confine them solely to the five agreed upon objectives, linking them to contemporary developments and challenges. Renewal is also linked to a reevaluation of some concepts and contents of objectives, such as equality, justice, benevolence, freedom, and human rights. For some, renewal is associated with the necessity to surpass partial considerations by focusing on the broader legal principles. Noteworthy in this contemporary resurgence of objectives is the abundance of writings and research advocating for renewal and development of objectives.

However, the fundamental question posed is: What is meant by renewal in the science of objectives? What are the characteristics of this renewal, and on what levels does it operate? What methodological principles do they adopt in their advocacies ?

Research problem :

Renewal is a contemporary term with different visions associated with it. What is meant by renewal?

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What are its controls? What are the innovative projects that were proposed in the contemporary Objectives of Islamic Law "Sharia" lesson?

Research Objectives:

The objectives of this research are to explore the characteristics of contemporary objectives-oriented school, examine aspects of renewal within it, and understand the role of this renewal in the contemporary process of intellectual effort.

Previous studies :

There is a collection of objectives-oriented writings on the subject of renewal from which I have benefited. These writings are represented in the following works :

- Renewal of Objectives of Islamic Law "Sharia" according to Alwani Yeshi Abdel Halim, 2010, No. 9.
- Renewing the Curriculum to Reveal the Objectives, Barish Maimoun Abdel Salam, No. 19, 2012 AD
- Classification of objectives according to contemporaries in contemporary fundamentalist thought, Abdul Qadir bin Harzallah, University of Batna, Al-Ihya Magazine, No. 14.
- Features of renewal in Objectives of Islamic Law "Sharia" thought, by Oud Ahmed, Volume 30, No. 117, 2005 AD.
- Quick notes on modern projects by Shahid Muhammad, Proceedings of the International Scientific Symposium 2012 AD.

Research plan: To address this topic, I proceeded according to the following plan :

Introduction

- Innovation in the contemporary Objectives of Islamic Law "Sharia" school, the concept and essence

First: The Concept of Renewal

Second: Renewal in Objectives

Third: The Direction of Renewal in Terms of Concept

Fourth: The Direction of Renewal in Terms of Vision

- Innovative projects and visions of innovation

First: Objectives as a Tool for Argumentation in Ibn Ashur's Perspective and Distinguishing Between the Specific and General Objectives of the Ummah

Second: Renewal at the levels of the objectives of Sharia according to Jamal al-Din Atiya

Third: Alal al-Fassi's Contributions to Regulating Approaches to Disclose Objectives

Fourth: Higher Objectives in the Thought of Al-Alwani

- The modernist trend and the claim of renewing the objectives.

First: The theory of objectives in modernist discourse

Second: The reduction of universals according to Hassan Hanafi

2. RENEWAL IN THE CONTEMPORARY OBJECTIVES OF ISLAMIC LAW” SHARIA” SCHOOL: CONCEPT AND ESSENCE

In this section, I attempt to provide a simplified concept of renewal in the field of objectives-oriented studies, along with defining the perspectives and levels of renewal.

First: The concept of renewal

Renewing something means making it new, introducing innovation, and turning it into a new state after it has aged with time and weathered the effects of time to its original state. It is often described as renewing a covenant or giving it a new garment, as expressed by Ahmed Shawqi:

'Its verses, whenever the horizon extended,

Renewed them, adorned with the majesty of freedom and antiquity'.

Renewal implies the existence of a valid foundation that has undergone a transformation. The renewal involves restoring it to its original state, like a sword that regains its luster when rust is removed, bringing the sword back to its original shine.

Some derivatives of the term 'renewal' appear in the Quran, such as the verse: 'Have We been worn out by the first creation? Rather, they are in confusion over a new creation' (Quran: Surah Q, Ayah 15). In another context: 'And they say, 'When we are bones and crumbled particles, will we [truly] be resurrected in a new creation?'" Renewing religion means reviving the provisions of the Sharia that may have eroded, reviving the practices, and revealing both the apparent and hidden aspects of its rulings. Renewal of religion, as defined by the author of 'Fath al-Qadeer,' involves reviving the true meanings of religion in souls and a commitment to the actual practice of religion for the elevation of adherence to its rules (Al-Tarabi: p. 155, Shabbar: p. 180).

