

Islamic Sharia's Objectives With Its Rooting, Validity & Activation

Prof. Dr. Ayad Kamil Ibrahim Al-Zeebaree

Department of Islamic Studies, Faculty of Humanities,
University of Zakho

Email: ayad.kamil@uoz.edu.krd

Abstract

This research is a modest contribution to the study of the Islamic Sharia's objectives, its rooting, validity and activation. It aims to study the formation, rooting, validity and activation of Sharia's objectives, as well as its evidences which are available and numerous both in the Holy Quran and in the Prophetic Sunnah. They are very widely relied upon in the jurisprudence of the companions and tabi'in and their legislative work. It has considerable controls for its implementation, based on the fact that the provisions of Sharia are based on the realization of the interests of the people because the texts are infinite and incidents are infinite. Moreover, Sharia has come to the realization of the mundane and otherworldly interests of the people. Sharia's objectives are the approach that should be a key reference in all issues, including legitimate policy issues, as it is a regulator of policy provisions. Also, legitimate policy is both a way and a method of writing and activating the Sharia's objectives on reality, taking into account changing circumstances, balancing interests and corrupt, and taking into account the reform and preservation of people's interests.

Introduction

Islamic Sharia's objectives science is for knowledge and its benefits. It is clear that Sharia and its judgement are fair in its legislation, defects and causes. This is because the objectives take wide areas in Sharia considerations. The science of Objectives arose in the era of the Prophet Muhammad (PBUH) with his prophetic directives, which highlighted a number of legitimate objectives. In the sense that they existed in practice in the Prophet's Era. However, it was not written as an independent science in his era, nor during the era of the companions or tabi'in, but was delayed for centuries. But Imam Al-Joyani placed the first building block in constructing the Objectives, then followed by his student, Imam Al-Ghazali. After that the true

founder of Sharia's objectives, Imam Al-Shatibi came and then writings in this science were cut off for centuries until the polymath Al-Tahr bin Ashour appeared.

In the present era, this science has received great attention and care in the level of authorship, blogging, rooting, theorizing, activation and application in which calls for what has come to be known as the "Science of Sharia's objectives", the theory of objectives, the jurisprudence of objectives or other terms and terminology which in their content implies the meaning of attention to the objectives and reliance on them in dealing with the system of legal jurisprudence by understanding and accommodating, rooting, applying and activating. In the context of the subject of Sharia's objectives, this study is aimed at examining the formation, rooting and demonstration of the Islamic Sharia's objectives with its validity and controls of its activating.

The research plan has divided into an abstract, an introduction, three chapters, a conclusion and a list of references.

First Chapter: it is a preamble to the study of the research's terms by indicating its connotations and contains two topics which are as follows:

First Topic: Objectives' Definition.

Second Topic: Sharia's Definition.

Second Chapter: Rooting the Sharia's objectives & Validity that includes three topics which are as follows:

First Topic: Sharia's Objectives' Formation.

Second Topic: Sharia's Objectives' Proof.

Third Topic: Sharia's Objectives' Validity.

Third Chapter: Sharia's Objectives' Activating which includes three topics which are as follows:

First Topic: Importance of knowing and fulfilling objectives.

Second Topic: Controls the activating of Sharia's objectives.

Third Topic: Sharia's objectives' Activating in the field of legitimate policy.

While the conclusion was for the most important findings that are written during writing this research.

First Chapter: it is a preamble to the study of the research's terms by indicating its connotations and contains two topics which are as follows:

First Topic: Objectives' Definition.

1. Objectives [maqased], linguistically: it is the plural of 'maqsd' (objective), derived from 'qasd', 'yaqsd' (intent), which is from a section (requiring), the intent of the object in the sense of its request, which is said to it: 'qasdi & maqsdi' (to be intentional). Some jurists gather intent on 'qsod'¹ and the intention comes in the sense of intention, determination and orientation,² including the doctrinal rule "enma alamor bmaqasdaha" (matters are in their objectives)³. 'Qasd' is to do the same thing and ask for it. It said 'qasdah', 'qasto elih' and 'qasto lah' in one meaning and the 'qast' means to get straight⁴.
2. Objectives [maqased] idiomatically: previous scholars and contemporaries of the objectives talked and spoke and wrote about them. However, our former scientists have not defined it specifically, but have spoken in its effects and judgments. And this is because the meanings were present in their minds and dropping on their tongues without tiredness and fatigue. Nevertheless, the researchers' definitions differed as follows:
 - a) Some of them defined it as "preserving the street's intent by pushing the corrupt from creation"⁵.
 - b) Some scientists have spoken about the objectives in the terms of intentions and species. Ghazali went on to state this by defining the interest by saying: (... Interest means the preserving the purpose of legitimacy. The purpose of legitimacy of people is to preserve their religion, themselves, mind, descendants and money. All that involves the preservation of these five totalities is an interest. All that misses these totalities is corrupt and paid by an interest).⁶
3. Imam Al-Shatibi confined them to three types of necessity, argument and improvement⁷.
4. While our modern scientists tend to be generalized in the definition, including:
 - a) Sheikh Taher ben Ashour considers them as "The meanings and the remarkable judgement of the legislator in all or most of the circumstances of the legislation, so that it is not competent to be in a particular type of Sharia"⁸.
 - b) Some others have known them as "Sharia's objectives' are intended (Sharia) and the secrets laid down by the legislator in each of its provisions"⁹.
 - c) Al-Raysoni defined as: "The ends that the Sharia was set for the benefit of the slaves"¹⁰.
5. It is said in Sharia's objectives generally that "the judgements for its achievement and its prominence in existence Allah

