Epistemological and Axiological Integration of Legal Maxims with Maqāṣid al-Sharīʿah: Advancing Contemporary Islamic Jurisprudence

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Abstract:

This study examines the integration of legal maxims' epistemology and axiology with *maqāṣid al-sharīʿah* to advance contemporary Islamic legal reform. Employing qualitative-descriptive analysis of classical texts (e.g., al-Shatibi's *al-Muwafaqat*, al-Ghazali's *al-Mustasfa*) and modern works (Jasser Auda, Ibn ʿĀshur), it highlights how maxims provide general epistemic principles from Shariah texts, while *maqāṣid* ensure axiological focus on benefit (*jalb al-maṣlaḥah*) and harm prevention (*darʾ al-mafāsid*). Findings reveal this synergy offers a robust basis for dynamic *fiqh* renewal, fostering adaptive rulings on economics, family law, technology, and environment, despite challenges like *maqāṣid* misuse, methodological variances, and classical limits. Ultimately, it proposes a contextual *ijtihād* paradigm enhancing *maqāṣid*-oriented *uṣūl al-fiqh* and equitable global policies.

Keywords: axiology; epistemology; Islamic law reform; legal maxim; maqasid Sharīʿah.

INTRODUCTION

The development of contemporary Islamic law faces significant challenges amidst the dynamics of globalization and rapid social change. Modernization and globalization demand a reinterpretation of Islamic legal principles to ensure their relevance in the current context without losing their religious substance (Baihaqi, 2025). In this context, the integration between the epistemology and axiology of legal maxims (*fiqhiyyah* rules) with the *maqasid shariʿah* is an important step in efforts to reform Islamic law (Mufid, 2021). The epistemological approach helps to understand the sources and methods of Islamic legal knowledge, while the axiological approach ensures that the law remains oriented towards universal values of welfare ('Azmi, 2025). In line with the Pew Research Center report, around 60% of Muslims in the world

believe that Islamic law must be able to adapt to contemporary issues such as human rights and social justice, indicating a real need for integrative-based reform (Muhibudin et al., 2025).

Historically, Islamic law has had a methodological flexibility that allows for renewal through *ijtihad* and *qiyas* (Rahmatullah, 2025). However, the practice of Islamic law in the modern era is often trapped in textual formalism without paying attention to the substantial values of the *maqasid shariʿah* (Istiqomah, 2025). *Maqasid shariʿah* as the objectives of Islamic law is truly an axiological foundation that ensures that every legal product is oriented towards human welfare (Zaprulkhan, 2020). Mufid's study in the Philosophy of Islamic Economic Law explains that the failure to integrate the epistemological and axiological dimensions in Islamic law has led to the stagnation of fiqh thought that is unresponsive to the challenges of the times (Mufid, 2021).

The phenomenon of imbalance between the epistemological and axiological aspects of contemporary Islamic law is clearly visible in various modern *shariʿah* policies, including Islamic economics, banking, and bioethics (Mufid, 2021). According to Amrulloh and Zaman in the Journal of Islamic Studies, there is still a gap between the principles of *maqasid shariʿah* and the application of Islamic legal principles to issues of biotechnology and modern medicine (Rohman et al., 2026). This lack of integration underscores the need to approach Islamic law with a more integrative philosophical paradigm, one that combines Islamic legal epistemology with the maqasid shariʿah's moral and humanitarian objectives. Indonesia, as the world's most populous Muslim nation, faces similar challenges. Within the national legal system, Islamic law's role is often reduced to merely family law, despite its vast potential as a basis for social ethics and public law (Napitupulu et al., 2025). Efendi in *At-Ta'awun: Journal of Mu'amalah and Islamic Law* highlights the need for epistemological and axiological openness in the renewal of Islamic law to make it more adaptive to Indonesia's diverse social context (Ifham et al., 2026). This shows the urgency of re-examining the philosophical basis of Islamic law within an integrative framework.

Globally, an Islamic intellectual movement has emerged that emphasizes the integration of *maqasid shariʿah* into contemporary legal structures, as developed by Jasser Auda and Tariq Ramadan. This movement seeks to restore the rational function of Islamic law in line with the principles of universal justice. Data from the Islamic Research and Training Institute (2022) show a significant increase in research on maqasid shariʿah, up 45% over the past five years, indicating a scientific trend toward an integrative approach. However, most research remains limited to theoretical aspects and has not been widely applied within a legal axiology framework (Anam & Susantin, 2025).