Second: Renewal of objectives

Different views on renewal among its advocates range from it being at the level of the concept of objectives to the methods of unveiling them. Some advocate renewal at the levels of objectives or at the level of methodology, similar to the methodology of rational sciences in their logical, philosophical argumentation. They consider these methodologies as independent evidence apart from the foundational principles. Some have expanded the scope of legal principles, while others have aimed to elevate the Muslim intellect from a mentality of mere acceptance to a mindset of thinking, reasoning, inference, extrapolation, analysis, criticism, comparison, and future foresight. They consider it a qualitative intellectual leap in mental and cognitive life.

There are those who deal with objectives according to the methodology of their predecessors, while others consider objectives as the sole mechanism for dealing with issues. Their concern becomes the welfare, whether in alignment with the text or in opposition, under the pretext of aligning with the spirit of the time and its requirements.

Among the concepts of renewal for some is the critique of juristic reasoning within the perspective of not achieving the goal of legislation and its outcome by transforming Sharia rulings into a practical reality governing individual actions or family and societal behavior. Some critics of contemporary juristic reasoning, like Jamal al-Din Atiya, argue that 'The juristic reasoning, in the form we have presented it, is nothing but the sent utility or reform as legal evidence spoken of by the jurists since ancient times, and what we did was nothing but development, as they wrote, and building upon it.' In his view, renewal does not deviate from the concept of renewing objectives; it is not the renewal itself.

In this paper, I will attempt to delve into some of the renewal aspects presented by some objectives-oriented scholars who relied on the centrality of Sharia's interests according to its foundational principles, as deduced from certain readings. Additionally, I will explore modern perspectives that prioritize the centralization of interests according to the

developments of the time and reality, regardless of whether the Sharia considers them or not.

Third: The renewal trend in terms of concept

Firstly: Almost no single definition of objectives can be found. The various definitions that have emerged in the writings of researchers reflect different perspectives of different objectives-oriented approaches. These perspectives intersect and share many points despite their differences. While al-Shatibi focused on the accountable individual in terms of legislation, defining the nature of objectives and their role in relation to the accountable, he succinctly stated in the Approvals: 'Indeed, the establishment of laws is solely for the benefit of the worshipers in both the immediate and distant aspects.' (Al-Shatibi: Vol. 2, p. 6). In another context, he said: 'The legislative purpose of enacting the Sharia is to extract the accountable individual from the call of his desires, making him a servant of God by choice, just as he is a servant of God by compulsion'.

As for Abdul Majeed al-Najjar, he stated that the Islamic Sharia has a comprehensive and general purpose, which is the realization of human welfare and goodness. (Al-Najjar, 2009: p. 51). Dr. Taha Abdel Rahman, for example, connects objectives with the ethical aspect, emphasizing that objectives are an ethical science focusing on human well-being.

Despite the variations in terminology and the consideration by some of the broadening of the contemporary concept, renewal in terms of concept remains linked to the ultimate goal of objectives and the centrality of human beings. It involves the realization of benefit and the prevention of harm based on the achievements of the opinions of advanced jurists.

Fourth: The trend of renewal in terms of perception

The proponents of the renewal school unanimously agree that their conceptualization of objectives serves as a gateway for reform. After diagnosing the current situation, understanding its intricacies, and recognizing its trends, they view the pursuit of means for reforming their conditions as a way for them to return to the highest level of advancement, as articulated by Ibn Ashur when he said: 'The search for means of reforming their conditions until they return to the pinnacle of progress as they began.' (Ibn Ashur: p. 3).

3. RENEWAL PROJECTS AND RENEWAL VISIONS

First: Objectives are a tool for proof according to Ibn Ashur and for differentiating between the objectives of individuals of the nation and its generality

Imam Tahir Ibn Ashur outlined his renewal objectives in the introduction to his book, intending for the discussions on the objectives of Sharia to serve as a guide for those well-versed in religion and a reference point for them in times of differing views and changing circumstances. He aimed to minimize differences among scholars of different regions, providing a basis for their followers to listen attentively when weighing one opinion against another in times of disagreement. According to Ibn Ashur, his renewal-oriented approach sought to establish the epistemological dimension, aspiring for objectives to be a clear methodology for logical and philosophical argumentation, relying on established principles, intuitions, necessary evidence, and observations.

