



Reconstructing Islamic Legal Reasoning: The Role and Application of Uṣūl al-Fiqh and Fiqh Maxims in Contemporary Ijtihād

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Abstract

Contemporary Islamic legal challenges increasingly expose the limitations of approaches that rely exclusively on either textual interpretation or isolated legal maxims. This article examines the role and application of uṣūl al-fiqh principles and fiqh maxims in contemporary ijtihād and argues for their methodological reconstruction as complementary instruments of Islamic legal reasoning. Employing a qualitative doctrinal and conceptual approach, this study analyzes classical and contemporary Islamic legal literature to examine the epistemological relationship between uṣūl al-fiqh, fiqh maxims, maqāṣid al-sharīʿah, authoritative texts, and changing social contexts. The analysis demonstrates that uṣūl al-fiqh provides the foundational principles for deriving legal meaning from authoritative sources, whereas fiqh maxims facilitate the systematic extension, contextualization, and application of those principles to diverse and evolving legal circumstances. Rather than positioning the two as separate or hierarchical instruments, this study conceptualizes them as mutually reinforcing modes of legal reasoning within a broader maqāṣid-oriented framework. Such integration enables jurists to maintain fidelity to authoritative Islamic sources while responding to social transformation, technological developments, and emerging forms of human interaction. The article further proposes an integrative model of contemporary istinbāt in which textual analysis, uṣūl al-fiqh reasoning, maqāṣid al-sharīʿah, fiqh maxims, and contextual assessment operate sequentially and dialogically. This reconstruction strengthens the methodological coherence of contemporary ijtihād by bridging normative textual authority and contextual legal responsiveness. The study concludes that the renewed significance of uṣūl al-fiqh and fiqh maxims lies not merely in their preservation as classical legal instruments, but in their critical integration as complementary foundations

for producing contextually relevant, principled, and normatively grounded Islamic law.

Keywords: Uṣūl al-Fiqh; Fiqh Maxims; Contemporary Ijtihād; Islamic Legal Reasoning; Maqāṣid al-Sharīʿah

Introduction

The contemporary transformation of social, economic, technological, and cultural life has generated legal questions that were not explicitly encountered in the formative periods of Islamic jurisprudence.¹ Digital transactions, artificial intelligence, biomedical technologies, financial innovation, environmental crises, changing family structures, and transnational social relations continuously produce new forms of human interaction that require normative evaluation within Islamic law. These developments have intensified the need for ijtihād as a mechanism through which Islamic legal thought can respond to emerging realities without severing its connection with authoritative revelation. The challenge, however, is not merely to produce new legal opinions, but to ensure that such opinions are methodologically legitimate, epistemologically coherent, and responsive to the objectives of Islamic law. Contemporary ijtihād therefore requires a legal methodology capable of negotiating between textual authority and contextual transformation while maintaining the normative integrity of the Sharīʿah. In this context, the reconstruction of Islamic legal reasoning becomes increasingly important, particularly concerning the relationship between the foundational principles of uṣūl al-fiqh and the practical reasoning embodied in fiqh maxims.²

Historically, uṣūl al-fiqh has constituted the principal methodological framework for understanding and deriving legal rulings from the Qurʾān, Sunnah, and other recognized sources of Islamic law. Its principles provide jurists with analytical instruments for interpreting textual indications, determining legal commands and prohibitions, evaluating linguistic meanings, resolving apparent contradictions, and establishing the validity of legal arguments. Through concepts such as ʿāmm and khāṣṣ, muṭlaq and muqayyad, amr and nahy, qiyās, istiḥsān, maṣlaḥah, and other juristic mechanisms, uṣūl al-fiqh establishes the epistemological parameters within which legal reasoning can legitimately operate. Nevertheless, the application of these principles to contemporary problems cannot be reduced to mechanical textual deduction. The changing circumstances in which legal norms are applied require jurists to consider the relationship between textual indications, the underlying purposes of legal rules, and the concrete realities to which those rules are directed. Consequently, the contemporary relevance of uṣūl al-fiqh depends not only on preserving its classical categories but also on critically understanding how those categories can function within substantially transformed social realities.³

¹ Ahmad Yani Anshori and Landy Trisna Abdurrahman, "History of the Development of Mazhab, Fiqh and Uṣūl Al-Fiqh: Reasoning Methodology in Islamic Law," *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam* 9, no. 1 (2025), <https://doi.org/10.22373/sjhk.v9i1.25355>; Achmad Siddiq et al., "Reconstructing Waqf Share Policies: A Maqashid Sharia Approach with Insights from Indonesia," *El-Mashlahah* 15, no. 1 (June 18, 2025): 79–100, <https://doi.org/10.23971/el-mashlahah.v15i1.9029>.

² Nabeela Falak, "The Concept of Ijtihad, Its Legitimacy, Need and Importance in the Present Age," *Islamic Sciences* 03, no. 01 (December 31, 2020), <https://doi.org/10.52337/islsci.v3i1.18>.

³ Afifhadi Marjohan, Muhammad Safwan Harun, and Ariyanti Mustapha, "Contemporary Debates on Renewal of Islamic Legal Theory ('Tajdid Uṣūl Al-Fiqh'): The Contributions of Aḥmed Al-Raysuni," *Australian Journal of Islamic Studies* 10, no. 3 (December 1, 2025): 1–28, <https://doi.org/10.55831/ajis.v10i3.853>; Durotun Nafisah et al., "Comparative Analysis of Islamic Family Law and Normative Law: Examining the Causes of Divorce in Purwokerto, Indonesia," *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam* 8, no. 2 (May 21, 2024): 847, <https://doi.org/10.22373/sjhk.v8i2.16825>.

Alongside *uṣūl al-fiqh*, *fiqh* maxims (*al-qawā'id al-fiqhiyyah*) occupy an important position in the development and application of Islamic jurisprudence. *Fiqh* maxims formulate broad legal propositions derived from numerous particular rulings and juristic experiences, enabling jurists to organize dispersed legal determinations within general normative principles.⁴ Maxims such as *al-umūr bi-maqāṣidihā* (matters are determined according to their objectives), *al-yaqīn lā yazūlu bi-al-shakk* (certainty is not removed by doubt), *al-mashaqqah tajlib al-taysīr* (hardship brings facilitation), *al-ḍarar yuzāl* (harm must be removed), and *al-ādah muḥakkamah* (custom is authoritative) demonstrate the capacity of Islamic jurisprudence to accommodate variations in circumstances while maintaining normative consistency. Their significance is particularly evident when jurists confront situations in which specific textual provisions do not directly determine the appropriate legal response. *Fiqh* maxims can thus function as a bridge between established legal principles and concrete cases, facilitating the contextual application of Islamic norms while preserving their underlying normative orientation.