Yasid in his work Logika *Usul Fiqh* emphasizes the importance of integration between text and context as the foundation of adaptive Islamic legal epistemology that the renewal of Islamic law is not enough to stop at reinterpreting the text, but must involve reinterpreting the axiological values that are the spirit of *maqasid shariʿah* in other words, Islamic law must be understood as a dynamic value system and responsive to developments in science and technology (Yasid, 2019). Nevertheless, methodological gaps remain evident, with most previous research tending to separate epistemology (the sources and methods of legal knowledge) from axiology (the values and objectives of law). Tanuri's research on the Epistemology of Islamic Law in Indonesian Positive Law reveals that there is still a lack of studies linking Islamic legal epistemology with *maqasid*-based social practices. As a result, Islamic law is often perceived as a static, rather than dynamic, normative system (Tanuri, 2024). Furthermore, much of the literature has yet to thoroughly examine the relationship between legal maxims such as "*al-darar yuzal*" (harm must be eliminated) and *maqasid shariʿah* (protection of life) such as *hifz al-nafs* (protection of life) in the context of public legal policy. Integrating these two aspects not only strengthens legal rationality but also provides a strong axiological basis for Islamic value-based legal policy.

The urgency of this research lies in the need to develop a new conceptual framework that combines the epistemology and axiology of legal maxims with the *maqasid* of *shariʿah*. This approach will yield a more comprehensive Islamic legal paradigm, one that not only addresses practical needs but also enhances the philosophical and ethical legitimacy of each legal product. This approach also has the potential to strengthen the methodology of *ijtihad istislahi*, which emphasizes benefit as the ultimate goal of law. This research will focus on a qualitative analysis of contemporary Islamic legal literature and practice to identify patterns of epistemological and axiological integration that have or have not been realized. The main focus is how *maqasid* of *shariʿah* functions as an axiological bridge connecting legal sources (*nas*) with social reality. Thus, this research is expected to provide a conceptual map for the renewal of Islamic law based on *maqasid* that is adaptive, humanistic, and contextual.

The primary objective of this research is to develop a conceptual model integrating the epistemology and axiology of legal maxims with the *maqasid* of *shariʿah* as a basis for contemporary Islamic legal reform. Theoretically, this research contributes to broadening the horizons of Islamic legal scholarship, orienting it more toward universal humanitarian values. Practically, the research findings are expected to serve as a reference for the development of progressive, contextual, and socially just *shariʿah* legal policies.

LITERATURE REVIEW

Contemporary Islamic legal reform has increasingly emphasized the integration of epistemological foundations, legal maxim (*qawāʿid fiqhiyyah*) axiology, and the objectives of Islamic law (*maqasid al-shariʿah*) as a framework for responding to modern socio-legal challenges. Scholars in Islamic jurisprudence argue that legal reform cannot rely solely on literal textual interpretation but must be grounded in a comprehensive understanding of knowledge sources, ethical values, and legal purposes. This integrative approach allows Islamic law to remain relevant and adaptable in addressing contemporary issues such as finance, governance, technology, and social welfare. From an epistemological perspective, Islamic law derives its authority from primary sources, including the Qur'an and Sunnah, as well as secondary sources such as *ijma'* (consensus) and *qiyas* (analogical reasoning). Classical scholars like *Al-Shafiʿi* and *Al-Ghazali* emphasized the importance of structured reasoning methods in deriving legal rulings, ensuring that knowledge production in Islamic jurisprudence remains systematic and accountable. In contemporary scholarship, epistemology also involves the reinterpretation of legal texts through contextual analysis, acknowledging social realities and emerging complexities. Modern thinkers highlight the necessity of integrating rational reasoning and empirical knowledge to complement traditional sources, thereby strengthening the legitimacy of Islamic legal reform.

Legal maxims (*qawāʿid fiqhiyyah*) play a significant role in the axiological dimension of Islamic law by providing ethical and practical principles that guide legal decision-making. These maxims, such as "hardship begets facility" (*al-Mashaqqah tajlib al-Taysir*) and "harm must be eliminated" (*al-darar yuzal*), reflect the moral values embedded in Islamic jurisprudence. Scholars assert that the axiological function of legal maxims lies in their ability to translate abstract legal concepts into practical guidance for resolving contemporary issues. By applying these maxims, jurists can ensure that legal rulings promote justice, balance, and social welfare, which are central to the ethical objectives of Islamic law. The concept of *maqasid al-shariʿah* serves as a unifying framework that integrates epistemology and axiology within Islamic legal reform. Classical scholars such as *Al-Ghazali* and *Al-Shatibi* identified the primary objectives of Islamic law as the protection of religion (*hifz al-din*), life (*hifz al-nafs*), intellect (*hifz al-ʿaql*), lineage (*hifz al-nasl*), and property (*hifz al-mal*). Contemporary scholars have expanded this framework to include broader societal values such as human dignity, social justice, and public welfare (*maslahah*). In modern legal reform, *maqasid al-shariʿah* functions as a methodological bridge that harmonizes textual interpretation with ethical considerations and contextual realities.