Ibn Ashur was particularly concerned with proving the criteria and guidelines by which objectives are recognized. His conclusion was: 'The certainty that all the rulings of Sharia encompass the objectives of the legislator, which are judgments, interests, and benefits. Therefore, it is the duty of our scholars to understand the reasons for legislation and its objectives, both apparent and hidden.' In his view, scholars should recognize the reasons behind legislation and its objectives, both explicit and implicit.

In his renewal-oriented vision, Ibn Ashur focused on the epistemological aspect, aiming for objectives to be a clear methodology for deducing the truths of *ijtihad*. He laid the foundations for legislations of necessity or temporary legislations, emphasizing concern for the welfare of the nation. Ibn Ashur believed that the path of interests is a broader path to manage the affairs of the nation during crises and tribulations. If scholars fail to follow this clear path and the bright guideline, he argued, Islam will become obsolete as a universal and lasting religion.

Ibn Ashur broadened his perspective by taking a global, cosmic view of the objectives of Sharia. His vision extended beyond safeguarding the nation's system to safeguarding the world's system and regulating human behavior in a way that protects against corruption and decay, addressing global issues like climate change, environmental destruction, and the dangers of nuclear and biological weapons that impact the entire world.

Furthermore, Ibn Ashur added the objective of freedom, not explicitly addressed by traditional scholars. His evidence was based on his analysis of Sharia, revealing that one of its primary objectives is to abolish slavery and universalize freedom. This was evident in his frequent emphasis on the command to free slaves, signifying that one of the Sharia's objectives is to achieve freedom.

Second: Innovation at the level of the levels of the objectives of Sharia according to Jamal al-Din Attiya

The fundamentalists divided the ranks of objectives, as is known, into necessary, needful, and improvement. Necessary objectives, as Al-Shatibi defines them, are necessary for the establishment of the interests of religion and the world, such that if they are lost, the interests of the world will not result in integrity, but rather on corruption, foolishness, and loss of life, and in the other, loss of salvation, bliss, and return with clear loss.

These necessities are religion, the soul, lineage, the mind, and money, and they are the principles that achieve succession. The second level is represented by the necessary objectives, which are what people need in order to expand and relieve hardship. Al-Shatibi expressed them by saying: "If these are not considered, it will cause hardship and hardship to those who are responsible in general. But it did not reach the level of normal corruption expected in public interests" (Al-Shatibi: Part 2, p. 5)

The objectives of improvement mean adopting what is appropriate of the virtues of customs and avoiding impure conditions that are reprehensible to the prevailing minds and which do not perfect the state of the nation in its system so that it lives safe and reassured and has the joy of society's appearance in the eyes of the rest of the nations (Ibn Ashour: vol. 3, p. 373).

Jamal al-Din Attia's innovative vision is to add two levels to the three levels: the level of what is less than necessary, and the level of what is beyond improvement.

Gamal al-Din Attia gave the following examples for this purpose: Food, in the field of self-preservation, falls below the level of necessities, with millions of victims dying annually as a result of famine and malnutrition. This is contrasted, in the category beyond improvements, with millions living a life of luxury, extravagance, and gluttony, whether in food, clothing, or housing. The writer attributes the importance of highlighting the two levels of negligence and extravagance to the fact that they are considered to be within God's limits and should receive priority attention in order to remove them from the reality of life. This requires specifying them and clarifying their ruling and approach to dealing with them. Also, the money, energy and time that is wasted in the level of extravagance is enough to fill the level of negligence, and then it becomes to fill the level of necessities to meet the needs, then the improvements are as much as possible (Ahmad: vol. 30, no. 117).

Finally, he wanted to clarify the role of the state in considering the limits of negligence and extravagance.

The question that must be asked: Why did Jamal al-Din Attia try to make the taxpayer's negligence in performing necessities and needs an independent matter? How does this fit in with the concept of objectives, which in their entirety means the intent of Sharia law to bring benefits and ward off harm? As for the negligence of the accountable person, it is a matter of warding off the harms that Sharia law came to work to remove.

