

## ***Tafsir Maqashidi as an Alternative Approach in Interpreting the Qur'an***

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### **Abstract**

*Due to al-Qur'an shalih likulli zaman wa makan, al-Qur'an should be interpreted appropriately to the demands of life. Apparently, life has changed in various circumstances, in lifestyles, human relations, globalization, migration, advanced science, and sophisticated technology. The modernization has led to serious problems related to the Qur'an as the main source of Islamic jurisprudence emerging "unable to operate", except by a few Muslims. If there is no re-interpretation of the Qur'anic verses, there is a possibility Islamic jurisprudence will be rejected, considered irrelevant, and counter-productive to the needs of the life. To be able to reinterpret, a maqashidi interpretation approach is required to construe the Qur'an, especially in the ethics-legal verses. There are two significant implications in the maqashidi's interpretation approach; first, the maqashidi interpretation paradigm is the mindset and perspective of the Qur'an and its interpretation with the concept of maqashid al-shari'ah as its starting point. The concept of maqashid becomes the main basis in reasoning and which forms the interpretation system. Second, the method of interpreting maqashidi's approach emphasizes on three pillars, namely historical awareness (al-wa'yu al-tarikh), theoretical awareness (al-wa'yu al-nazhari), praxis awareness (al-wa'yu al-'amali). Practically, the steps of maqashidi's interpretation are contextualization, decontextualization, and re-contextualization.*

**Keywords:** Maqashid al-Shari'ah; Maqashidi's Interpretation; Alternative Approach

### **Abstrak**

*Karena al-Qur'an bersifat shalih likulli zaman wa makan, maka al-Qur'an harus ditafsirkan sesuai tuntutan perkembangan kehidupan. Kehidupan telah berubah seiring perkembangan zaman, perubahan pola hidup, perubahan hubungan antara sesama manusia, globalisasi, migrasi antara wilayah bahkan negara, kemajuan ilmu pengetahuan, dan juga perkembangan teknologi. Gelombang perubahan akibat modernisasi mendatangkan persoalan serius terkait dengan al-Qur'an sebagai sumber hukum Islam. Hukum-hukum Islam sebagai hasil interpretasi terhadap al-Qur'an yang diformulasikan dalam fiqh terlibat "tidak dapat berjalan", kecuali oleh sebagian kecil umat Islam saja. Bila tidak ada interpretasi ulang terhadap ayat-ayat al-Qur'an (terutama pada ayat hukum), maka ada kemungkinan hukum Islam akan ditolak, dianggap tidak relevan, dan kontra produktif dengan kebutuhan zaman. Untuk dapat melakukan interpretasi ulang, maka dibutuhkan pendekatan tafsir maqashidi dalam menafsirkan al-Qur'an, terutama pada ayat-ayat etika-hukum. Terdapat dua implikasi penting dalam pendekatan tafsir maqashidi; pertama, paradigma tafsir maqashidi merupakan pola pikir dan cara pandang terhadap al-Qur'an dan penafsirannya dengan konsep maqashid asy-syari'ah sebagai titik tolaknya. Konsep maqashid menjadi basis utama dalam penalaran dan yang membentuk sistem interpretasi. Kedua, cara kerja tafsir maqashidi menekankan pada tiga pilar, yaitu kesadaran historis (al-wa'yu al-tarikh), kesadaran teoretis (al-wa'yu al-nazhari), kesadaran praksis (al-wa'yu al-'amali). Maka dalam praktiknya, langkah-langkah tafsir maqashidi adalah melakukan kontekstualisasi, dekontekstualisasi, dan rekontekstualisasi.*

**Keywords:** Maqashid al-Syari'ah; Tafsir Maqashidi; Pendekatan Alternatif

## INTRODUCTION

Current development, patterns of life and changes in the relationship between human beings during the nation state significantly affect Muslims, and humans as a whole. Fundamental changes, such as globalization, migration within regions and even countries, science and technology development, and space exploration have a major impact on human life. Changes in the structure of society can be seen, such as the interaction between religions that become wider, awareness of the importance of recognizing human rights, demands for equality between citizens, and gender equality. All of these changes affect the form of legal and constitutional changes to state law. Each individual freedom is limited by other individual freedoms which may be different or the same as the religion he adheres to. These changes then raise important issues related to the Qur'an as the main source of Islamic law.

Similar conditions are also seen in the family law. Fiqh, which so far has regulated the Muslims religious way, it is time to review and reformulate it because it is considered that many of it are no longer relevant. For instance, the demand for gender equality gives a new colour in the preparation of regulations related to women to be able to provide adequate rights. Therefore, more effort should be put in the interpretation of the Qur'an in solving human problems. Current life demands for a new solution that is different from the interpretation of the previous scholars. If there is no re-interpretation of Qur'an verses (especially in legal verses), then there is a possibility that Islamic law will be rejected and considered irrelevant to the times. People will look for solutions that might actually leave the Qur'an. To be able to re-interpret, an approach is needed in interpreting the Qur'an, especially in the ethical-legal verses.