Recent literature also highlights the relevance of maqāṣid-based reasoning in contemporary Islamic legal reforms, particularly in areas such as Islamic finance, digital transactions, and public policy. Scholars emphasize that the integration of epistemology and legal maxim axiology within *maqasid*-oriented reasoning enables Islamic law to address new challenges without compromising its foundational principles. This approach encourages flexibility, innovation, and contextual responsiveness while maintaining adherence to the moral and spiritual objectives of Islamic law. Furthermore, contemporary Islamic legal reform emphasizes the need for interdisciplinary engagement, combining insights from social sciences, economics, and technology studies. This interdisciplinary orientation strengthens the epistemological foundation of Islamic jurisprudence while ensuring that legal reforms reflect the realities of modern societies. Scholars argue that without integrating epistemological rigor, axiological awareness, and *maqasid*-based objectives, Islamic legal reform risks becoming either rigid or overly permissive. In conclusion, the integration of epistemology, legal maxim axiology, and *maqasid al-shariʿah* represents a holistic framework for contemporary Islamic legal reform. This integrative model not only preserves the authenticity of Islamic legal traditions but also enhances their capacity to address evolving social realities. By aligning knowledge sources, ethical values, and legal objectives, Islamic jurisprudence can continue to function as a dynamic and relevant system of law in the modern era.

METHOD

This research uses a qualitative approach with a library research design which is combined with conceptual-philosophical analysis (Mahanum, 2021). This approach was chosen because the topic of integrating epistemology and axiology of legal maxims with *maqasid shariʿah* is a normative and philosophical issue that requires depth of analysis, not just empirical measurement. The main purpose of this methodology is to understand the meaning, conceptual structure, and relationships between Islamic legal principles in depth through exploration of relevant literature (Pringgar & Sujatmiko, 2020). This qualitative research is descriptive-analytical in nature, where the researcher attempts to describe the phenomenon of contemporary Islamic legal thought systematically, then analyze it within an integrative framework between epistemology, axiology, and *maqasid shariʿah*. The focus of the analysis is directed at the philosophical meaning of the concept of legal maxim (*fiqhiyyah* rules) such as *al-darar yuzal* (harmfulness must be eliminated), *al-umur bi maqasidiha* (everything depends on its purpose), and its relevance to the purposes of Islamic law (*maqasid al-shariʿah*) such as *hifz al-nafs*, *hifz al-mal*, and *hifz al-ʿaql.*

RESULTS AND DISCUSSION

Maxim's Legal Epistemology in Islamic Law
1. Definition and Characteristics of Maxim's Legal Epistemology

Legal maxim epistemology (*qawa'id fiqhiyyah*) in Islamic law is a branch of science that studies the basis of knowledge, sources, and methodology in the formation of general rules that serve as guidelines for establishing laws in various *furu'iyyah* (branch) cases. Etymologically, the term "epistemology" comes from the Greek episteme (knowledge) and logos (study or theory), meaning the theory of knowledge. In the context of Islamic law, the epistemology of legal maxims focuses on the process of acquiring legal knowledge from general principles of a universal nature, which can then be applied deductively to specific legal cases. According to *Al-Zarqa* (1998), a legal maxim is "a general rule that can be applied to certain branches of law to produce uniform law for similar cases (Shettima et al., 2016)." Thus, the legal epistemology of maxims not only explains what is known in Islamic law, but also how legal knowledge is formed, verified, and applied.

Characteristically, the epistemology of legal maxims is rational and applicable. Rational because it is formulated through a logical analysis of previously established legal cases, and applicable because it facilitates *mujtahids*, *qadis*, and *fuqaha* in finding laws for new issues without having to repeat the entire process of *istinbat* from primary sources (Zamri et al., 2022). Furthermore, the principles of Islamic jurisprudence are *istiqra'i* (inductive), meaning they are formulated based on observations of various similar legal rulings, and then general principles are derived. Another characteristic is their dynamic and flexible nature, capable of adapting to social contexts and changing times without losing their normative basis (Wahyuddin et al., 2023).

2. Maxim's Legal Sources (Al-Qur'an, Sunnah, Ijma', Qiyas, and the Practice of Scholars)

The epistemology of legal maxims is based on authoritative sources of Islamic law, namely the *Qur'an*, *Sunnah*, *ijma'*, *qiyas*, and the practice of scholars (Arifuddin et al., 2023).

a. The Quran is the primary source because it contains universal legal principles. For example, the verse "Allah has not placed upon you in religion any difficulty" (QS. Al-Hajj: 78) is the basis for the principle of *al-mashaqqah tajlib al-taysir* (difficulty brings ease).

b. The *Sunnah* of the Prophet SAW strengthens and clarifies these principles, for example the hadith "One should not cause harm to oneself or others" (HR. Ibn Majah) which is the basis for the principle of *la darar wa la dirar.*

c. *Ijma'* Ulama plays a role in strengthening the acceptance of certain *fiqh* rules after being tested through legal practices across generations.

d. *Qiyas*, or legal analogy, serves as an epistemological method for connecting new cases to established legal principles. Through qiyas, the principles of Islamic jurisprudence can be extended to new areas such as economics, biotechnology, and the environment.

e. The practice of scholars (*tatbiqat fuqaha*) is an important empirical source in the preparation of legal maxims.