Gamal al-Din Attiya did not deny that the arrangement of objectives is one of the most controversial issues among fundamentalists, and that the justifications for the arrangement that were presented are not of the strong kind of argument. The importance of the arrangement is not hidden in the field of preventing conflict between two colleges. The earlier one comes first in the order and the latter one delays, which will lead to Due to differences in jurisprudential rulings.

Jamal Al-Din Attiya did not hide his tendency towards extrapolating texts that show order in the event of conflict, such as texts related to jihad and putting religion before oneself. What is the solution that Jamal al-Din Attiya proposes to solve the problem of order?

Jamal al-Din Attiya proposed the idea of the circular system to solve the problem of arrangement, by which he means necessities included in other necessities, that is, as if they were circles. There are exceptionally large and wide circles within which there are smaller and smaller and smaller circles. This is another system of classification, as the circle of religion is very wide and includes other circles.

Third: Allal Al-Fassi's contributions to controlling methods for revealing purposes

Among the efforts that the contemporary school wanted to highlight are clear contributions to the methodology. These include what Alal al-Fassi aimed to establish in regulating the methodology of revealing objectives. He progressed by mentioning explicit obligations or prohibitions, or gradually in legislation or implementing judgment in various forms, showing tolerance in other cases.

However, the most prominent aspect he spoke about is the matter of guidance, stating: "From the aspect of evidence, we use the matter of guidance, which we consider a fundamental principle of Sharia and a means of its development. An example is the saying of Allah: 'O you who have believed, indeed, intoxicants, gambling, [sacrificing on] stone alters [to other than Allah], and divining arrows are but defilement from the work of Satan, so avoid it that you may be successful Satan only wants to cause between you animosity and hatred through intoxicants and gambling and to avert you from the remembrance of Allah and from prayer. So will you not desist?'" (Quran 5:90-91).

He says that this indicates that the legislator's intention is to stay away from anything that causes animosity and hatred, diverts from the remembrance of Allah and prayer. Whatever fulfills any of these aspects does not indicate its prohibition through analogy only but rather through explicit guidance.

Scholars attempted to derive the matter of guidance and assess its generality in some issues. They referred to the verse: "Evaluate the orphans [in their abilities] until they reach marriageable age. Then if you perceive in them sound judgment, release their property to them. And do not consume it excessively and quickly, [anticipating] that they will grow up. And whoever, [when acting as guardian], is self-sufficient should refrain [from taking a fee]; and whoever is poor - let him take according to what is acceptable. Then when you release their property to them, bring witnesses upon them. And sufficient is Allah as Accountant." (Quran 4:6).

Despite the explicitness of the verse in releasing the orphans' funds once they reach sound judgment, they are restricted to experience for the appearance of signs of sound judgment. Likewise, Alal al-Fassi attempted to address the objectives from the perspective of their

revelation in reality and how to consider them as solutions to contemporary problems. He gave great importance to social issues in his thinking and theorizing, dedicating half of the book to criticizing social thought. He stated the importance of this aspect in his view, saying: “A nation cannot rise from the pitfall it has fallen into unless it trains itself to think socially.” (Al-Fassi: A fundamental rule I have not seen emphasized by scholars of principles).

Alal al-Fassi addresses the social issue in his book “Objectives of Sharia,” saying: “The ultimate goal of Sharia is the welfare of humans as vicegerents in the society they are part of, and as individuals responsible before Allah, who delegated them to establish justice, ensure intellectual, social, and psychological happiness for all members of the nation.” (Al-Fassi: p. 244) .

Fourth: The higher purposes according to Alwani

Because of the disconnect between the teachings of Islam and the reality of life, Alwani’s goal was to review the following two methods:

a. Explaining the reasons for the rulings, the goals of Islam, and the objectives of Sharia

Did not deviate with this matter from the topics of analogy, ascertainment, and the secrets of legislation and its ruling, as Al-Ghazali did in the revival of religious sciences.

b. Arranging legal priorities

Presented in it the relationship between means and objectives. Understanding the objectives of Sharia enables the comprehension of revelation, and understanding priorities enables the comprehension of reality and religion, combining both (Yishi: Issue 9, 2010).