The Qur'an is recognized as *shalih likulli zaman wa makan*, suitable for all times and places. Thus, the Qur'an is dynamic in responding to the growing reality of human life. So it is a necessity for Muslims to reform a more contextual interpretation of the Qur'an with current conditions. Therefore, various methods of Qur'an interpretation emerged in line with the development of human life. Critical studies about Qur'an with its various features always develop. Qur'an is like a vast and endless ocean, which invites every reader to be able to navigate the depth and breadth of the meaning and value contained in it. Methodology and approach are like glasses. These glasses determine the results of observations of the object. The methodologies and approaches used by commentators in understanding the Qur'an allow different interpretations.

Thus, *tafsir maqashidi* approach can be classified into category of contextual interpretation approach. The term *maqashid* was widely used in the discussion of *maqashid shari'ah*, which was popularized by previous ushul fiqh scholars such as al-Juwaini, al-Ghazali, al-'Izz bin 'Abd al-Salam, and refined by al-Syathibi. However, in the classical literature, there has never been a specific definition of *maqashid sharia* in a comprehensive manner. Even Abu Ishaq al-Syathibi, who is known as the founder of *maqashid sharia*, does not mention the definition in a '*jami*' and '*mani*'. *Maqashid sharia* is defined more comprehensively by contemporary scholars, one of which is Ibn Assyria. In his hands, *maqashid sharia* was placed as an independent scientific discipline and developed as a sophisticated unit of analysis of the interpretation of the Qur'an.

## LITERATURE REVIEW

### The History Of *Maqashid Al-Syariah*

Literally, *maqashid al-syariah* is *tarkib idbafiy*, consisting of two words *maqashid* and *ash-syari'ah*. *Al-maqashid*, among the *fugaba* and *ushuliyin*, has the same meaning as *al-agbradb*, *al-abdaf*, *al-hikam*, *al-ma'aniy*, *al-asrar*. The term *maqashid* from *fi'il* (verb) *qashada-yaqshudu-qashdan-maqshadan* means intends, wills. So *al-qashdu* has the same meaning as *an-niyat*, *al-ghardbu* (intention, purpose). *Maqashid* is the plural of the word *maqshad*, which has the same meaning as *qashdu*. The meaning of *maqashid* shifts its use into several things; first, *al-istiqamah*, as in surah an-Nahl [16]: 9; second, *al-I'tidal* which is the middle between two ends, like *al-iqtishad* or frugal in life, not stingy but also not excessive. The use of the word *qashada* and its derivation in the Qur'an, among others: first, *iqshid* as in surah Luqman [31]: 19 means *tawassuth*, in the middle between fast and slow. Second, *qashdu*, as in *wa 'ala Allah qashdu as-sabil* (Surah al-Nahl [16]: 9), *qashdu as-sabil* means the *istiqamah* way, the straight path. Third, *qashidan*, as in surah al-Taubat [9]: 42 meaning an easy journey. Fourth, *muqtashid*, as in surah Luqman [31]: 32, means strong in going to something or not leaning. Fifth, *muqtashidah*, as in surah al-Maidah [5]: 66, means *al-iqtishad* in charity.

*Al-Syariah* literally means the road to water. It is called *syariah* as a source of water, because water is a source of humans life, animals and plants, just as sharia (Islam) is a source or path to happiness in this world and the hereafter. Also, there are several definitions of the word sharia, including: what Allah has prescribed for His servants that were brought by His prophets, whether it is related to the procedure of *amaliyah* (*fiqh*), or the *aqidah*. Ibn Taimiyah asserts that it is something that covers both *i'tiqadiyah* and *'amaliyah* cases indicated by the *al kitab* and *as-sunnah*. Whoever violates it is vanity, and whoever agrees with it is right. The scholars interpret *maqashid* as *al-ghardb*, *al-badf* (goal), purpose. Thus, that *maqashid sharia* is the goal of laws in Islam.

Al-Raisuni stated that the term *al-maqashid* was first used by al-Tirmidhi al-Hakim (d. 296 H/908 AD). Al-Tirmidhi produced the first work that came to us with the term *maqashid*, the title of his book is *as-Shalah wa Maqashiduba* (prayer and its purpose). Al-Turmidhi, in this book, describes *asrar ar-rubiyah* (spiritual secrets) behind every prayer movement. Every prayer movement shows the condition of the human. Pointing to the Qibla is a sign of a human leaving *at-tawalli wa al-'radb*. *Takbir* is a sign of getting out of arrogance. Praising Allah is getting out of neglect. *Sujud* or prostration means getting out of sin. Al-Tirmidhi also reveals the wisdom behind the rituals of the pilgrimage, in the book *al-hajj wa asrarubu*.