Rules such as *al-'adah muhakkamah* (customs can be the basis for law) are formulated based on observations of legal practices and social customs that do not conflict with *shariʿah* principles (Rachim, 1995). Thus, the legal maxim epistemology is cumulative and is formed from the interaction between the text of revelation, the rationality of *ijtihad*, and the social experience of Muslims.

3. The Mechanism for the Formation of Fiqh Rules (Induction of Cases to General Principles)

The mechanism for the formation of *fiqh* rules in Islamic legal epistemology follows the *istiqra' ma'nawi* (meaningful induction) approach, namely the process of reasoning from particular cases towards the formulation of universal legal principles (Isman, 2024).

a. The first step is to "collect legal cases" that share similar contexts or legal consequences. For example, various cases involving elements of danger or hardship are analyzed comparatively to identify similar legal patterns.

b. The second step is "analysis of the similarity of illat (legal reasons)", where the mujtahid identifies the rational or moral reasons underlying each legal decision.

c. The third stage is the "abstraction of general principles," where the mujtahid formulates legal rules that reflect the similarity of substance in the various cases, such as "harm must be eliminated" or "intention is the basis of action."

d. In the fourth stage, the validity of the rules is tested through textual verification against Islamic texts and their conformity to the *maqasid* of Islamic law. Rules that pass this test are recognized as *qawa'id kulliyyah* (universal rules), while those that are still sectoral in nature are categorized as *qawa'id far'iyyah* (branch rules).

This process is not deductive from the text, but inductive from proven legal practices, thus demonstrating the empirical and normative character of Islamic legal epistemology.

4. The Position of Legal Epistemology Maxim in the Framework of Ijtihad

Within the framework of *ijtihad*, the epistemology of legal maxims occupies a position as a legal metatheory that bridges the gap between the sources of law (the *Qur'an* and *Sunnah*) and the practical process of establishing law. It serves as a heuristic framework for rational guidance that facilitates *mujtahids* in understanding, interpreting, and applying Islamic law to new cases (Purwanto, 2017). Through *fiqhiyyah* rules, a mujtahid does not have to re-trace every textual argument for every new case, because the general principles that have been produced from the ijtihad of his predecessors have provided universal guidelines.

The epistemology of legal maxims also functions as a filtering tool in the process of *istinbat al-ahkam*. By understanding the epistemological framework, *mujtahids* can differentiate between universal law (*thabit*) and contextual law (*mutaghayyir*) (Luthfi et al., 2025). This makes the principles of Islamic jurisprudence a form of rationalization of Islamic law that remains grounded in the *maqasid* of *shariʿah*. As emphasized by Jasser Auda, legal maxims are the interface between *fiqh* and *maqasid*, that is, the bridge between practical law and the moral objectives of law (Auda, 2011). Thus, Islamic legal epistemology maxims strengthen *ijtihad* by adding a philosophical dimension that ensures that legal outcomes are not only valid textually, but also true in terms of values and objectives.

Maxim's Legal Axiology in Islamic Law

1. Basic Values Contained in Legal Maxims

The axiology of legal maxims (*qawa'id fiqhiyyah*) in Islamic law is closely related to the value dimension which is the moral and ethical foundation in the application of law. Axiology, philosophically, is a branch of philosophy that discusses values, both moral, social and spiritual values contained in a system of knowledge (Afriandi et al., 2024).

In the context of Islamic law, the axiology of legal maxims focuses on the ethical goals and welfare that *shariʿah* law seeks to achieve (Mufid, 2021). According to *al-Ghazali* in *al-Mustashfa*, Islamic law axiologically aims to maintain the five basic principles of human life, namely religion, soul, reason, descendants, and property (*al-daruriyyat al-khams*) (Sutrisno, 2018). Therefore, all legal maxims formulated by the *fuqaha* actually reflect the fundamental values of *shariʿah*, namely justice (*al-'adl*), welfare (*al-maslahah*), and legal certainty (*al-yaqin*) (Usman & Najemi, 2018).

a. The value of justice is central to the axiology of the legal maxim. Justice is understood not simply as equal distribution, but as the placement of law according to its proportion and context (*wad' al-shay' fi mahallih*). Principles such as *al-umur bi maqasidiha* (all matters depend on their purpose) reflect a substantive orientation of justice, where the assessment of a legal act is based on its intention and purpose, not merely its formal form.
b. The value of benefit is a manifestation of the principle of *al-darar yuzal* (harm must be eliminated), which ensures that Islamic law always brings benefits and prevents harm to individuals and society.
c. The value of legal certainty is seen in principles such as *al-yaqin la yuzal bi al-syak* (certainty is not lost due to doubt), which guarantees stability and clarity in the practice of Islamic law.