Despite their complementary functions, *uṣūl al-fiqh* and *fiqh* maxims have frequently been discussed within separate conceptual and methodological compartments. *Uṣūl al-fiqh* is commonly presented as the methodology for deriving rulings from legal sources, whereas *fiqh* maxims are treated primarily as generalized propositions for organizing and applying existing jurisprudential rulings. This distinction is analytically useful, but an overly rigid separation may obscure the dynamic interaction between foundational legal reasoning and contextual legal application. Conversely, treating *fiqh* maxims as an autonomous substitute for *uṣūl al-fiqh* may generate methodological problems because maxims themselves emerge from a cumulative body of jurisprudential reasoning and cannot always provide sufficient grounds for determining the original legal status of a novel issue. The central methodological question is therefore not which instrument is superior, but how both can interact within a coherent process of contemporary *istinbāt*. Such an approach requires moving beyond a hierarchical conception of legal instruments toward a complementary model in which *uṣūl al-fiqh* establishes the parameters of legal reasoning while *fiqh* maxims assist in translating those parameters into context-sensitive legal judgments.⁵

The issue becomes more complex when contemporary *ijtihād* is considered in relation to *maqāṣid al-sharī'ah*. The objectives of Islamic law provide a normative horizon through which legal rules can be understood in terms of their purposes, consequences, and contribution to human welfare.⁶ Yet *maqāṣid*-oriented reasoning cannot stand independently from the disciplines that establish the legitimacy of legal interpretation. An excessive emphasis on textual literalism may result in rulings that inadequately respond to changing circumstances, while an unrestricted appeal to public interest or social context may weaken the authority of revelation and established legal principles. The methodological challenge consequently lies in constructing an equilibrium between textual fidelity, juristic principles, legal maxims, and consideration of consequences. Within this framework, *uṣūl al-fiqh*, *fiqh* maxims, and *maqāṣid al-sharī'ah* should not be understood as competing methodologies

⁴ M. Alim Khoiri et al., "Hasan Al-Turabi's Expansive Logic," *Al-Ahkam: Jurnal Ilmu Syari'ah Dan Hukum* 10, no. 2 (December 27, 2025): 136–54, <https://doi.org/10.22515/alahkam.v10i2.11115>.

⁵ OS Oyesanya, "Triangulating *Uṣūl Al-Fiqh*, *Al-Qawā'id Al-Fiqhiyyah*, and *Maqāṣid Al-Sharī'ah*: Implications for Contemporary *Ijtihād* and *Iftā'*," *UMRAN - Journal of Islamic and Civilizational Studies* 13, no. 2 SE-Articles (2026): 163–83, <https://doi.org/10.11113/umran2026.13n2.875>.

⁶ Nasruddin Yusuf, Ridwan Jamal, and Misbahul Munir Makka, "The Significance of *Ushul Al-Fiqh* and *Maqashid Syari'ah* Approaches in Reforming Islamic Law in Indonesia: A Critical Study of the Penal Code or Another Topic," *Asy-Syir'ah: Jurnal Ilmu Syari'ah Dan Hukum* 58, no. 2 (December 30, 2024): 389–417, <https://doi.org/10.14421/ajish.v58i2.1450>.

but as interconnected dimensions of Islamic legal reasoning. Their integration enables contemporary *ijtihād* to remain simultaneously anchored in normative sources and attentive to the realities that shape the application of Islamic law.

The contemporary debate over Islamic legal renewal illustrates the limitations of approaches that conceptualize *istinbāṭ* primarily as a process of extracting rules from texts. Contemporary legal problems often involve unprecedented factual configurations, complex institutional structures, rapidly changing technologies, and transnational consequences. In such circumstances, identifying a textual analogy alone may be insufficient to establish an adequate legal response. Juristic reasoning must also examine the nature of the case, its underlying causes, potential consequences, prevailing customs, degrees of hardship or harm, and the realization of relevant legal objectives. *Fiqh* maxims become particularly significant in this process because they provide generalized principles through which particular circumstances can be evaluated. However, their application must remain controlled by the epistemological discipline of *uṣūl al-fiqh* and informed by *maqāṣid*-based considerations. This indicates that contemporary *istinbāṭ* should be conceived as an integrated reasoning process rather than as the sequential application of isolated legal tools.⁷

Existing scholarship has made substantial contributions to the study of *uṣūl al-fiqh*, *fiqh* maxims, *maqāṣid al-sharīʿah*, and contemporary *ijtihād*. Studies of *uṣūl al-fiqh* have generally concentrated on its historical development, epistemological foundations, interpretive mechanisms, and debates concerning the authority of various legal sources.⁸ Research on *fiqh* maxims, meanwhile, has frequently examined their classification, historical formation, relationship with particular rulings, and application to specific areas such as Islamic finance, family law, medicine, and social relations. Other scholarship has emphasized *maqāṣid* as an essential framework for renewing Islamic legal thought in response to contemporary challenges. Although these strands of scholarship provide important foundations, they have not always sufficiently explained the methodological relationship between *uṣūl al-fiqh* and *fiqh* maxims as complementary modes of legal reasoning. The gap is particularly significant in relation to how these two instruments can be systematically integrated within contemporary *ijtihād* without compromising either textual authority or contextual responsiveness.

This article addresses that gap by proposing a reconstruction of Islamic legal reasoning that positions *uṣūl al-fiqh* principles and *fiqh* maxims as mutually reinforcing rather than separate or hierarchical instruments. The central argument is that *uṣūl al-fiqh* provides the foundational epistemological and interpretive structure for engaging authoritative Islamic sources, while *fiqh* maxims operate as a contextual and synthetic mechanism for extending those principles to particular and evolving circumstances. Their relationship becomes more methodologically meaningful when mediated by *maqāṣid al-sharīʿah* and contextual analysis. In this model, contemporary legal reasoning does not begin and end with the identification of a textual rule; rather, it involves a dialogical movement between authoritative texts, principles of interpretation, generalized jurisprudential maxims, legal objectives, and empirical realities. Such reconstruction seeks to preserve the continuity of Islamic legal tradition while enabling it to address legal questions emerging from social transformation.⁹

⁷ Dr. Mohammad Nurullah, Mohammad Amimul Ahsan, and Muhammad Nezam Uddin, "The Role of Uṣūl Al-Fiqh in National Development: A Contemporary Islamic Perspective," *Al-Amir Research Journal for Islamic Studies* 7, no. 02 (June 22, 2026): 25–43, <https://doi.org/10.67101/alamir.v7i02.312>.

⁸ Upi Sopiah Ahmad et al., "Reconstruction of the Function of Takhsis in Ushul Fiqh in Contemporary Muslim Society," *Hakamain: Journal of Sharia and Law Studies* 4, no. 2 SE-Articles (October 10, 2025): 258–70, <https://doi.org/10.57255/hakamain.v4i2.1672>.