Al-Qaffal al-Kabir (d. 365 H/975 AD) wrote the oldest manuscript found in Egypt's Dar al-Kutub on the topic of *maqashid*, Mahasin al-Shari'ah. Al-Qaffal explains the laws (such as *tabarah*, ablution, prayer and others) briefly, then explains about *maqashid* and the wisdom behind the law. Some researchers claim that research on *maqashid sharia* was limited to the Sunni school of Fiqh until the 20th century AD. However, it turns out that there was a Shia jurist who wrote about *maqashid*, namely Ibn Babawaih al-Qummy (d. 381 H/991 AD). His book is 'Ilal al-Shara'i (reasons behind sharia law). This book contains logical explanations of faith, such as faith in God, prophets, and the unseen or *ghaib*. Before that, al-Qummy also explained about *maqashid* of prayer, fasting, zakat, hajj, and *birrul walidain*.

Abu al-Ma'ali al-Juwaini (d. 478 H/1085 AD) with his work, *al-Burhan fi Ushul al-Fiqh* is the first treatise on *ushul fiqh* to introduce the theory of necessity. He suggested five levels of *maqashid*, namely necessity (*dharurat*), general needs (*al-hajah al-'ammah*), moral behavior (*al-makrumat*), recommendations (*al-mandubat*), and what cannot be included in specific reasons. Furthermore, Abu

Hamid al-Ghazali (d. 505 H/1111 AD), a student of al-Juwaini, developed his teacher's theory further in his book *al-Mustashfa* (explained source). Al-Ghazali introduced five types of protection (*al-Hifẓ*) against five kinds of basic needs initiated by al-Juwaini, namely *hifẓ al-din*, *hifẓ al-nafs*, *hifẓ a'-aql*, *hifẓ al-nasl*, and *hifẓ al-mall*.

Al-'Izz ibn 'Abd al-Salam (d. 660 H/1209 AD) wrote two books on *maqashid*, they are *maqashid al-salat* (maqashid of prayer) and *maqashid al-shaum* (maqashid of fasting). A significant contribution to the development of *maqashid* theory is stated in his book entitled *Qawa'id al-Ahkam fi Mashalih al-Anam* (legal rules for the benefit of mankind). In addition to his extensive investigation of the concepts of *Maslahat* and *Mafsadat*, al-'Izz also connects legal validity with its *maqashid*. Furthermore, Shihab al-Din al-Qarafi (d. 684 H/1285 AD) contributed to the theory of *maqashid* to differentiate the actions of the Prophet SAW based on its purpose or intention. Al-Qarafi also wrote *Fath al-Dzara'i*, which is also a significant expansion of *maqashid* theory. Meanwhile, Shams al-Din Ibn al-Qayyim (d. 748 H/1347 AD) contributed to the theory of *maqashid* through a summary of his juridical methodology. According to Ibn al-Qayyim, sharia is based on wisdom to achieve salvation in this world and the hereafter. Overall, sharia is closely related to justice, compassion, wisdom and kindness. Any law that ignores justice, compassion, benefit is not included in the sharia law.

Abu Ishaq al-Syatibi (d. 790 H/1388 AD) is known as an expert in *ushul fiqh*, an interpreter, a *faqih*, a linguist, a grand imam, a commentator and discussion expert, and an expert Islamic scholastic theology. According to him, the main cause of unresponsive *fiqh* is the absence of a sharia spirit in it. Finally, al-Syatibi wrote the book *al-Muwafaqat fi Ushul al-Syaria'ah* (conformities with the basics of the Sharia) to reveal the soul of Sharia so that it will be more responsive along the time. Al-Syatibi made *maqashid* the foundations of Islamic law. Prior to al-Muwafaqat, *maqashid* was included in the category of *al-maslahah al-mursalah* and was not considered the basis of an independent Islamic law. Al-Syatibi assesses *maqashid* as the main points of religion (*ushul al-din*), sharia principles (*qawa'id al-syariah*), and beliefs (*kulliyat al-millah*). This is a fundamental change made by al-Syathibi, elevating *maqashid* to something very important. From the wisdom behind the law becomes the basis for the law.

The concept of *maqashid* according to al-Syatibi which was developed in al-Muwafaqat made it an important work in its time, even until the 20<sup>th</sup> century. This book represents an idea of a scholar who is considered as capable to solve the problem of modernity in the lives of Muslims. He developed his *maqashid* concept with a strong reasoning base. He concluded *maqashid* with an inductive process which many scholars of his time doubted. Al-Syathibi tried to solve the problem in a different way, where Muslims mostly dwell on the meaning of the text. He initiated the importance of the general purpose of sharia. Syathibi, in order to reveal the meaning of sharia, based his concept on a perfect understanding of the general principles of Sharia by means of induction (*al-istiqrâ`*). By adhering to this general purpose of sharia, the law will be more flexible and responsive to the times. Because *illah* is in the form of *maqashid*, although in principle there are only five (*maqâshid dlarûriyyah*), but concretely its form will always develop according to the times. His problem solving is expected to be able to solve social problems, not only relying on what is written in the text, but emphasizing what is behind the text, namely the general purpose of sharia.