Thus, the legal maxim functions as a crystallization of the axiological values of Islamic law that unite morality, rationality, and humanity in one complete legal framework (Sinaga et al., 2025).

2. *The Role of Axiology in Directing the Implementation of Law to be Responsive to the Needs of the Community*

Axiology plays an important role in ensuring that the application of Islamic law does not stop at the formalistic level, but is oriented towards human values and goals. In the epistemology of Islamic law, axiology functions as a "moral compass" that directs the interpretation of law to be in line with the *maqasid* of *sharīʿah* as explained by Jasser Auda in *Maqasid al-Sharīʿah* as Philosophy of Islamic Law. The axiological aspect transforms Islamic law from merely a normative system into a value system that is adaptive and dynamic to social reality. This means that the determination of law is not only assessed from its conformity with the text, but also from its contribution to social welfare and justice (Auda, 2025).

In this context, legal maxims serve as a means of operationalizing axiological values explained in the principles of Islamic jurisprudence, not only containing legal provisions but also instilling a moral orientation that guides the implementation of law in practice. For example, in the field of Islamic economics, the principle of *al-masyaqqah tajlib al-taysir* (difficulty brings ease) is used by Islamic financial institutions to provide payment leniency for customers experiencing difficulties, so that the law does not become a tool of oppression, while in family law, the principle of *al-darar yuzal* is used to eliminate practices that cause suffering for one of the parties, such as in cases of divorce due to violence. Therefore, the axiological dimension makes Islamic law responsive, humanistic, and contextual to the social reality of the community (Dedi, 2020).

The legal axiology of maxims also emphasizes that Islamic law is not static, but must be able to adapt to social, economic, and cultural changes (Saebani, 2024). Principles such as *al-ʿadah muhakkamah* (custom can serve as a legal basis) demonstrate recognition of local values as long as they do not conflict with *sharīʿah* principles. This constitutes an axiological recognition that welfare is not singular, but rather plural and contextual. According to Mufid, in the Philosophy of *Sharīʿah* Economic Law, this axiological dimension is what keeps Islamic law relevant and sustainable, as it continually opens up new avenues for ijtihad that meet the needs of humanity (Mufid, 2021).

The Concept of *Maqasid Sharīʿah* as an Orientation for Legal Reform
1. *Understanding of Maqasid Sharīʿah*

Maqasid al-*sharīʿah* etymologically comes from the word maqasid which means goals and *sharīʿah* which means path to the source of water, which in Islamic terminology is interpreted as a legal system and guide to life that originates from Allah's revelation (Hibaturohman & Ayu, 2024). Terminologically, *maqasid al-sharīʿah* refers to the main goals that Islamic law aims to achieve, namely the welfare of humanity in this world and the hereafter. *Al-Ghazali in al-Mustashfa* defines *maqasid* as preserving human welfare by safeguarding the five basic things of religion (*hifz al-din*), soul (*hifz al-nafs*), intellect (*hifz al-'aql*), lineage (*hifz al-nasl*), and wealth (*hifz al-mal*)." These five aspects are known as *al-daruriyyat al-khams*, and become the moral and rational foundation for the entire structure of Islamic law (Ayu et al., 2021).

The benefits (*maslahah*) that are the orientation of *maqasid* include three levels: *daruriyyat* (primary), *hajiyyat* (secondary), and *tahsiniyyat* (tertiary). The daruriyyat level relates to basic human needs that cannot be ignored, such as the protection of religion and soul. The *hajiyyat* level includes things that alleviate the difficulties of life without threatening human existence, such as easing worship for the sick.

Meanwhile, tahsiniyyat refers to aspects of moral perfection and beauty in life, such as dress ethics and manners. Thus, *maqasid shariʿah* provides an axiological direction for every legal provision, ensuring that every rule does not go beyond the framework of comprehensive, balanced, and just human benefits (Nazaruddin & Kamilullah, 2020).

2. Maqasid as a Philosophical Framework in Islamic Law

Philosophically, the *maqasid* of *shariʿah* serves as an ontological and axiological foundation in the development of Islamic law, explaining not only what and how the law is applied, but also why the law is established. From the perspective of Islamic legal philosophy, *maqasid* acts as the spirit that animates legal texts, making the law dynamic and oriented towards the value of benefit. *Al-Syatibi in al-Muwafaqat fi Usul al- Shariʿah* asserts that all Islamic law culminates in one main objective, namely *tahqiq al-maslahah wa daf' al-mafsadah* (realizing benefit and preventing harm) (Sutanto, 2021). Therefore, *maqasid* is not just a moral principle, but a methodological paradigm that directs the process of *ijtihad* and the application of law so that it remains relevant to the needs of the times.