⁹ Mohammad Hashim Kamali, "Methodological Issues in Islamic Jurisprudence," *Arab LQ* 11 (1996): 3.

Based on this framework, the article asks how *uṣūl al-fiqh* and *fiqh* maxims should be positioned within the methodology of contemporary *ijtihād* and how their interaction can contribute to more coherent Islamic legal reasoning.¹⁰ It examines, first, the respective epistemological and methodological functions of *uṣūl al-fiqh* and *fiqh* maxims; second, the points of convergence and distinction between the two in the process of *istinbāṭ*; and third, the manner in which their integration can mediate between authoritative texts, changing social contexts, and the objectives of Islamic law. Rather than merely cataloguing classical maxims or describing their contemporary applications, the article seeks to develop a conceptual account of how different layers of Islamic legal reasoning can operate together. This approach is particularly relevant to contemporary *ijtihād* because the legitimacy of a legal response increasingly depends not only on its conformity with textual sources but also on the methodological transparency through which textual norms are translated into complex contemporary circumstances.

Accordingly, this article argues that the future development of Islamic legal reasoning requires neither abandonment of classical jurisprudential methodology nor uncritical reproduction of its historical formulations. What is required is a critical reconstruction that retains the normative authority of *uṣūl al-fiqh* while revitalizing the contextual and integrative function of *fiqh* maxims within a *maqāṣid*-oriented framework. The proposed approach conceptualizes contemporary *istinbāṭ* as a multidimensional process in which textual interpretation establishes normative parameters, *uṣūl al-fiqh* determines the validity of legal reasoning, *maqāṣid al-sharīʿah* clarifies the purposes and values underlying legal norms, *fiqh* maxims facilitate generalization and contextual application, and consideration of contemporary realities informs the formulation of appropriate legal judgments. Through this framework, the article contributes to the broader discourse on Islamic legal renewal by demonstrating that the relevance of classical legal theory does not depend on its static preservation, but on its capacity to generate principled, contextually responsive, and normatively grounded legal reasoning for contemporary Muslim societies.

Method

This study employs a qualitative doctrinal legal research design combined with a conceptual approach to examine the methodological position and application of *uṣūl al-fiqh* principles and *fiqh* maxims in contemporary *ijtihād*.¹¹ The doctrinal dimension focuses on the examination of authoritative Islamic legal sources, including the *Qurʾān*, *Sunnah*, classical works of *uṣūl al-fiqh* and *fiqh*, and contemporary Islamic legal scholarship. These sources are complemented by relevant academic literature addressing *maqāṣid al-sharīʿah*, legal reasoning, and the renewal of Islamic jurisprudence. The conceptual approach is used to identify, compare, and critically examine the epistemological functions, methodological boundaries, and interrelationships of *uṣūl al-fiqh* and *fiqh* maxims. The analysis is organized around three dimensions: the normative foundations of legal reasoning, the mechanisms through which general principles are translated into particular rulings, and the capacity of Islamic legal methodology to respond to changing social circumstances. This design enables the study to move beyond descriptive treatment of legal maxims toward a systematic examination of their role within the broader architecture of contemporary Islamic

¹⁰ Khadiga Musa, "Legal Maxims as a Genre of Islamic Law: Origins, Development and Significance of *Al-Qawāʿid Al-Fiqhiyya*," *Islamic Law and Society* 21, no. 4 (2014): 325–65.

¹¹ John Creswell and J David Creswell, *Research Design: Qualitative, Quantitative, and Mixed Methods Approaches* (Sage publications, 2017).

legal reasoning. The data are analyzed through qualitative content analysis and critical legal interpretation, involving identification, classification, comparison, and synthesis of relevant legal arguments and methodological concepts. Particular attention is given to the relationship between textual interpretation, *uṣūl al-fiqh* reasoning, *fiqh* maxims, *maqāṣid al-sharīʿah*, and contextual assessment in determining contemporary legal positions. The analysis proceeds by comparing classical formulations with contemporary methodological developments to identify both continuity and transformation in Islamic legal reasoning. Rather than treating *uṣūl al-fiqh* and *fiqh* maxims as independent or hierarchical instruments, the study synthesizes their respective functions into an integrative framework of contemporary *istinbāt*. The validity of the resulting conceptual reconstruction is assessed through internal methodological coherence, consistency with established principles of Islamic jurisprudence, and its capacity to mediate between authoritative textual norms and changing social realities. Through this analytical procedure, the study formulates a normative-conceptual model in which *uṣūl al-fiqh* establishes the epistemological parameters of legal derivation, *maqāṣid al-sharīʿah* provides purposive orientation, and *fiqh* maxims facilitate contextual application to emerging legal problems.¹²

Result and Discussion

The Epistemological and Methodological Position of *Uṣūl al-Fiqh* and *Fiqh* Maxims in Islamic Legal Reasoning

The analysis demonstrates that *uṣūl al-fiqh* and *fiqh* maxims occupy distinct yet interconnected positions within the architecture of Islamic legal reasoning.¹³ *Uṣūl al-fiqh* primarily functions as a methodological discipline that establishes the principles and procedures through which legal norms are derived from authoritative sources. *Fiqh* maxims, by contrast, represent generalized formulations developed from the cumulative reasoning of jurists concerning numerous particular legal cases. The distinction between these two dimensions is therefore not merely terminological but reflects different stages of legal reasoning. *Uṣūl al-fiqh* concerns the epistemological legitimacy of deriving a ruling, whereas *fiqh* maxims facilitate the organization, generalization, and application of legal reasoning across diverse cases. Nevertheless, their distinct functions do not imply methodological separation. On the contrary, their interaction provides an important foundation for understanding how Islamic jurisprudence can maintain continuity while responding to changing circumstances.

The epistemological significance of *uṣūl al-fiqh* lies in its capacity to regulate the relationship between authoritative sources and legal conclusions. Islamic legal reasoning cannot simply rely on subjective preferences or pragmatic considerations because the legitimacy of a ruling is connected to its relationship with recognized sources of law and established principles of interpretation. *Uṣūl al-fiqh* provides the analytical mechanisms through which textual evidence can be examined in terms of linguistic meaning, scope, implication, specificity, generality, commands, prohibitions, and other forms of legal indication. It therefore functions as a methodological safeguard against arbitrary interpretation. In contemporary contexts, this function remains essential because the expansion of social complexity increases, rather than decreases, the need for disciplined legal reasoning.

¹² Ismatul Maula and Ahmad Rezy Meidina, "Istishab Analysis of the Decision on Istbat Nikah as an Integrated Service of Mobile Session in Wanemana Religious Courts," *Interdisciplinary Journal of Social Science and Education (IJSSSE)*, 2024, 43–58.