Based on the aforementioned, activating research into the reasons, establishing the science of priorities, and ascending to the grand concepts of jurisprudence lay the foundation for the jurisprudence of objectives, as outlined by Al-Alwani on important principles .

1. Adopting legislative universals in partial texts and directing them, as it is a kind of referring doubts to the rulings and branches to the principles.
2. Do not stop at solutions of verbal reasoning and partial analogy.
3. Starting from comprehensive induction that attempts to link details to formulate them into a general law.
4. Starting from the reasonableness of the provisions of Sharia law that appear by contemplating the text, walking the earth, or examining the facts.

The renewal project by Jaber Al-Alwani involves examining the principles and realities in the dominant book (Quran) and the Prophet’s Sunnah, making them the system for all legislations and directives. They are definitive and absolute principles expressing the unity of religion and message. They resemble constitutional principles capable of regulating specific rulings. They are not just evidence but the starting point and foundation for renewing the rules of the fundamentals of jurisprudence. They are more capable of generating and revitalizing renewal and *ijtihad* in jurisprudence.

These governing objectives encompass all the Sharia objectives at various levels, including the essential, necessary, and improvement levels. They manifest in:

1. Monotheism

Believing in the oneness of the Creator is the source of formation and the inspiration for knowledge. It is one of the most important principles of purification, helping humans to elevate themselves with their Creator above all else. Pure monotheism is the most

important foundation for bringing about change in a person. It inspires faith in the existence of humans in their origin, creation, and destiny .

2. Purification towards man and the human soul so that it is upright towards the commands of the Creator and follows the jurisprudence of architecture and succession.

3. Urbanism towards this universe that subjugates humankind, who is required to read its open book.

These comprehensive objectives, based on extrapolating the texts of the Qur'an, the Sunnah, and the guiding knowledge spread throughout the universe, can constitute a program to contain all the partial and comprehensive objectives. They can also bring jurisprudence and principles out of their crisis, so that all rulings and fatwas are judged in the perspective of those supreme ruling objectives .

The various efforts that contemporary scholars aimed to highlight include clear contributions to the methodology. Among them is what Al-Fasi sought to establish in regulating the methodology of revealing purposes. He progressed by mentioning explicit obligations or prohibitions and gradually in legislation or implementing judgments in various forms, while showing tolerance in other aspects.

However, the most prominent aspect he spoke about is the matter of guidance. He says about it: 'Regarding evidence, we use the command of guidance, which we consider as one of the principles of Sharia and a means of its development. An example is the saying of Allah: 'O you who have believed, indeed, intoxicants, gambling, [sacrificing on] stone alters [to other than Allah], and divining arrows are but defilement from the work of Satan, so avoid it that you may be successful. Satan only wants to cause between your animosity and hatred through intoxicants and gambling and to avert you from the remembrance of Allah and from prayer. So, will you not desist?' (Quran 5:90-91).

He argues that this indicates that the legislator's intent is to distance oneself from anything that causes animosity and hatred, and to avert from the remembrance of Allah and prayer. Anything that fulfills these purposes is not subject to prohibition, and its prohibition is not based solely on analogy but is explicit through the command of guidance (Ibn Ashur, Vol. 3, p. 373).

Finally, he wanted to elucidate the role of the state in considering the limits of deficiency and extravagance. The question that must be asked is why Jimal al-Din Attiyah tried to make the deficiency of the responsible party in performing the necessities and needs an independent category? How does this align with the concept of purposes, which, in general, means what Sharia intends in bringing benefits and preventing harm?

4. THE MODERNIST TREND AND THE CLAIM OF RENEWING THE OBJECTIVES.

The modernist approach is based on its most important principle, the historical principle, which does not deviate in its essence by stating that the entire legal discourse, with all its temporal and spatial specifics, is subject to evolution and change. This is because it originated in a specific environment and a specific time, where the evidence for rulings ends with the conclusion of the temporal variables.

Therefore, the modernist discourse seeks to replace the historical perspective in dealing with legal rulings instead of the absolute legal perspective that calls for the validity of governance over time and place.