In the context of Islamic law epistemology, *maqasid* functions as a bridge between normative texts (nash) and the context of social reality. By making *maqasid* a philosophical framework, Islamic law can be translated not literally, but substantially, by considering universal values such as justice, freedom, humanity, and public interest (Mustaqim, 2019). This approach allows *mujtahids* to explore new laws on issues that are not explicitly found in the text, such as human rights issues, the environment, and bioethics, while still adhering to the principle of *maqasid*. Thus, *maqasid shariʿah* functions as a philosophy of Islamic law that combines revelation and ratio, between text and purpose, and between norms and value.

3. The Relevance of Maqasid in Legal Reform in the Social, Economic, Political, and Technological Fields

Maqasid shariʿah plays a crucial role in the process of reforming Islamic law to remain relevant to the demands of modern times (Harisi & Abdullah, 2024).

a. In the social field, *maqasid* functions as an ethical guide in creating a just and harmonious social order with the concepts of *hifz al-nafs* and *hifz al-nasl*, for example, forming the basis for policies to protect children, families and women. This can be seen in the context of *maqasid* which encourages the birth of law and protects human dignity without discrimination.

b. In the economic field, *maqasid* is oriented towards distributional justice and public welfare, the principles of *hifz al-mal* and *hifz al-nafs* encourage the development of an ethical, usury-free, and social justice-based Islamic financial system. Islamic banks, productive *waqf*, and modern zakat are forms of actualization of *maqasid* in addressing economic inequality.

c. In the political sphere, *maqasid* contributes to the establishment of just and accountable governance. The principles of *hifz al-din* and *hifz al-ʿaql* form the basis for freedom of expression, public participation, and the responsibility of leaders to the people. Therefore, Islamic law within the *maqasid* framework does not support authoritarianism, but rather emphasizes *al-ʿadl wa al-musawah* (justice and equality) as the basic principles of statehood.

d. In the field of technology and digitalization, *maqasid shariʿah* becomes an ethical guideline in dealing with new issues such as data privacy, artificial intelligence, and genetic engineering. The principles of *hifz al-ʿaql* and *hifz al-nafs* ensure that technological innovation remains within the corridor of humanity and the safety of life.

Thus, the *maqasid* of *shariʿah* is not only a classical heritage, but also a futuristic paradigm that is capable of directing the renewal of Islamic law towards an inclusive, just, and sustainable system.

Integration of Epistemology and Legal Maxim Axiology with *Maqasid Shariʿah*

The epistemology of legal maxims (*qawaʼid fiqhiyyah*) in Islamic law derives fundamental legitimacy from the concept of *maqasid al-shariʿah*, because both are equally rooted in the principles of benefit (*maslahah*) and substantive justice (*al-ʿadl*) (Sofwan, 2018). Epistemologically, legal maxims function as rational instruments that generalize legal principles from particular cases (*al-juzʼiyyat*) into universal rules (*al-kulliyyat*) (Yulianto, 2019). Its epistemological legitimacy is derived from *maqasid*, because every valid *fiqh* rule cannot be separated from the main objective of *shariʿah*, namely realizing benefits and rejecting harm (*jalb al-maslahah wa darʼ al-mafsadah*). Thus, *maqasid* provides a normative and epistemic foundation for the validity of legal maxims in the Islamic legal system (Sutanto, 2021).

The determination of law cannot be separated from the *maqasid* (objectives) as the spirit of *Shariʿah*. He emphasized that the entire *istinbat al-ahkam* (legal deduction process) must be oriented towards maintaining the five basic principles of *maqasid*: *hifz al-din, hifz al-nafs, hifz al-'aql, hifz al-nasl*, and *hifz al-mal* (Harahap, 2014).Therefore, the epistemology of legal maxim does not stand independently from *maqasid*, but instead gains its authority when it is able to reflect and preserve these values, for example, the principle of *al-yaqin la yuzal bi al-syak* (certainty is not removed by doubt) because it emphasizes the importance of intention and morality in establishing law. Thus, this epistemological relationship shows that *maqasid* becomes a source of ontological legitimacy for rational construction in legal maxim.