According to al-Syâthibî, by applying the induction process (*istiqrâ`*), it was found that there are two kinds of *maqâshid*, namely *maqâshid ash-Syâri`* (God's intention) and *maqâshid al-mukallaf*

(human intent). There are four principles in *Maqashid ash-syari*; First, Allah revealed Sharia in order to maintain the three benefits, namely *dharuri*, *hajjiyah*, and *tahsini*. Al-Syathibi emphasized the central position of *maslahah* principle, which had previously been given a portion by al-Ghazali in his thought. The difference is that al-Ghazali uses limited *maslahah* within the framework of *qiyas*, while al-Syatibi uses *maslahah* as the main reference. As for the intention of *mukallaf*, al-Syâthibî argues that every human action depends on his intention, and the intention of *mukallaf* is in every act, both worship and tradition. In addition, every intention of *al mukallaf* in carrying out the deed must be relevant to the rules in Islam. All actions that violate God's purpose, then the act is considered null and void. This is the basic principle of the intention of the *mukallaf* that was put forward by al-Syathibî. This theory is considered original and unique from al-Syathibi, known as the *maqashidi* theory which was found using the induction reasoning model (*istiqra'*).

The study of *maqashid* is stagnated after the death of al-Syatibi which is from the 9 to 14th century. It began to be studied again after al-Muwafaqat was published in Tunisia (1884). In 1904, al-Muwafaqat was printed in Kazan (Russia), then printed in Egypt in 1922. In Tunisia (where al-Muwafaqat was first printed), the discussion about *maqashid* is very attractive. This is where the modern Tunisian *maqashid* figure was born, Muhammad Thahir ibn Asyur (d. 1973), he gave a defined it by explaining that the visible meanings and wisdoms are desired by Shari' (Allah) in all or the majority of His provisions, which not limited to certain types of sharia law. This definition refers to the general meaning of *maqashid sharia* (*maqashid al-syariah al-'ammah*). Ibn Asyur gave an example by maintaining public order, achieving benefit, rejecting negative impacts, upholding justice and so on. Ibn Asyur classified the discussion of *maqashid* into three themes, namely the legality of *maqashid*, the urgency of its application in establishing law and the division of *maqashid* into *maqashid al-'ammah* and *al-maqashid al-khashshah*. The legality of *maqashid* for Ibn Assyria is proven by the Qur'an. It is impossible for al-Sharia to pass down the Sharia to humans without any purpose and wisdom. Ibn Asyur refers to surah al-Dukhan [44]: 38-39, al-Mu'minin [23]: 115, al-Hadid [57]: 25, Ali Imran [3]: 19. is in every law in the Qur'an. Because Qur'an is the best of guidance. Islamic law came for the benefit of mankind in this world and the hereafter.

In addition to Ibn Asyur, a contemporary scholar named 'Alal al-Fasi also take part in the study of *maqashid al-Sharia*. He is a Moroccan scholar who stated that *maqashid al-Sharia* is the (general) goal of the implementation of Sharia and some (special) secrets contained in every legal product. The definition defined by al-Fasi accommodates two types of *maqashid* offered by Ibn Asyur, namely *maqashid al-syariah al-'ammah* and *maqashid al-syariah al-Khashshah*. Besides explaining about the scope of *maqashid al-syariah al-'ammah*, he also explained that the general purpose of the implementation of sharia is to prosper humans life, maintain order in it, maintain the stability of the benefit of nature with human responsibility to create healthy environment, fair and various actions that can benefit all livings on earth. The conclusion is that the essence of *maqashid al-syariah* leads to the purpose of establishing sharia law in order to provide benefits for human life in the world and the hereafter, either in general (*maqashid al-syariah al-'ammah*) or in specific (*maqashid al-syariah al-'ammah*).

## DISCUSSION

### The Urgency of *Maqashid* in the Study of Qur'an

Specifically, the term *maqashid* al-Qur'an has not been widely discussed, as well as the works on it. But it does not mean that scholars do not work on it. Abdul Karim Hamidi mentions that there are signs about *maqashid* al-Qur'an in the works of scholars about *maqashid sharia*, such as the works of al-Syathibi and Ibn Asyur. It shows the relationship between *maqashid sharia* and *maqashid* al-Qur'an, each *maqashid sharia* refers to its principal and *dalalah* in *maqashid* al-Qur'an. Al Qur'an contains the main points of *maqashid*, benefits and universality of religion, everything that comes to sharia comes from the Qur'an. *Maqashid* al-Qur'an has the following characteristics: *wasathiyah*, comprehensive, and reasonable. Al Qur'an was revealed to explain everything, besides it also become guidance and mercy for Muslims. There must be a guidance that lead to goodness, while the opposite path must be avoided. Thus the Muslims will be safe and happy in this world and the hereafter. That is the highest intention (*maqashid*) of the revelation of the Qur'an. The study of *maqashid* of the Qur'an is considered important for the development of Qur'an interpretation. There are many works of interpretation that have been produced by scholars with various methods and styles. However, only few of them that were emphasized on the wisdom of the text and *maqashid* in its legal provisions. Hamidi mentions the loss of the most important pillars, namely the relationship between law and its wisdom, *maqashid* and the *ghayah* (goal) of the text. Therefore, some works are produced to fill the gap, such as the works written by Rasyid Rida's al-Manar and Ibn Asyur's al-Tahrir wa al-Tanwir.