It is noteworthy that the modernist approach has not been able to completely break away from the heritage and form an antagonistic counterpart because it believes that it cannot plant the seed in the Arab mind through this severance. Therefore, it started looking for windows through which it could access the religious text. One of the most important

concepts adopted by the modernist discourse is the theory of Objectives of Islamic Law” Sharia” (objectives or purposes).

First: The theory of objectives in modernist discourse

The modernist approach has shown extensive interest in the theory of Objectives of Islamic Law” Sharia” to the extent of disregarding mandatory legal rulings. They considered that these rulings were only legislated to achieve their objectives.

Legal rulings are considered means to achieve the desired goals and objectives. For example, boundaries are legislated to deter those committing sins, and the prohibition of usury is legislated to achieve the goal of justice. This concept applies to all legal rulings in Sharia. The ruling is not an end in itself but carries value in itself based on the purpose it serves. If the purpose is achieved, there is no need to strictly adhere to the ruling; instead, there is justification for its continuation. This principle applies to all religious practices.

Sharia was revealed to achieve its purposes during the time of the Prophet. Therefore, it is not intended for legislation except as a means. This perspective asserts that the religious text is not in line with the realities of modernity. Hence, the way to overcome this is to move away from an unhealthy attachment to the literal interpretation of texts, especially the Quranic text, and give the objectives of Sharia the optimal position in formulating contextual legislation that aligns with the needs of contemporary society.

One of the contemporary scholars who supported such a theory is Dr. Abdelmajid Al-Sharafi. He believes that religious texts do not align with the realities of modernity. Therefore, the way to move forward is to eliminate the unhealthy attachment to the literal interpretation of texts, especially the Quranic text, and give the objectives of Sharia the ideal status in formulating contextual legislation that aligns with the needs of contemporary society. He also called for reconsidering the foundational principles established in *Usul al-Fiqh* ‘Principles of jurisprudence,’ urging a shift towards prioritizing the underlying purpose rather than just focusing on the specific cause and general wording.

Second: The reduction of universals according to Hassan Hanafi

Among those who advocated for the renewal of the Objectives of Islamic Law” Sharia” heritage, one prominent figure who received attention in the discussions of Objectives of Islamic Law” Sharia” is Hassan Hanafi in his book "From Text to Reality." I will try to understand his approach, which relied on the agreements of Al-Shatibi, but he was unable to move beyond the level of form. Nevertheless, he aimed to excel in the organization of Objectives of Islamic Law” Sharia” by simplifying it.

Hassan Hanafi's arrangement follows a purely intellectual framework. He considered life or the self to be in the first rank, introducing into the self the progeny that ensures the continuity of life. In the faculty of preserving the self, he included everything necessary for protection, even threats from the life of animals and plants. Then, the intellect follows the self because it is the tool for understanding Sharia.

Religion is then classified as a value perceived by the intellect, followed by dignity expressed through individual and collective presentation. National wealth, representing the material aspect of life, comes next, symbolized by wealth, including the nation's resources underground and above ground (Baaboud: 2012).

What did Hassan Hanafi add to the Objectives of Islamic Law” Sharia” discourse? Initially, he did not adhere to the structure of the arrangement based on the exploration of texts indicating the precedence of religion over other faculties. Although explicit texts support the prioritization of the arrangement, his reordering suggests that it was subject to reason alone. Notably, he did not introduce anything new except dressing some terms in

the language of the time. In his view, this approach encompasses both individual and collective human rights (Hanafi, 2004: p. 577).

The question that must be raised is whether the rearrangement of the specified faculties, based on Sharia justifications and textual evidence, should prioritize the inclusion of human and collective rights or the purely intellectual inquiry that merely colors some original terms for modernity.

Nasr Hamed Abu Zeid criticized Hassan Hanafi's arrangement, considering it lacking any qualitative addition of significance to the Objectives of Islamic Law” Sharia” discourse. Interestingly, he excluded the faculties of preserving religion, self, and dignity. It is inconceivable for Nasr Hamed Abu Zeid to call for the exclusion of the preservation of the self. However, the only result of this approach was the exclusion of the faculty of dignity and religion (Abdellawi, Readings in Contemporary Objectives of Islamic Law” Sharia” I ed).