The axiology of legal maxim is a value dimension of Islamic law that emphasizes the ethical, social, and humanitarian functions of law. Axiologically, the main objective of every legal maxim is to realize maslahah (benefit) and prevent *mafsadah* (damage), which is the core of *maqasid shariʿah*. This shows the principle of harmony between the axiological values of legal maxims and the orientation of *maqasid*, for example, the rule of *al-darar yuzal* (harm must be eliminated) explicitly contains the axiological values of *maqasid hifz al-nafs* and *hifz al-mal*, namely the protection of life and property. Similarly, *al-masyaqqah tajlib al-taysir* (difficulty brings ease) illustrates the values of rahmah and *taysir* (compassion and ease) in the *maqasid rafʿ al-haraj* (removing difficulties). This axiological integration also ensures that the legal maxim functions not only as a legal formula, but also as a moral and social tool that maintains a balance between individual rights and the public interest. As emphasized by Jasser Auda, *maqasid* is not merely a normative theory, but rather a systemic value that regulates the dynamics of Islamic law so that it remains relevant to social and technological developments (Auda, 2022). Therefore, when the legal maxim is applied with reference to *maqasid*, Islamic law will not be rigid but responsive, adaptive, and humanistic. Rules such as *al-'adah muhakkamah* (customs can be the basis of law) are real examples of how the axiological values of *maqasid*, especially *hifz al-'aql* and *hifz al-nasl*, work to accommodate cultural diversity without abandoning *shariʿah* principles.

The principles of *fiqhiyyah* and *maqasid shariʿah* are the main keys in interpreting Islamic law in the modern era which is colored by social, economic and technological complexity. The principles of *fiqhiyyah* provide a flexible and applicative methodological framework, while the maqasid provide a normative and ethical orientation that directs its application (Zen, 2024). This synergy produces an integrative hermeneutic approach to Islamic law, namely combining text, context and legal objectives.

Application in Contemporary Islamic Law Reform

1. Shariʿah Economics: Integration of Legal Maxims and Maqasid in Islamic Banking and Finance Products

In the field of Islamic economics, the integration between legal maxim (qawa'id fiqhiyyah) and *maqasid al-shariʿah* serves as an epistemological and axiological basis for the innovation of Islamic financial products that are in accordance with the principles of justice and welfare (Yunilhamri et al., 2024). Its axiological value is aligned with *maqasid hifz al-mal* (protection of property) and *hifz al-nafs* (protection of life), which emphasizes that financial transactions must create economic stability, social welfare, and distributive justice (Kholil, 2025). In practice, Islamic banks apply the principle of *al-masyaqqah tajlib al-taysir* (difficulty brings ease) by providing debt restructuring for customers affected by the economic crisis, in order to maintain welfare without sacrificing *shariʿah* principles (Maulida, 2020). *Murabahah, mudarabah*, and *musharakah* products are developed with *maqasid* (the principle of equity) in mind, ensuring that benefits are not solely profit-oriented but also fulfill humanitarian values and social sustainability. Therefore, the integration of legal maxims and *maqasid* into Islamic economics ensures that financial product innovation remains rooted in the principles of justice, transparency, and protection of the rights of the vulnerable.

2. Family Law: Flexibility of Marriage and Inheritance Law with the Maqasid Principle

In Islamic family law, the integration of legal maxims and *maqasid shariʿah* plays a crucial role in creating a legal system that is responsive to modern social dynamics without deviating from *shariʿah* principles. The principles of al-darar yuzal (harm must be eliminated) and *al-umur bi maqasidiha* (all matters depend on the objective) serve as the epistemological basis for interpreting the rules of marriage, divorce, and inheritance (Almadison & Basri, 2024). The axiology is based on the goals of *hifz al-nasl* (preserving lineage), *hifz al-nafs* (preserving the soul), and *hifz al-'aql* (preserving reason), so that the purpose of family law is not only formal legality, but also moral protection and social well-being of the family.

3. *Technology and Digital Rights: The Use of Fiqhiyyah Rules in Protecting Personal Data and Digital Rights of the Ummah*

The development of digital technology presents new challenges to Islamic law, particularly in the areas of personal data protection, social media ethics, and the digital rights of the community. In this context, legal maxims such as *al-yaqin la yuzal bi al-syak* (certainty is not removed by doubt) and *la darar wa la dirar* (one should not harm another) serve as normative instruments that can be used to assess digital actions based on certainty, security, and justice (Irawan & Hariati, 2024). Its epistemology is supported by the *maqasid hifz al-'aql* (protecting the mind/mind) and *hifz al-nafs* (protecting the self), which emphasize the importance of maintaining moral integrity, privacy, and the safety of individual information. In the context of data protection, the *maqasid hifz al-mal* and *hifz al-nafs* provide an ethical basis for maintaining the security of digital transactions and user identities. For example, the practice of misusing personal data or spreading false information (digital slander) is included in the category of *mafsadah* that must be prevented according to the *maqasid* principles (Jalili & Syukri, 2025). Based on this, contemporary jurists such as emphasizing the need for *ijtihad maqasid* in building Islamic cyber ethics, which balances freedom of expression with social responsibility. By integrating legal maxims and maqasid, Islamic law can provide a normative basis for regulating artificial intelligence (AI), data security, and the digital rights of Muslim communities worldwide.