Ibn Asyur mentions there are three ways in exploring *maqashid* of Qur'an. First, *istiqra'* (inductive method), i.e. particular verses are studied in depth. This method includes two things: (1) Examining all the laws that have been known for its reason. For instance, the prohibition of proposing to women whose been proposed by others, the prohibition of bidding on goods offered by others. It is prohibited because of the greed by blocking the interests of others. Thus, *maqashid* can be drawn from the *'illah* or reason, namely the continuity of brotherhood between brothers and sisters in the faith. (2) Examining the legal arguments that have the same reason until they are sure that the reason is the *maqashid*. For example, the prohibition on buying something that does not yet exist, the prohibition of monopoly on food. The reason is the same, it is inhibiting the distribution of food, so the *maqashid* is the smooth distribution of food in the market. Second, *maqashid* can be found in the Qur'an clearly, it is unlikely to be turned away from its *zahir* meaning. For example, the word *kutiba alaikum as-shiyam*, means that fasting is obligatory for all of you, the word *kutiba* in the text cannot be interpreted as written. Third, *maqashid* is found directly from sunnah *mutawatir*, for instance, regarding the provision of *khutbah* on two holidays. Ibn Asyur emphasizes the importance of several things in finding *maqashid*, such as knowing comprehensively the intent of the text and the background of the revelation of the verse, carrying out observations on texts that are paradoxical, analysing texts with multiple meanings, making compromises to put *maqashid ash-syariah* in line with text and dialogue with the current context to create humanist *fiqh*, and accommodate the public benefit.

The demand to understand *maqashid* of Qur'an in interpreting the Qur'an has two purposes: first, to bring out the beauty of Qur'an from the side of benefit to the humans. Knowing the benefits becomes the main reason for human to read, memorize and practice it. Contemplating the Qur'an verses (Surah Shad [38]: 29; Muhammad [47]: 24; an-Nisa [4]: 82) is not enough only by reading the verses, or knowing the laws and regulations but by understanding it

comprehensively as well as exploring the wisdom and secrets of it. *Tadabbur* means contemplating the *dalalah* of the verse, which is deepening its *maqashid*. Second, *maqashid* can preserve against *fasid* or wrong interpretations that are far from the truth. Al-Syathibi added that one of the causes of deviations in the interpretation of the Qur'an is the ignorance of an interpreter about *maqashid*.

Ibn Asyur mentions that there are eight *maqashid* al-Qur'an, namely *al-ishlah al-'aqdi*, morals, soul, family, property, law (*iqabiy*), *al-harbiy*, and *al-siyasi*. The highest purpose of the revelation of the Qur'an according to Ibn Asyur is the realization of personal good or benefit, the benefit of society, and the benefit of the world. Meanwhile, the basis of Ibn Asyur's *maqashid* concept consists of three elements: first, *al-fitrah* or *al-kebilqah* which means the potential that Allah put in us to carry out the what Allah has commanded us to do. Second, *al-maslahah*, as summarized in the rules of *jalbu al mashalih wa daf'u al mafasid*. Third, *al-ta'lil*, the concept of legal reasons that can be applied to reveal the purpose of law. According to Ibn Asyur, there are three *maqashid*, namely *maqashid qath'i*, *zhanny*, and *zhanny* close to *qath'i*. Assyria established three procedural tools in discovering its *maqashid* principles. The three devices are *al-maqam*, *al-istiqra* and distinguish between *wasilah* and purpose.

Al-maqam is the contextual meaning, means the meaning understood from the text with various considerations such as linguistic and socio-cultural. It includes two things, namely *maqam al-maqal* (language context) and *maqam al-hal* (socio-cultural context). These two *maqam* cannot be separated in order to understand *maqashid*. It shows that the determination of *maqashid* sharia must consider the socio-political and cultural aspects in which the text is revealed and consider the language context with *ushul*, *balaghah* and linguistics. Furthermore, *istiqra 'al-ushuliy*, meaning inductive research using the perspective of *ushul fiqh* scholars not Aristotelian logic, namely research on some to generalize the law. That is, the determination of *maqashid* must go through inductive research on Sharia texts whether the whole text or only some of it. The stronger the research, the *maqashid* produced becomes *qath'i*, *zhanny*, or close to *qath'i*. With this *istiqra'*, Ibn Assyria was able to produce eight general *maqashids* of Qur'an and specific *maqashids*.

To be able to find *maqashid*, a person must have the following abilities: understand the text well by using linguistics, trace other possible arguments that may lead to *ta'arud*, be able to do *qiyas*, be able to *ijtihad* on contemporary legal issue if one could not find the ratio-legis, or find it difficult to reveal the *maqashid* of a law, then this is what called as *amrun ta'abbudiy*. Ibn Asyur places *maqasid* in the same level as the text, then mediates it with contemporary reality to realize a humanist religious concept for human benefit. Ibn Asyur offers a new perspective in interpreting Qur'an in the view of *maqashid* sharia.