¹³ David Johnstone, "A Turn in the Epistemology and Hermeneutics of Twentieth Century *Usul Al-Fiqh*," *Islamic L. & Soc'y* 11 (2004): 233.

The relevance of *uṣūl al-fiqh* consequently lies not in reproducing every classical formulation mechanically, but in preserving its fundamental role as a framework for validating legal arguments.¹⁴

At the same time, *fiqh* maxims demonstrate another dimension of Islamic legal rationality: the capacity to synthesize numerous particular rulings into broader normative principles. Unlike individual legal rules that address specific factual circumstances, *fiqh* maxims operate at a higher level of generalization.¹⁵ They enable jurists to identify recurring patterns within Islamic jurisprudence and use those patterns to guide the assessment of new cases. This characteristic explains why maxims such as *al-umūr bi-maqāṣidihā*, *al-yaqīn lā yazūlu bi al-shakk*, *al-mashaqqah tajlib al-taysīr*, *al-ḍarar yuzāl*, and *al-ʿadah muḥakkamah* have continued to demonstrate practical relevance across different areas of law. Their significance does not derive merely from their concise formulations, but from their capacity to connect established jurisprudential reasoning with particular circumstances that may not have been explicitly addressed in earlier legal texts.

The relationship between the two disciplines becomes clearer when the process of *istinbāt* is examined as a multidimensional form of reasoning. A contemporary legal question ordinarily begins with the identification of relevant sources and legal indications. At this stage, *uṣūl al-fiqh* provides the necessary instruments for determining how the sources should be interpreted and how their legal implications should be established. Once the relevant normative principles have been identified, *fiqh* maxims can assist in determining how those principles relate to the factual characteristics of the case. The maxim does not replace the process of source interpretation; rather, it provides a generalized jurisprudential framework for extending the normative implications of established principles. Consequently, *uṣūl al-fiqh* and *fiqh* maxims should be understood as operating at different but interconnected levels of legal reasoning.¹⁶

This finding challenges an excessively hierarchical understanding in which *uṣūl al-fiqh* is automatically regarded as the superior instrument and *fiqh* maxims as merely secondary or derivative principles. Such a hierarchy may be justified if the question concerns the origin and formal authority of legal norms, but it becomes insufficient when the question concerns the practical operation of legal reasoning. *Fiqh* maxims have an important methodological function precisely because contemporary legal problems frequently involve complex combinations of circumstances, interests, risks, and social consequences. Their generalized character enables jurists to identify the normative pattern that may connect a novel case with established jurisprudential principles. Thus, while *fiqh* maxims cannot independently replace the foundational methodology of *uṣūl al-fiqh*, their practical contribution should not be reduced to a subordinate supplementary role.¹⁷

Conversely, an approach that elevates *fiqh* maxims into an autonomous methodology detached from *uṣūl al-fiqh* would also generate methodological difficulties. Because maxims are generally formulated through the abstraction and synthesis of particular jurisprudential rulings, their application requires attention to their scope, conditions, exceptions, and relationship with more specific legal evidence. A maxim cannot automatically determine the legal status of every case that appears linguistically compatible with its formulation. The maxim *al-ḍarar yuzāl*, for example,

¹⁴ Ezzieddin Elmahjub, "Islamic Jurisprudence as an Ethical Discourse: An Enquiry into the Nature of Moral Reasoning in Islamic Legal Theory," *Oxford Journal of Law and Religion* 10, no. 1 (November 13, 2021): 16–42, <https://doi.org/10.1093/ojlr/rwaa023>.

¹⁵ Ron Shaham, "Legal Maxims (Qawā'id Fiqhiyya) in Yūsuf Al-Qarāḍāwī's Jurisprudence and Fatwas," *Journal of the American Oriental Society* 140, no. 2 (September 19, 2021), <https://doi.org/10.7817/jameroriesoci.140.2.0435>.

¹⁶ Luqman Zakariyah, *Legal Maxims in Islamic Criminal Law: Theory and Applications*, vol. 9 (Brill, 2015).

¹⁷ Khurshid Iqbal, "Measuring Islamic Legal Philosophy and Islamic Law: A Study of Differences, Typologies, and Objects of Study," *El-Aqwal: Journal of Sharia and Comparative Law*, n.d.

establishes the general normative orientation that harm should be removed, but determining whether a particular measure constitutes harm, whose harm should be prioritized, and what remedy is legally appropriate requires further methodological analysis. This demonstrates that fiqh maxims are most effective when embedded within a broader legal reasoning process governed by *uṣūl al-fiqh* and informed by contextual considerations.

The findings further indicate that the distinction between *uṣūl al-fiqh* and fiqh maxims can be understood as a distinction between foundational reasoning and synthetic reasoning. *Uṣūl al-fiqh* asks how legal knowledge can legitimately be derived, whereas fiqh maxims ask how recurring legal patterns can be formulated and subsequently applied to particular circumstances. The former is primarily concerned with the validity of legal inference, while the latter facilitates coherence across individual rulings. These functions are complementary because valid legal derivation without systematic application may remain disconnected from practical realities, while generalized maxims without a sound epistemological foundation may become overly flexible. Their methodological convergence therefore creates a more comprehensive architecture of Islamic legal reasoning.

Another important finding concerns the role of language and context. Classical *uṣūl al-fiqh* developed sophisticated mechanisms for interpreting textual expressions, yet legal meaning cannot always be separated from the circumstances in which a ruling operates. Similarly, fiqh maxims are not context-free formulas that mechanically produce identical results in every situation. Their application depends upon the identification of the relevant factual circumstances and the determination of whether those circumstances fall within the normative rationale of the maxim. This suggests that contemporary Islamic legal reasoning requires a movement between textual analysis and contextual evaluation. The movement is not a departure from Islamic legal tradition but reflects the juristic principle that legal reasoning must properly understand both the norm and the factual reality to which the norm is applied.

The methodological position of *uṣūl al-fiqh* and fiqh maxims also becomes significant in addressing the problem of legal consistency. Contemporary legal systems face rapidly changing factual situations, creating a risk of fragmented legal responses in which similar cases receive substantially different treatment. Fiqh maxims can reduce this fragmentation by providing general normative standards applicable across different areas of law. At the same time, *uṣūl al-fiqh* ensures that the use of these general standards remains connected to legitimate sources and interpretive principles. Their combination therefore promotes both flexibility and consistency. Flexibility arises from the ability to adapt general principles to new circumstances, while consistency is maintained through the continuing operation of established methodological constraints.

