

## Syllabus

### Brief Description of the Course

- This course provides an introductory overview of the Objectives of Shariah (Maqasid al-Shariah), from the origin of the idea and its theoretical development to the present reality in which this field has become an independent discipline, distinct from *Usul al-Fiqh*.
- It also presents a comprehensive perspective aimed at narrowing the scope of disagreements among scholars of Islamic law on specific jurisprudential issues.
- The course sheds light on the historical stages of the purposive approach of Shariah and examines the influence of intellectual, social, and political developments among Muslim societies on the evolution of this field.
- Students will study the theory, practice, history, and leading figures in this field, as well as the methods used to identify the objectives of Shariah, while also exploring the possibility of benefiting from research methods in the social sciences to uncover these objectives and verify their realization.
- The course will examine the major themes of the science of *al-Maqasid*, from the origin of the concept of legal purpose to the role of objectives in contemporary fatwas and the challenges faced by this renewed approach to Islamic law in the modern world.
- Topics in this course include definitions, methods of discovery, and the processes through which the objectives of Shariah have developed—from the emergence of the idea to the present day—as well as the relationship of this field with other sciences, highlighting their similarities and differences, particularly the relationship between objectives and means in terms of changeability

### Course Objectives

- To equip students with basic knowledge about the objectives of Shariah. The student will explore the concept, its origin and stages of development, its structure, its relationship with other sciences, and with different worldviews that resemble it.
- To develop skills for analyzing the reasons behind the increased interest in the objectives of Shariah in contemporary Islamic thought.
- To advance critical awareness in evaluating arguments based on relevant evidence from Islamic sources. Since the development of legal thought is a continuous matter, it requires the attention of every generation in order to achieve sounder knowledge.
- To enable students to write essays or discuss various topics from the fields of Fiqh and Usul in a clear style of reasoning, persuasive in both expression and writing.
- To familiarize students with the methods of discovering the objectives of Shariah and their connection with research methods in contemporary social sciences, as well as with the ways of verifying whether these objectives have been realized.
- To understand the importance of the objectives of Shariah in contemporary ijtiḥad thought.

- To analyze and critically examine the relationship between objectives and their means in terms of stability and change.

### **Expected Learning Outcomes**

After completing the course, students will be able to:

- Demonstrate an understanding of the main themes of the Objectives of Shariah.
- Describe the processes of development, the methods of discovering the objectives, and the related perspectives.
- Identify the characteristics of the field, its prominent figures and personalities, as well as the influence that this field has on other disciplines.
- Compare different viewpoints studied during the course.
- Discuss the themes of the field based on their arguments, reaching clearer and more objective conclusions.
- Defend the positions of Shariah purposiveness as they were conceptualized by its founders.
- Present critical thinking toward each topic debated by scholars of the field, arriving at conclusions supported by stronger arguments.
- Apply the acquired knowledge in their religious and social interactions.

### **Teaching Methodology**

- The teaching will be conducted in the form of lectures using a projector, which helps students understand the lecture more clearly. Students will also be encouraged to participate in interactive discussions by asking questions and engaging in analyses within the framework of the delivered lecture.
- Seminars and various essays will also be conducted, which will be presented both individually and in groups, along with self-assessment tests.
- In addition, during the preparation of the course, students will have the opportunity to contact the professor and receive guidance in order to achieve the highest possible quality and the best results.

### **Assessment Criteria and Components**

1. Participation and engagement in lectures – 10%
2. Seminar paper – 20%
3. Midterm test – 30%
4. Final exam – 40%

**Total – 100%**

## Basic Course Literature

1. Ahmed Er-Rejsuni, *The Objectives of Islamic Law*. Bujar Hoxha (trans.), Skopje: Logos-A, 2015.
2. Course handouts prepared by the professor.
3. Muhamed Hashim Kamali, *The Objectives of Islamic Law (Shariah)*, Erasmusi: <https://erasmusi.org/2014/10/16/objektivat-e-ligjit-islam-sheriatit/>.

## Course Content

### 1. Course Introduction

A brief description of the course, its objectives, expected learning outcomes, teaching methodology, and assessment criteria.

### 2. Principles of the Science of the Objectives of Law

Definition, relationship with similar terms, and the subject matter of the objectives of law.

### 3. The Distinction Between Objectives, the History of the Discipline, and the Importance of Its Study

The distinction between the objectives of the law and the objectives of legally responsible individuals; the development of the science of objectives; the rationality of legal rulings and their connection with the objectives; and the importance of studying them.

### 4. Origins and Literature

The beginnings of the science of the objectives of law, where they can be found, and the most prominent works on the objectives of law.

### 5. Arguments for the Consideration of the Objectives of Law

Arguments supporting the consideration of the objectives of law and the methods of recognizing them.

### 6. Classification of the Objectives of Shariah According to Different Considerations

Classification of objectives according to location; classification according to attainability; classification according to generality; classification according to priority; and classification according to comprehensiveness.

### 7. Reflections and Exercises on the Lessons Covered So Far

Examples of objectives; Qur'anic verses and hadiths will be provided to extract the objectives and determine their types.

### 8. Arguments for the Consideration of the Objectives of Shariah

Arguments supporting the consideration of the objectives of Shariah, the ways of recognizing them, and their classification.

### 9. Exercises on the Lessons Covered So Far

Examples of objectives; Qur'anic verses will be provided in order to derive the objectives and determine their types.

#### **10. Principles Related to the Objectives of Shariah**

The objectives are universal (*kulliyah*); exceptions in some cases do not invalidate this principle; attention to the dominant side in matters of benefits and harms.

#### **11. Means of Preserving the Objectives of Shariah**

Means of preserving them from the aspect of existence and from the aspect of elimination; legal responsibility (*taklif*) must remain within the capability of the legally responsible person (*mukallaf*).

#### **12. Objectives of Islamic Law – Protection and Care for Human Rights**

Various examples of the protection of human rights.

#### **13. The Relationship of the Objectives with Legal Evidences**

The relationship of the objectives with the Qur'an, the Sunnah, Ijma' (consensus), Qiyas (analogy), *Masalih al-Mursalah*, *Istihsan*, and *Sadd al-Dhara'i*.

#### **14. The Reality of Ijtihad in the Application of the Objectives**

The definition of ijtihad in the application of the objectives; criteria for applying the objectives accompanied by examples in each type of the fundamental objectives.

#### **15. The Benefits of Applying the Objectives in Jurisprudence**

Application in several branches of jurisprudence and contemporary issues; examples of deriving legal rulings (*hukm*) based on the objectives.

#### **16. Reflections and Conclusion**