There are several contributions of Ibn Asyur for the development of the interpretation of the Qur'an, including; First, he makes a gradation of *bil ra'yi* interpretations (interpretations that exist only in the minds of interpreters without linguistic basis, interpretations that are not deep or detail, interpretations that tend to favour certain schools of thought, interpretations with reason based on what is in the Qur'an by avoiding further *ta'wil* or interpretation, interpreting the Qur'an carefully in contemplating and interpreting it). Second, Ibn Ashur's thought that Qur'an was revealed to create benefit for all. The whole benefit of mankind will be realized starting from the realization of *maslahah al-fardi*, *maslahah al-ijtima'i*, and *maslahah al-'umrani*. Another contribution is that Ibn Asyur is considered objective in his interpretation, not confined to his school, even though he is a follower of the Maliki school.

### The Concept of *Tafsir Maqashidi* and its Methodology

*Tafsir Maqashidi* is the interpretation of Qur'an that applies *maqashid* sharia as the basis of the approach. It is used to explain the meanings of the Qur'an verses based on *maqashid* sharia. *Maqashid* sharia is used as a tool to analysis. It is acknowledged by experts that it originated from the concept of *maqashid* sharia thought which is widely discussed in *ushul fiqh*. This is not something odd because there are similarities between sciences. The intersection of the discussion in *ushul fiqh* with *ushul tafsir* can also be found in the chapters *qath'iy-ḥanniy*, *muthlaq-muqayyad*, *'am-ḵhash*, *mantuq-mafhum*.

*Tafsir Maqashidi* is one of the new approaches in interpreting Qur'an. Approach is a set of assumptions about something. An approach is a starting point in looking at something. It resulted the variety of *tafsir* development. There are two categories of Qur'an interpretation approach, they are textual approach and contextual approach. Various approaches are indeed possible to produce different interpretations. Differences in interpretation are not contradictory, but it shows the diversity of the richness of interpretations due to different perspectives or approaches. According to Ibn Taimiyah, various interpretations does not occur much in the generation of *shohabah* and *tabi'in*. It will occur in many *ḵhalaf* scholars, because of the different approaches used.

The development of *maqashid* as an approach becomes more interesting for many Islamic scholars. Seminars and symposia are held more often. The discussion comes to an interesting theme about whether or not Qur'an be reinterpreted by using contemporary reality as a consideration. This was discussed at a symposium entitled "Alternative Methods of Interpreting the Qur'an" in Morocco in 2007. This symposium was aimed to increase the awareness of Muslims to read, understand and practice what is written in Qur'an. In particular, this symposium focused on discussing *tafsir maqashidi*. In this symposium, it was agreed that this method of interpretation accommodates the study of linguistics, sociology, anthropology to a certain degree. It has also appeared in the doctoral dissertation by Nurudin Qirath, Jلال el Merini, and Hasan Yasyfu.

*Maqashid sharia* is the starting point in interpreting the Qur'an. This is a new paradigm that distinguishes it from other interpretations. This paradigm was born as an answer to the anxiety of Muslims to remind that Qur'an is the guidance to solve any current problem. It is hoped that this paradigm will further emphasize and present Islam that is more a humanist, contextual, and *rahmatan lil 'alamin*. This kind of *tafsir* is developed on the concept of *maqashid sharia* which has actually been developed by earlier scholars such as al-Ghazali and al-Syathibi. The concept of *maqashid sharia* is re-actualized in understanding the Qur'an as the main source of Islamic teachings.

*Tafsir maqashidi* is not something new in history. The development of *tafsir maqashidi* can be traced to the early period (*marhalat al-ta'sis*) and continued to *marhalat al-tadwin* and emerged as an independent concept in *marhalat al-tajdid*. Actually, the interpretation using this approach can be recognized from the early interpretation, carried out by a brilliant and brave *shohabah*, Umar ibn Khattab. Textually, what Umar did was considered as 'violating' the text in the case of the abolition of *muallaf qulubuhum* group. As written in the surah at-Taubah [9]: 60, there are eight groups, namely the indigent, poor, *amil*, *muallaf*, *al-gharim*, *fi sabilillah* and *Ibn sabil*. Just as it used to be in the era of Abu Bakr, that *zakat* was given to chief of groups who provide political support that is considered important for Islam. However, during the era of Umar ibn Khattab, these chiefs no longer received *zakat*, because it was considered that their support was no longer significant for the development of Islam. He also stipulated the punishment for a thief not by cutting off his hand



as mentioned in the Qur'an, and also stipulated the validity of triple talaq in one occasion as triple talaq. What Umar understands violates the text. However, Umar has actually thought far by paying attention to the purpose of the text, or its *maqashid* as discussed in this paper. This idea is based on the existence of *maqashid*, the purpose of establishing sharia law. The theory of *maqashid sharia* emerged in the period of *tadwin* as initiated by al-Ghazali, followed by al-Syathibi. In *marhalat al-tajdid*, the concept of *maqashid sharia* was repackaged with additions and modifications by contemporary scholars such as Jasser Audah.