The analysis also reveals that the relevance of classical legal theory should be assessed according to its methodological capacity rather than merely according to the historical age of its concepts. Contemporary legal problems may be new in their factual manifestation but not necessarily unprecedented in their normative structure. Issues involving digital transactions, for example, may introduce technological forms that were unknown to classical jurists, yet questions concerning consent, uncertainty, harm, deception, contractual purpose, and ownership remain connected to established legal categories. The task of contemporary *ijtihād* is therefore not to discover an entirely new legal language but to determine how established methodological principles can be meaningfully applied to new factual configurations. In this respect, *uṣūl al-fiqh* and fiqh maxims provide complementary resources for translating continuity into contemporary legal reasoning.

Accordingly, the epistemological relationship between the two disciplines should be conceptualized as complementary rather than competitive. Uṣūl al-fiqh provides the foundational criteria for determining the legitimacy of legal inference, while fiqh maxims contribute a synthetic and applicative dimension that helps organize and contextualize legal judgments. Neither dimension is sufficient in isolation when dealing with complex contemporary problems. A purely source-centered approach may fail to adequately capture the complexity of the factual context, while an excessively contextual approach may weaken the normative discipline of Islamic jurisprudence. The integration of both therefore creates a methodological equilibrium between authority and responsiveness. This equilibrium is particularly important for contemporary ijtihād, which must respond to social transformation without dissolving the normative identity of Islamic law.

The first major result of the study is therefore the identification of a functional complementarity between uṣūl al-fiqh and fiqh maxims. Their relationship should not be understood simply in terms of superiority and subordination, but in terms of differentiated methodological functions within a unified process of legal reasoning. Uṣūl al-fiqh establishes the epistemological and interpretive parameters of istinbāṭ, whereas fiqh maxims facilitate the synthesis and contextual application of legal principles. This complementarity provides the conceptual foundation for reconstructing contemporary Islamic legal reasoning. However, their integration requires an additional normative dimension capable of connecting legal principles with the purposes of the Sharīʿah. This dimension is provided by maqāṣid al-sharīʿah, which becomes essential for ensuring that the interaction between text, principle, maxim, and context remains directed toward the realization of justice, welfare, and the broader purposes of Islamic law.¹⁸

The Interplay of Uṣūl al-Fiqh, Fiqh Maxims, and Maqāṣid al-Sharīʿah in Contemporary Ijtihād

The integration of uṣūl al-fiqh and fiqh maxims becomes more comprehensive when situated within the framework of maqāṣid al-sharīʿah.¹⁹ Maqāṣid provides a purposive dimension that explains why legal norms exist and what values they seek to protect or realize. Without such a dimension, the application of legal principles may become overly formalistic, particularly when contemporary circumstances differ substantially from those in which earlier rulings were formulated. Conversely, an unrestricted appeal to maqāṣid may risk detaching legal reasoning from authoritative sources. The methodological significance of maqāṣid therefore lies in its mediating function. It connects textual and juristic reasoning with the substantive objectives that underlie Islamic law, thereby enabling contemporary ijtihād to balance normative continuity with contextual responsiveness.

The interaction among these three dimensions can be conceptualized through their respective methodological functions. Uṣūl al-fiqh provides the rules of legal interpretation and inference; maqāṣid al-sharīʿah provides the purposive orientation of legal reasoning; and fiqh maxims provide generalized jurisprudential principles through which legal considerations can be applied across particular circumstances. Their relationship is therefore neither linear nor entirely independent. Rather, it is dialogical. A jurist may begin by identifying the relevant textual evidence, interpret it through uṣūl al-fiqh, determine the objectives implicated by the issue, identify relevant fiqh maxims,

¹⁸ Achmad Siddiq et al., "Restrictions on Hajj Pilgrimage for Indonesian Congregation from the Perspective of Sadd Al-Dzari'ah," *Volksgeist: Jurnal Ilmu Hukum Dan Konstitusi*, June 2, 2024, 35–51, <https://doi.org/10.24090/volksgeist.v7i1.9701>.

¹⁹ Yusuf Wibisono and Femmy Roeslan, "The Concept of Maqāṣid Al-Sharīʿah and Maṣlahah in the Classical and Contemporary Tafsīr," *International Journal of Islamic Economics and Business Sustainability (IJIEBS)* 1, no. 2 (2025): 4, <https://doi.org/https://doi.org/10.7454/ijiebs.v1i2.1021>.

and subsequently assess the concrete circumstances and consequences of alternative legal positions. This process demonstrates that contemporary *istinbāṭ* is better understood as an integrated reasoning system than as a single act of textual extraction.²⁰

The concept of *maqāṣid* is particularly important because contemporary legal problems frequently involve competing interests. A new technological practice, for instance, may provide significant benefits while simultaneously generating risks to privacy, security, economic equality, or human dignity.²¹ A purely categorical approach may struggle to evaluate such multidimensional consequences because the factual structure of the problem extends beyond a single traditional legal category. *Fiqh* maxims can help identify the relevant normative principles, particularly those concerning harm, hardship, certainty, custom, and objectives, while *maqāṣid* provides a broader framework for weighing the interests involved. *Uṣūl al-fiqh*, meanwhile, ensures that such evaluative reasoning remains connected to recognized forms of legal argumentation.

This integrated approach also clarifies the meaning of legal contextualization in Islamic jurisprudence. Contextualization should not be equated with modifying religious norms merely to accommodate contemporary preferences. Rather, it involves determining how an established normative principle should operate under particular social, economic, technological, and institutional conditions. The distinction is crucial because legal rules may remain normatively stable while their application changes according to the factual circumstances. *Fiqh* maxims are particularly useful in this regard because many of them explicitly recognize the relevance of hardship, custom, uncertainty, harm, intention, and necessity. Yet their contextual application must remain disciplined by *uṣūl al-fiqh* and directed by *maqāṣid* so that contextual sensitivity does not become arbitrary relativism.²²

The principle of *al-ʿādah muḥakkamah*, for example, demonstrates how Islamic legal reasoning can recognize social practices as legally relevant when they satisfy appropriate normative conditions.²³ Custom may vary significantly between societies and historical periods, making it particularly relevant to contemporary legal questions. Nevertheless, not every social practice automatically acquires legal authority. Its validity depends on its compatibility with authoritative norms and established methodological requirements. This illustrates the complementary relationship among the three dimensions: *uṣūl al-fiqh* establishes the conditions under which custom may be considered, the *fiqh* maxim articulates its general legal significance, and *maqāṣid* helps evaluate whether recognizing a particular custom contributes to the purposes of Islamic law. Contemporary *ijtihād* therefore becomes responsive to social diversity without surrendering normative control.