Almighty created the creation, sent the apostles and lowered the laws, and ordered the wise people by action or abandoning¹¹.

While these definitions differ in their words, they are aimed at the same thing which is to demonstrate that Sharia has general provisions and holistic principles aimed at the realization of people's interests in the world and the aftermath. Moreover, Sharia's objectives' science is ethically on the subject of human righteousness, and in its view is based on three theories which are "Theory of actions, Theory of Intentions, and Theory of Values.

Second Topic: Sharia's Definition.

1. Shariah linguistically: derived from the verb 'shara'a' (enact), which is a clear path. It is said: 'sharat lah triqn' (I enact for him a way). Shariah is a noun and then it made as a name for the clear path. It is said: 'yoshraa', 'shrraa' and 'shriah' (to legislate)¹². Also, Shariah means "mashrat almaa' (the supplier of water's drinkers)¹³.
2. Sharia idiomatically: the provisions on acts, beliefs or morals enacted by Allah for His worshippers¹⁴. It was said: "Sharia is a name for the systems and provisions that Allah has enacted, or whose origins have been enacted, and which Muslims have entrusted to them, to take themselves into account in their relationship with Allah and in their relationship with people, and that they are frequently attributable to two aspects which are worship and transactions".¹⁵

Second Chapter: Rooting the Sharia's objectives & Validity that includes three topics which are as follows:

First Topic: Sharia's Objectives' Formation.

The science of Sharia's objectives dates back to the time of the Prophet through the texts of the Holy Quran and the Holy Prophet's Sunna, which are included in the provisions of the Quran and the Prophet's Sunna in terms of disparity by declaring or referring to it. But those objectives were not a blog and an author until we considered them to be a science in the name of Sharia's objectives. Therefore, they were legitimate information and decisions in mind and understanding.¹⁶

This can be inferred by the following:

1. His mission (PBUH), which was a mercy to the two worlds, Allah Almighty said: {We sent thee not, but as a Mercy for all creatures}.¹⁷

2. The objective of the Holy Quran itself is guiding all people, Allah Almighty said: {Verily this Quran doth guide to that which is most right (or stable)}.¹⁸
3. A revelation from Allah to His Messenger, whether the Holy Quran or the whole Sunnah (unrecited revelation or transmitted hadith) which was the ultimate goal of reviving the souls in real life in the world by fulfilling the duty of compliance, worship and religiosity, and reviving them in the afterlife by obtaining the satisfaction of Allah and winning His paradise and good will as Allah Almighty said: {O ye who believe! Give your response to God and His Apostle, when He callth you to that which will give you life}¹⁹.

Thus, the objectives were practically present in the Prophetic Era, and then the scientists laid the best foundations and codification therein. In terms of terminology, sources in Islamic heritage indicate that Imam Al-Joyni, Imam Al-Haramain, who laid the first building block in the construction of the objectives where he spoke about them in a solid manner in his fundamentalist book 'Al-Burhan', when he looked at hadith defects by analogy, making the origins of Sharia in five sections: (necessity, argument, what is not a necessity, no general need and does not oppose a rule, which does not related to them, but opposes a rule, in which does not already make sense to the detractor).

Then his foresighted student, Imam Al-Ghazali, came who explained the features of objectives in his clear manner after digesting what his Shaikh decided and adding a statement and clarity. Then the true founder of the science of Sharia's objectives, Imam Shatibi -deceased at the end of the eighth century Al-Hijri- came. He singled them out in his famous book 'Approvals', which also included them in his second book 'Al-Atsam' and rightly promised to be the founder of this science. Moreover, Imam Muhammad came and urged his students to read the book of 'Approvals' and take advantage of it, so the search of the objectives returns again, as well as the composition thereof. In late times, however, there was no better blogging than Shaikh Al-Zaytouna Al-Taher ben Ashour wrote in his book (Islamic Sharia's Objectives) but the writing was repetitive without anything new.²⁰ Today, the Islamic Sharia's objectives are present, and attention and care to them are increased day by day, especially after the increase in issues, matters, developments in jurisprudence, various developments, etc. As it is carried out by some writers, researchers and scholars in the science of Sharia's objectives. It has also become a separate subject taught in most colleges of Sharia and Islamic

studies. Furthermore, it has become an independent science and specialization specializing in doctoral and master's courses.