The concept of *tafsir maqashidi* is offered by Muhammad Talbi is the one that is considered as the right one. According to Talbi, *tafsir maqashidi* in principle has similarities with Fazlur Rahman's moral ideal concept or Nasr Hamid Abu Zayd's concept of *Maghza*, that something that needs to be emphasized in interpreting Qur'an is something beyond the text. Muhammad Talbi named his concept *al-Qira'at al-Maqashidiyyah*. He admits that this is not a completely new theory. As the author described at the beginning, the theory of *maqashid* was initially discussed intensely in Islamic law, specifically *ushul fiqh*. Muhammad Talbi's concept of *tafsir* is divided into two major concepts, namely: history-based reading (*qiraat Tarikhiyyah*), and *maqashid*-based reading (*qiraat maqashidiyyah*). For Talbi, history is a very comprehensive. History is very important in a civilization (*syaiun 'azhimun fi al-badharah*). It is the most complete of the humanities sciences. *Qiraat Tarikhiyyah* is one of the methods he uses in interpreting Qur'an which he mentions in his book entitled *'Iyal Allah*.

The way the *qiraat Tarikhiyyah* works is as follows: *mufassir* or interpreter understands the verse in the context when it was revealed. Therefore the interpreter must understand the micro and macro of *asbab an-nuzul*. This stage is important so that the interpreter will not be trapped in an unfounded or excessive universalization. Talbi emphasized on is *an-nash wahid wa al-afkar muta'addidab* (the text of the Qur'an is one, but the thoughts vary). This statement implies the variety in interpretation. The next stage is *al-qiraat al-maqashidiyyah*. Its flow of working is similar to what Fazlur Rahman did with his moral-idea concept, or Nasr Hamid Abu Zaid's concept of *maghza*. The idea of *maqashid* by Talbi was introduced to wider community through the magazine he published under the name *al-Maqashid*. Technically, *al-qiraat al-maqashidiyyah* is based on *al-ittijabi's* analysis of a text. So the method of interpretation offered by Talbi includes two major works, first, an interpreter must pay great attention to the historical context of the verse (*zharf at-tanzil*) as a starting point, then proceed with thinking about the purpose or will of the sharia maker (*ghayat al-syari'*) or *maqashid. al-syari'*.

*Tafsir Maqashidi* is a contribution of *maqashid* theory in Islamic revival. Jasser Auda stated that the *maqashid* theory can provide a more meaningful Qur'an interpretation as intended by the thematic interpretation method (*maudhu'i*). This thematic interpretation is based on the principle that Qur'an is an integrated whole. This view will increase the spread of the legal verses which have been considered very few compared to the total number of Qur'an verses. Surah and verses about *aqidah*, stories of the Prophets, news about the afterlife, universe, all of which are considered together to manifest in a holistic unity that form Islamic law.

Abdul Mustaqim applied *tafsir maqashidi* in thematic interpretation of Qur'an (*maudhu'i*). Several chapters are written in his latest book, including: Islamic moderation, the importance of *amar ma'ruf nahi munkar*, leadership issues and responsibilities before Allah, tolerance with non-Muslims, environmental protection, women's clothing. From this work, it is clear how Mustaqim used *tafsir maqashidi* in *maudhu'i* interpretation. The steps are to collect the relevant verses in Qur'an then provide a global description. The author starts on the description of *maqashid sharia*. In the

chapter *amar ma'ruf nahi munkar*, the author starts with one of the *maqashid sharia*, namely maintaining religion, as well as in the chapter of Islamic moderation.

On the contrary to Mustaqim's work, Andi Rahman wrote "*Tafsir Maqashidi Surah Yasin*". For Andi, *tafsir maqashidi* is an attempt to interpret Qur'an by using many chapters as a frame of interpretation. This chapters will be his glasses to interpret the Qur'an. The analogy is, if his glasses are yellow, then everything he sees, which he interprets is yellow. Everything can change when the frame or glasses he used is different. According to him, every *surah* or *maqra* in Qur'an has its *maqashid*. *Maqashid* is the frame in interpreting the verses or *surah*. From various literatures, the author has not found methodology in *tafsir maqashidi*. To sum up, the author notes several things that become the basis for the work of *tafsir maqashidi*.