Similarly, the maxim *al-ḍarar yuzāl* illustrates the potential of *fiqh* maxims to mediate between normative principles and contemporary risk. The principle that harm should be removed has broad relevance to areas such as public health, environmental protection, consumer protection, digital security, and financial regulation. However, the identification and evaluation of harm are inherently contextual. What constitutes harm, how severe it is, who bears it, and whether removing one harm

²⁰ Achmad Nursobah, "DIGITAL IJTIHAD QAWA'IDI: A MAQAṢIDIC EPISTEMOLOGY FOR BLOCKCHAIN-BASED ISLAMIC LEGAL SYSTEMS," *Jurnal Dinamika Ekonomi Syariah* 13, no. 1 SE-Articles (January 15, 2026), <https://doi.org/10.53429/jdes.v13i1.1856>.

²¹ Abdul mustafa et al., "When Culture Meets Fiqh: Examining the Legal Authority of 'Urf in Contemporary Engagement Traditions," *Global Islamic Research Journal* 1, no. 1 (December 25, 2025): 01–21, <https://doi.org/10.65960/girj.1.1.2025.6>.

²² Tayyabi, "Fiqh Al-Mu'āmalāt: Synthesizing Qur'ānic Principles (Qawā'id Qur'āniyyah), Classical Juristic Discourse, and Modern Socio-Economic Praxis," *Tanazur* 6, no. 1 SE-English (2025): 1–16, <https://tanazur.com.pk/index.php/tanazur/article/view/543>.

²³ Zainuddin Sunarto, "Bridging Tradition and Modernity: Al-Syāṭibī's Maqāṣid Al-Sharī'ah as a Framework for Contemporary Islamic Jurisprudence," *Al-Fiqh: Journal of Contemporary Islamic Law* 1, no. 1 (July 22, 2025): 40–48, <https://doi.org/10.61987/fiqh.v1i1.803>.

produces another are questions that require substantive assessment. Maqāṣid provides an important framework for this evaluation, while uṣūl al-fiqh supplies the legal reasoning necessary to connect the factual assessment with legitimate normative conclusions. The maxim therefore functions not as an automatic rule but as a structured gateway to further legal reasoning.

The same methodological logic applies to the maxim al-mashaqqah tajlib al-taysir. Contemporary circumstances frequently involve forms of hardship generated by migration, technological transformation, medical emergencies, economic instability, and other social conditions. The maxim recognizes that excessive hardship may justify legal facilitation, but it does not establish an unrestricted license to dispense with legal obligations whenever difficulty is experienced. The degree, nature, and consequences of hardship must be assessed according to established legal criteria. Here again, uṣūl al-fiqh determines the boundaries of legal reasoning, the maxim provides a general mechanism for responding to hardship, and maqāṣid clarifies the underlying objective of preserving human welfare while maintaining the integrity of legal obligations.

The analysis consequently supports a distinction between textual fidelity and textual literalism. Fidelity requires contemporary legal reasoning to remain accountable to authoritative sources, while literalism may incorrectly assume that the surface meaning of a text can be transferred directly to every new factual situation. Uṣūl al-fiqh provides resources for avoiding both extremes because it recognizes multiple dimensions of legal indication and interpretive reasoning. Fiqh maxims further enable jurists to consider broader patterns of legal reasoning, while maqāṣid provides insight into the purposes underlying those patterns. The result is a methodology capable of preserving the authority of revelation without assuming that every contemporary problem can be resolved through a simplistic repetition of historical rulings.

Another significant finding concerns the role of consequences in contemporary ijtihād. A legal judgment may appear formally consistent with a particular rule but produce consequences that undermine the broader objectives of Islamic law. Consideration of consequences does not mean subordinating revelation to utilitarian calculation; rather, it involves evaluating whether the proposed application of a legal principle is consistent with the purposes and normative structure of the Shari'ah. Fiqh maxims provide several conceptual resources for this assessment because they frequently address harm, hardship, certainty, intention, and competing interests. When combined with maqāṣid and regulated through uṣūl al-fiqh, consideration of consequences becomes an integral component of responsible contemporary legal reasoning.

This framework also has implications for the authority of contemporary jurists. The authority of a contemporary mujtahid cannot be based solely on mastery of textual sources or knowledge of classical jurisprudence. Contemporary legal reasoning increasingly requires interdisciplinary awareness because many legal questions depend on empirical knowledge from economics, medicine, sociology, technology, environmental science, and other fields. Uṣūl al-fiqh provides the legal methodology, while fiqh maxims and maqāṣid assist in organizing normative evaluation; however, accurate understanding of the factual situation requires engagement with relevant expert knowledge. This does not diminish the role of Islamic jurisprudence. Instead, it strengthens it by ensuring that legal judgments are based upon a sufficiently accurate understanding of the subject to which the legal norm is applied.

The interplay among uṣūl al-fiqh, fiqh maxims, and maqāṣid consequently provides a methodological response to the tension between continuity and change in Islamic law. Continuity

is maintained through the authority of revelation and established principles of legal interpretation, while change is accommodated through contextual analysis, purposive reasoning, and the application of generalized jurisprudential principles to new circumstances. This approach avoids the assumption that Islamic legal renewal requires either complete departure from classical jurisprudence or strict adherence to historical formulations. Instead, renewal emerges from the capacity of the tradition to reorganize its internal methodological resources in response to new circumstances.

The second major result is therefore the identification of a triadic relationship among *uṣūl al-fiqh*, *fiqh maxims*, and *maqāṣid al-sharīʿah*. *Uṣūl al-fiqh* provides methodological legitimacy, *fiqh maxims* provide jurisprudential generalization and contextual applicability, and *maqāṣid* provides purposive direction. Their interaction produces a form of legal reasoning that is simultaneously textual, principled, contextual, and teleological. Such integration is particularly important for contemporary *ijtihād* because modern legal problems frequently exceed the boundaries of individual classical categories. The methodological challenge is consequently not to choose between text and context, but to establish a disciplined relationship between them. This finding provides the basis for developing an integrative model of Islamic legal reasoning capable of translating authoritative norms into contextually appropriate contemporary legal judgments.²⁴

Reconstructing an Integrative Model of Islamic Legal Reasoning for Contemporary Legal Problems

The preceding analysis provides the basis for reconstructing contemporary Islamic legal reasoning as an integrated and multidimensional process.²⁵ The proposed reconstruction departs from the assumption that *istinbāṭ* is simply an act of extracting a predetermined ruling from an authoritative text. Instead, it conceptualizes *istinbāṭ* as a process through which textual authority, legal methodology, jurisprudential generalization, *maqāṣid*, and empirical context interact to produce a legally and normatively justified conclusion. The model does not seek to replace classical *uṣūl al-fiqh* or *fiqh maxims* with a new methodology detached from tradition. Rather, it reorganizes their respective functions so that their methodological potential can respond more effectively to contemporary legal complexity.