Why did Nasr Abu Zeid place reason in the first position? Why did he lean towards the concept of citizenship by eliminating the specificity of religion and framing citizenship within the realms of reason, freedom, and justice?

How did Nasr Abu Zeid eliminate the faculty of religion, despite evidence suggesting its priority over freedom and justice? If Nasr Abu Zeid's approach relied on exploration, did exploration, in turn, benefit other faculties neglected by him? What is the innovative direction in this matter, and on what basis and method did he adopt?

Mohamed Amara responded to Nasr Hamed Abu Zeid, stating that exploration had been undertaken by scholars of jurisprudential principles in the past and that the five faculties of religion, self, reason, dignity, and wealth were considerations in all religions (Al-Ghazali, 1993: p. 174). The meaning is that these faculties gained the agreement of various human minds throughout different eras as a comprehensive system of components of human society necessary for human civilization (Amara: Issue 428: 1994).

Al-Shatibi considered religion the greatest of things, neglecting aspects like self and wealth (Al-Shatibi: p. 299). Nasr Abu Zeid, with a defeated mentality, sought to eliminate religion, similar to Western materialism. Thus, the task of Islamic Objectives of Islamic Law” Sharia” is not to catch up with Western civilization but to inspire and lead a distinguished civilization derived from its essence.

The innovative trend in Abu Zeid's Objectives of Islamic Law” Sharia” I heritage reading goes back to his understanding of the text. For him, the text is just linguistic expressions and a framework that does not inherently convey meaning. The meaning is determined by the cultural context in which the text is read because it emerged under certain conditions (Al-Ghazali, 1961: p. 76).

It also traces back to the method he adopted in reading the text, relying on language as an entry point to understand the text. However, the flaw lies in isolating it from its context and loading unintended meanings through interpretation. Thus, the modernists' approach to the Objectives of Islamic Law” Sharia” discourse is an extraction of Objectives of Islamic Law” Sharia” from the purposes of Sharia into the purposes of the reader, utilizing historical, anthropological, and linguistic methodologies to scrutinize the Quranic text. This approach has generated readings based on criteria other than Sharia Objectives of Islamic Law” Sharia”.

With the limited interpretative approach, the Arabs are restricted to important interpretations mentioned by Al-Shatibi. However, Ibn Ashur considered language as a tool for understanding the text, but the flaw was in isolating it from its context and attributing unintended meanings through interpretation. Thus, the modernists' approach to the Objectives of Islamic Law” Sharia” discourse is an extraction of Objectives of Islamic Law” Sharia” from the purposes of Sharia into the purposes of the reader,

utilizing historical, anthropological, and linguistic methodologies to scrutinize the Quranic text. This approach has generated readings based on criteria other than Sharia Objectives of Islamic Law” Sharia”.

5. CONCLUSIONS:

- The judicial school differed in its visions towards the judiciary. Some of them focused on theatre, some of them focused on the purpose of objectives in reform, and some of them were interested in the idea of decorating objectives and the extent of their presence in reality.
- Criticisms are not useful to the details of the old division, which some contemporary people have tried to correct, such as Dr. Ahmed Al-Raisuni, Al-Jabri, and Ghannouchi.
- Taha Abd al-Rahman brought together the fundamental classification of objectives into the three levels by objecting to limiting the divisions to the following three: required, need, and improvement. He saw that the interests of worship today are no longer limited to preserving religion, soul, mind, lineage, and money, but also include others, just as they are included in the presentation of those objectives, such as the right to Freedom of expression, belonging, right, election of rulers, food, drink, clothing, education, healing, and other basic rights that help them adapt in contemporary societies.
- The innovators in the modern objectives of the curricula differ, but they differ in their application to Western reality, and they emphasized that the problem is not in the Western application, but rather in the error of its application.
- The modernists were preoccupied with the method and were distinguished by using an innovative approach to uncover the legal objectives. At the same time, they targeted the modernists who were fascinated by Western approaches. Rather, they dropped all tools for reading literary and historical texts on the Qur’anic texts.

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