First, *tafsir maqashidi* is an approach in interpreting Qur'an based on *maqashid sharia* which is used as a starting point in interpreting the Qur'an. As an interpretive approach, *maqashidi* can be used in various methods of interpretation, for example *tablili*, *maudhu'i*. Second, in the every interpreter believes that everything in Qur'an is for the benefit of humans in this world and hereafter. This belief is based on the description of the Qur'an as a guide (Surah Yunus [10]: 57), mercy (QS. al-Anbiyya [21]: 107). Thus, the way *tafsir maqashidi* works is to try to reveal God's intention which is not narrated in the text. God's intentions are sometimes clearly mentioned in the text, but sometimes they are not. If there is a contradiction between the text and the benefit, it can be compromised with a dialectical analysis between the text and its context. Third, the reality of human life is diverse and continues to develop. It requires legal reforms that can solve the complexity of the problems that occur. This fact is in line with the expression that *an-nash mutanabi wa al-waqai 'ghairu mutanabaij*. In such a reality, *maqashid sharia* becomes an alternative frame in its completion. This approach tries to discover the meaning of the text literally, meaning that the interpreter can make in-depth interpretations and look for the principal meaning of the verses.

Fourth, it is a form of dialectic between a static text and a dynamic context in order to realize benefit and avoid harm. Fifth, it is the *wasathiy* (middle) concept between two diametrically opposite views, namely textualists and liberals. Thus the *tafsir maqashidi* is sticks to the text, does not get caught up in the desacralization of the text. Sixth, it wants to explore the deepest purpose/wisdom/intention and significance of the text. Seventh, it is an extension of contextual interpretation of the verses of the Qur'an. Contextual interpretation is an interpretation that seeks to interpret the Qur'an by considering the historical context when it was revealed, the context of its language composition, and the present context. The interpreters consider the Qur'an as a guide that will allow it to be applied differently to different situations according to the context. Among the figures in contextual interpretation are Fazlur Rahman, Muhammad Arkoun, Khaleed Abou el Fadl. Therefore, in order to actualize the teachings of Qur'an in solving contemporary problems, *maqashid sharia* becomes a knife of analysis in interpreting the Qur'an.

Linguistic analysis is the first step in starting *tafsir maqashidi*. Linguistic rules such as *qath'i-zhanni*, *mujmal mufassar* will help in finding linguistic formulations to lead to *maqashid* of the verses. *Tafsir maqashidi* will be easier when working in the realm of thematic interpretation methodology (*maudhu'i*). The thematic interpretation is based on the belief that the verses of the Qur'an are a holistic unit that plays a role in the formation of Islamic law. Thus *munasabah* between verses and *surah* plays an important role, in addition to the context of the verse from the side of *asbab an-nuzul*.

*Tafsir Maqashidi* is an alternative offer that will become a new paradigm in interpretation, so that it can solve the problems of modern society. The *tafsir maqashidi* that emerged in this era

has different characteristics from the previous period. The characteristics of the interpretation of the reformative era (modern-contemporary), what is meant is the current paradigm of interpretation, which cannot be separated from the modern era. According to Abdul Mustaqim, there are several characteristics of modern-contemporary interpretations: first, putting the Qur'an as a guide, this started from Muhammad Abduh's anxiety and criticism that previous interpretations were based on words, *i'rab* and linguistic explanations so that they lost its function as a *hudan linnas* (a guide for human). Therefore, contemporary interpreters make the Qur'an as a living revelation (progressive revelation), with a more critical, lively and productive reading. Critical reading is the reading of the unreadable Qur'an into the readable one. Second, it has a hermeneutical nuance, which emphasizes the epistemological-methodological aspect, which does not only rely on the knowledge of the former interpreters, such as *as nahwu, sharaf, ushul fiqh, balaghah*, but requires other sciences such as sociology, anthropology, history and others. Third, contextual, and oriented towards the spirit of the Qur'an, what current interpreters want to find is spirit, *ruh, maqshah* (the meaning of the verse) not just a literal meaning, so that it can produce contextual meanings. So there was an effort to find universal values of Qur'an in accordance with the saying *shalih li kulli zaman wa makan*. Fourth, scientific, critical and non-sectarian. What is meant by scientific is that it can be verified scientifically. Critical non-sectarian, because it is not confined to a particular *madzhab* or school.

## CONCLUSION

*Tafsir Maqashidi*, which emerged from the concept of *al-maqashid* in *ushul fiqh*, has become a solution-based interpretation approach in solving contemporary problems of interpretation. It will bridge two diametrically opposite school, namely literalism and liberalism. It will also soften the rigidity of literal interpretation, and draw in the middle of liberal interpretation. *Tafsir Maqashidi* will make the interpretation of Qur'an more flexible in following the times. With a contextual approach in *tafsir maqashidi*, the content of Qur'an study becomes more actual. Therefore, the it is basically a relatively new methodology in the discourse of Qur'an study. The paradigm of *tafsir maqashidi* is a mindset and perspective on the Qur'an and its interpretation with the concept of *maqashid al-syari'ah* as its starting point. The concept of *maqashid* becomes the main basis in reasoning and forms a system of interpretation. *Tafsir maqashidi* emphasizes on three pillars, namely historical awareness (*al-wa'yu al-tarikh*), theoretical awareness (*al-wa'yu al-naqhari*), practical awareness (*al-wa'yu al-'amali*). So in practice, the steps of *tafsir maqashidi* are contextualization, decontextualization, and recontextualization.

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