The first stage of the proposed model is the identification and accurate formulation of the contemporary legal problem. This stage is frequently underestimated because legal discussions often proceed directly to the search for textual evidence. Yet an inaccurate understanding of the factual problem can lead to an inappropriate legal analogy or misapplication of a legal maxim. Contemporary *ijtihād* should therefore begin with *taṣawwur al-masʿalah*, namely the comprehensive conceptualization of the case before determining its legal status. This requires distinguishing between the apparent form of an issue and its underlying structure. Such an approach is particularly important for technological and institutional developments in which familiar legal terminology may conceal substantially different modes of interaction, authority, risk, or dependency.²⁶

²⁴ Purnama Hidayah Harahap et al., “Religious Court Decisions Regarding the Revocation of Grant (Hibah) in the Perspective of Islamic Jurisprudence,” *Al-Manahij: Jurnal Kajian Hukum Islam*, November 17, 2023, 215–32, <https://doi.org/10.24090/mnh.v17i2.9767>.

²⁵ Husnul Fatarib et al., “Progressive Legal Reasoning in Contemporary Islamic Legal Reform: Negotiating the *Maqāṣid* and Hermeneutic Approaches,” *JURIS (Jurnal Ilmiah Syariah)* 24, no. 2 (December 17, 2025): 277–94, <https://doi.org/10.31958/juris.v24i2.16123>.

²⁶ Felicitas Opwis, “Maslaha in Contemporary Islamic Legal Theory,” *Islamic Law and Society* 12, no. 2 (2005): 182–223.

The second stage involves the identification and examination of authoritative textual sources. At this point, *uṣūl al-fiqh* functions as the principal methodological instrument. The jurist determines the relevance, scope, linguistic meaning, and legal indication of Qurʾānic and Prophetic texts as well as other recognized sources of Islamic law.²⁷ This stage protects the process from arbitrary contextualism because contemporary circumstances cannot independently establish a legal ruling without a legitimate relationship to Islamic normative sources. Nevertheless, textual analysis should not be understood as the endpoint of the process. The legal significance of a text must subsequently be considered in relation to the nature of the case, the underlying legal rationale, and the objectives that the relevant norm seeks to realize.

The third stage is the identification of the relevant legal principles through *uṣūl al-fiqh* and the jurisprudential tradition. At this stage, the jurist moves from individual textual evidence toward broader normative structures. Analogical reasoning, consideration of legal causes, public interest, custom, presumption of continuity, and other recognized methods may become relevant depending on the nature of the problem and the legal school or methodological framework employed. The purpose of this stage is to establish the normative parameters within which the novel case can be assessed. It therefore prevents contemporary *ijtihād* from becoming merely an exercise in policy preference or social adaptation. Legal innovation remains connected to a recognizable chain of juristic reasoning.²⁸

The fourth stage concerns the identification of relevant *fiqh* maxims. Once the normative parameters have been established, general jurisprudential principles can be used to identify the broader legal pattern implicated by the case. The maxim *al-umūr bi-maqāṣidihā* may become relevant where intention and purpose are central; *al-yaqīn lā yazūlu bi al-shakk* may be relevant where uncertainty affects an established legal position; *al-ḍarar yuzāl* may guide cases involving injury or risk; and *al-mashaqqah tajlib al-taysīr* may become relevant where exceptional hardship is present.²⁹ The selection of a maxim, however, must be based on substantive correspondence rather than superficial linguistic similarity. This ensures that maxims function as analytical instruments rather than rhetorical devices used to justify predetermined conclusions.

The fifth stage integrates *maqāṣid al-sharīʿah* into the assessment. The purpose of this stage is to determine which fundamental interests, values, and objectives are implicated by the legal problem and by the possible legal responses. Protection of religion, life, intellect, lineage, property, dignity, justice, and other recognized dimensions of human welfare may become relevant depending on the issue. *Maqāṣid* should not be treated as a free-standing source that automatically overrides specific legal evidence. Rather, it provides a purposive framework for understanding the implications of legal principles and evaluating competing interests. This positioning allows *maqāṣid* to function as an interpretive and evaluative dimension of *istinbāṭ* while remaining connected to the broader architecture of Islamic legal methodology.³⁰

²⁷ Hafiz Falak Shair Faizi and Dr. Hafiz Sfarish Ali, "The Core Principles of Islamic Jurisprudence within Legal Theory: A Comprehensive Analysis," *Online Journal of Research in Islamic Studies* 11, no. 2 (December 30, 2024): 57–72, <https://doi.org/10.22452/ris.vol11no2.4>.

²⁸ Teuku Hafid Hududillah et al., "Reconstructing Islamic Family Law in ASEAN: A Normative Analysis of Marriage, Divorce, and Inheritance in Plural Legal Systems," *ASEAN Journal of Islamic Studies and Civilization (AJISC)* 2, no. 2 SE-Articles (October 21, 2025): 183–210–, <https://doi.org/10.62976/ajisc.v2i2.1427>.

²⁹ Chotimah, "Reconstructing Contemporary Ijtihad through a Maqāṣid Al-Sharīʿah Framework: Jasser Auda's Systems Approach," *International Journal of Islamic Studies Issues* 2, no. 1 SE-Articles (2026): 1–13, <https://doi.org/10.59966/nmtvs57>.

³⁰ Parlindungan Sagala et al., "Yusuf Al-Qaradawi and the Renewal of Islamic Legal Reasoning: Reconstructing a Contemporary Framework of Ijtihād for Emerging Muslim Contexts," *International Journal of Islamic Studies Issues* 2, no. 2 (July 5, 2026): 1–8,

The sixth stage involves contextual and empirical assessment. Contemporary legal reasoning must determine how the relevant principle, maxim, and objective operate within the actual social circumstances of the case. Factors such as social practices, economic structures, technological characteristics, institutional arrangements, patterns of harm, and likely consequences may influence the legal evaluation. This stage demonstrates why contemporary *ijtihād* cannot be undertaken through textual knowledge alone.³¹ The jurist must understand the reality to which the law is being applied. In complex cases, consultation with specialists may therefore become an essential part of responsible legal reasoning. Such interdisciplinary engagement does not transform the expert into the jurist; rather, it enables the jurist to make a more accurate legal judgment concerning the factual reality.

The seventh stage consists of evaluating the possible consequences of alternative legal positions. This stage is essential because different interpretations may satisfy formal legal requirements while producing significantly different social outcomes. A responsible contemporary ruling should therefore consider whether its application promotes or undermines the relevant objectives of Islamic law. *Fiqh* maxims provide normative criteria for this assessment, particularly those concerning harm, hardship, necessity, certainty, and custom. *Maqāṣid* provides the broader evaluative horizon, while *uṣūl al-fiqh* ensures that the assessment remains legally grounded. The resulting analysis is neither purely consequentialist nor purely formalistic but combines normative fidelity with responsible consideration of legal effects.