4. *Environmental Field: Fiqhiyah Principles and Maqasid in Environmentally Friendly Islamic Law*

Environmental issues have become a key focus in contemporary Islamic legal reform, and the integration of legal maxims with *maqasid shariʿah* provides an ethical foundation for the development of ecologically sound Islamic law. The principles of *la darar wa la dirar* (neither harm nor harm each other) and *tasarruf al-imam 'ala al-ra'iyyah manuthun bi al-maslahah* (leadership policies must be based on the common good) demonstrate that environmental and natural resource management is a moral mandate that must be safeguarded for the common good. Its axiology is in line with the *maqasid hifz al-nafs* (preserving life) and *hifz al-mal* (preserving natural wealth), which emphasize the obligation to protect the earth as part of the balance of God's creation (*tawazun al-kawn*). Therefore, the integration of legal maxims and *maqasid* is an important instrument in making Islamic law a humanistic and intergenerational ecological paradigm.

Challenges and Criticisms towards the Integration of Legal Maxim Epistemology and Axiology with *Maqasid Shariʿah*

One of the main challenges in implementing *maqasid al-shariʿah* as a basis for reforming Islamic law is the potential misuse of the maqasid concept to legitimize unlimited legal liberalization. *Maqasid* is often interpreted freely by some modern thinkers to justify radical changes in Islamic law that are independent of normative texts (*nash*) (Pahutar et al., 2024). In this context, *maqasid* is considered an autonomous tool that can replace the *Qur'an* and *Sunnah*, when in reality, *maqasid* is merely a methodological means for understanding the objectives of law, not an independent source of law. Therefore, an epistemological mechanism is needed to ensure that *maqasid* remains a hermeneutic instrument, not a substitute for Islamic legal texts.

The methodological differences between classical and contemporary scholars in understanding *maqasid al-shariʿah* and *qawa'id fiqhiyyah* are also a source of challenges in efforts to integrate the epistemology of the two (Irawan, 2022). Classical scholars such as *al-Ghazali* and *al-Syatibi* emphasized the deductive approach, namely that *maqasid* must be concluded from the entire *shariʿah* text through a comprehensive analysis of the evidence, while some contemporary scholars such as Jasser Auda and *Ibn 'Ashur* tend to use an inductive and systemic approach, by expanding the scope of *maqasid* into social, political, and humanitarian aspects, this difference gives rise to tension between the textual-conservative and contextual-progressive approaches (Anwar & Ridlwan, 2024). This difference indicates that the integration of *maqasid* and legal maxims requires a new epistemological agreement regarding the authority and methodology of *ijtihad*. Without methodological uniformity, *maqasid* and legal maxims are potentially interpreted subjectively by each school of thought, which can lead to legal fragmentation. Therefore, a reconstruction of the methodology of *usul fiqh* based on *maqasid* is needed that can bridge the differences between the classical normative approach and modern hermeneutics.

Classical Islamic legal epistemology is built on medieval social and epistemic assumptions that tend to be textual and formalistic in the modern context. This approach faces limitations when faced with complex issues such as biotechnology, artificial intelligence, digital rights, gender equality, and global ecology. Some classical methods, which focus on *qiyas* (analogy) and *ijma'* (consensus), are often not flexible enough to address new problems that do not yet have legal equivalents in the text. As a result, a gap arises between traditional Islamic law and modern social realities (Junaedi, 2016). *Maqasid al-Shariʿah* actually exists as an epistemological effort to bridge this gap. However, without a reformulation of the epistemology of usul *fiqh*, *maqasid* can be reduced to normative slogans that are difficult to operationalize. Therefore, the main challenge of classical epistemology lies not in its normative validity, but in its limitations in interpreting the dynamic context of the times. The integration of *maqasid* and legal maxims can be a solution if developed through an interdisciplinary approach that combines theology, ethics, and modern social sciences.

CONCLUSION

The integration of the epistemology and axiology of the legal maxim with the *maqasid al-shariʿah* is a crucial step in strengthening the renewal of Islamic law so that it remains relevant to the dynamics of the times. The legal maxim provides a rational and methodological framework for establishing law, while the *maqasid* of *shariʿah* provides a value direction that emphasizes justice, public welfare, and humanity. Both complement each other in developing Islamic law that is not only text-based but also considers the social context and needs of modern society. This integration serves as a theoretical and practical basis for developing Islamic law that is adaptive to contemporary issues such as economics, technology, and the environment, without deviating from *shariʿah* principles. Therefore, by making the *maqasid* the value orientation and the legal maxim the method of application, Islamic law is able to maintain a balance between the eternity of divine norms and changing social realities. Thus, Islamic law will remain alive, dynamic, and oriented towards the welfare of the people in the modern era.

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