The eighth stage is the formulation and justification of the legal ruling. At this point, the conclusion should explicitly demonstrate the chain of reasoning connecting the factual problem with authoritative sources, *uṣūl al-fiqh* principles, relevant *fiqh* maxims, *maqāṣid*, and contextual considerations. Methodological transparency is important because contemporary Islamic legal authority increasingly depends upon the ability to explain not merely what the ruling is, but why the ruling is justified. The ruling should therefore disclose the normative premises and analytical steps upon which it rests. This makes contemporary *ijtihād* more accountable and facilitates scholarly evaluation, disagreement, and further development.

The proposed model also recognizes that contemporary legal reasoning is iterative rather than strictly linear. New empirical information may require reconsideration of the factual characterization of a case; a newly identified textual indication may modify the preliminary legal framework; and a more comprehensive assessment of consequences may reveal that an initially preferred interpretation inadequately serves the relevant objectives. Consequently, the stages of *istinbāt* should be viewed as interconnected rather than as an irreversible sequence. This iterative character reflects the complexity of contemporary legal problems and strengthens the methodological robustness of the resulting judgment. It also prevents premature closure, in which a jurist reaches a conclusion before adequately examining all relevant dimensions of the problem.³²

<https://doi.org/10.59966/nthx5637>.creating ongoing debates between textualist and reformist approaches to Islamic legal renewal. Yusuf al-Qaradawi (1926–2022

³¹ Taib Hunsouw et al., “INTEGRATIVE MAQASID–HERMENEUTIC FRAMEWORK (IMHF): RECONSTRUCTING THE METHODOLOGY OF QUR’ANIC LEGAL INTERPRETATION IN THE CONTEMPORARY ERA,” *Al-Muqaranah* 4, no. 2 (2026): 38–67, <https://doi.org/https://doi.org/10.33477/am.v4i2.15884>.

³² Ubaidila et al., “Integrative-Transformative Legal Methodology: Reconstructing Bayani, Burhani, and Irfani in National Legal Reasoning,” *Al-Hikmah: International Journal of Islamic Studies* 2, no. 2 (December 30, 2026): 321–40, <https://doi.org/10.64540/49am2c39>.

The reconstructed model can therefore be represented as an integrated chain: problem identification → contextual factual analysis → textual examination → uṣūl al-fiqh reasoning → identification of fiqh maxims → maqāṣid assessment → contextual and consequential evaluation → legal formulation and justification. The distinctive feature of this model is not the individual components, most of which are already present within the Islamic legal tradition, but the way in which their functions are deliberately coordinated. Uṣūl al-fiqh establishes methodological legitimacy; fiqh maxims provide general jurisprudential orientation; maqāṣid provides purposive direction; and contextual analysis ensures that legal reasoning corresponds to the actual characteristics of the contemporary problem. The model consequently transforms istinbāṭ from a predominantly extractive process into an integrated form of legal reasoning.³³

The principal contribution of this reconstruction lies in demonstrating that the contemporary relevance of uṣūl al-fiqh and fiqh maxims does not depend upon choosing between classical authority and modern contextualism. Their continued relevance can instead be strengthened through methodological integration. Uṣūl al-fiqh preserves the epistemological discipline of Islamic legal reasoning, fiqh maxims enable jurisprudential principles to operate across diverse cases, and maqāṣid ensures that legal interpretation remains oriented toward the substantive purposes of the Shari'ah. When combined with accurate contextual analysis and consideration of consequences, these dimensions provide a robust framework for contemporary ijtihād. The reconstructed approach therefore offers a middle path between rigid textualism and unconstrained contextualism, demonstrating that Islamic legal renewal can emerge from the critical reorganization of its internal methodological resources rather than from their abandonment. In this sense, contemporary ijtihād becomes not a departure from the classical legal tradition, but a dynamic continuation of that tradition through a more integrated, transparent, and contextually responsive form of Islamic legal reasoning.³⁴

Conclusion

This study demonstrates that contemporary ijtihād requires a methodological reconstruction of Islamic legal reasoning in which uṣūl al-fiqh and fiqh maxims are understood as complementary rather than separate or strictly hierarchical instruments. Uṣūl al-fiqh provides the epistemological and interpretive framework for establishing the legitimacy of legal reasoning from authoritative Islamic sources, while fiqh maxims enable jurists to generalize, synthesize, and contextualize established legal principles in response to particular and emerging circumstances. Their methodological relationship becomes more comprehensive when integrated with maqāṣid al-shari'ah, which provides the purposive orientation for assessing the objectives, interests, harms, and consequences associated with a legal problem. The study therefore finds that neither rigid textualism nor unrestricted contextualism is sufficient for addressing contemporary legal complexity. A more adequate approach requires a disciplined interaction between textual authority, uṣūl al-fiqh principles, fiqh maxims, maqāṣid, and contextual understanding, allowing Islamic legal reasoning

³³ Agus Sunaryo and Ahmad Hadidul Fahmi, "Evaluation of the Maqāṣid Al-Shari'ah Liberalization: An Examination of the Notion of 'Prioritizing Public Interest over Textual Evidence,'" *Al-Manahij: Jurnal Kajian Hukum Islam*, March 13, 2024, 1–16, <https://doi.org/10.24090/mnh.v18i1.9886>.

³⁴ Muhammad Solikhudin et al., "National Fiqh and Maqasid-Based Ijtihad: Reassessing Ahmad Hasyim Muzadi through Jamal Al-Din 'Atiyyah," *Mawaddah: Jurnal Hukum Keluarga Islam* 3, no. 2 SE-Articles (n.d.): 383–405, <https://doi.org/10.52496/mjhki.v3i2.38>.

to preserve its normative foundations while remaining responsive to social transformation. The principal contribution of this study is the formulation of an integrative model of contemporary Islamic legal reasoning that proceeds through problem identification, contextual factual analysis, textual examination, uṣūl al-fiqh reasoning, application of relevant fiqh maxims, maqāṣid-based assessment, evaluation of consequences, and formulation of a legally justified conclusion. This model demonstrates that methodological renewal in Islamic law does not require abandoning classical jurisprudential resources, but rather reconstructing their functional relationships to address the complexity of contemporary legal problems. By positioning uṣūl al-fiqh as the foundation of methodological validity, fiqh maxims as instruments of jurisprudential synthesis and contextual application, and maqāṣid as the purposive framework of legal evaluation, contemporary ijtihād can develop a more coherent balance between normative continuity and contextual responsiveness. The proposed framework thus contributes to the broader discourse on Islamic legal renewal by offering a principled methodological pathway through which classical legal reasoning can remain authoritative, adaptable, and relevant to emerging social, technological, economic, and institutional realities.

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