Second Topic: Sharia's Objectives' Proof

By extrapolating the texts of the Holy Quran and the Prophet's Sunnah and considering the evidence of judgments, it is proved in certain that Islamic Sharia has general and special objectives, and it is only in the interests of the worshippers of the world and the afterwards.

Some evidence of this can be found as follows:

- Through the consideration and extrapolation of Islamic Sharia texts, it was shown that the proof of objectives in the texts came in a variety of ways, including what Allah tells in the Holy Quran in many places that He is wise, this requires that His provisions be legitimate for objectives and not in vain. Because the wise one who places the object in its righteous position, and the judgments of Allah as well, came to the interests of the worshippers in this world and in the afterwards, that is, sooner and later.
- What indicates the general objectives of Sharia as Allah Almighty said: {He it is Who created the heavens and earth in six Days – and His Throne was over the Waters – that He might try you, which of you is best in conduct}.²¹ So the term (To try you) is an explanation, a statement of wisdom and termination of test.
- As well as, it is the wisdom of life and death, as Allah Almighty said: {He Who created Death and Life, that He may try which of you is best in deed}.²² Also, the wisdom of creating man and jinns and what they are as Allah Almighty said: {I have only created Jinns and men, that they may serve Me}²³.
- What Allah tells about the importance of the Quran and the great benefits therein and the basic objective of the revelation. Because the Quran is the main source of Sharia. As Allah Almighty said: {O mankind! there hath come to you a direction from your Lord and a healing for the (diseases) in your hearts – and for those who believe, a Guidance and a Mercy}²⁴ and He also Said: {Verily this Quran doth guide to that which is most right (or stable)}²⁵ and so on.
- There are also some legitimate objectives, both public and private, in some texts of the Quran, for example, the words of Allah Almighty: {And has imposed no difficulties on you in religion}²⁶. "And {God intends every facility for you; He does not want to put you to difficulties} ²⁷. These Quranic texts demonstrate the will of the ease and leaving the embarrassment. There are also many examples in the Quranic verses of the

objectives of prayer, pilgrimage, fasting, zakat, distribution of war gains and so on.

- Sharia's objectives and its provisions are closely linked to the reasoning, so that people can benefit from them in giving judgements to those that are not stipulated. In Al-Shatibi's view, the explanation of the provisions of the interests is consistent with extrapolation (What is based on the Sharia that they have placed the interests of the worshippers indisputably extrapolated)²⁸, and the explanation is limited to reasonable provisions, while devotional or unreasonable meaning is not justified.
- Thus, the means of proof the Sharia's objectives are directly derived from the Quran and Sunna, as it has already referred to, whether it be an abstract imperative or negative, through the consideration of their reasons, through the reporting texts, by tracking the evidence received about one defect, by tracking the silence of the Prophet in the place where the legitimate statement is needed, so that silence demonstrates that the intention is not to pronounce a judgement, not to authorize it (i.e. prostration of thanks), or to follow our former scientists' jurisprudence.

Third Topic: Sharia's Objectives' Validity

This topic constitutes an essential entry point for the science of Sharia's objectives, especially since at this time there have been and continue to be occasional voices calling for the refusal to adopt the objectives of the jurisprudence. Proponents of this idea resisted objective based *ijtihad*, depending on the fact that it is a factor of deviation from the texts of divine revelation. The greatest reason for getting away with the text is a verse or a *Sunnah*²⁹.

Imam Al-Shatibi goes on to say that the three objectives of the legislator (necessity, argument and improvement) are (the origin of the origins of Sharia) and has proved in his book that the origins of Sharia are peremptory. He employed 'the abstract *tawatur*' to protest against the peremptory the origin of assets (Sharia's objectives). The evidence is to extrapolate the spirit of the matter (by extrapolating the evidence of Sharia and considering its total and partial evidence... as far as in moral extrapolation. People have not relied on the legislator's objective in these rules on specific evidence or in particular, but on phenomena, generalizations, unlimited things, restraints and special particles, even the legitimacy function is all about preserving those rules, with additional evidence of movable and immovable conditions)³⁰.

There are many evidences from the Holy Quran, the Prophet's Sunna and the effects of the companions on the observance of the Islamic Sharia and its consideration of Sharia's objectives. Allah Almighty said: {God intends every facility for you; He does not want to put you to difficulties}³¹ and while this verse is as reasoning as Allah Almighty said: {But if anyone is ill, or on a journey, the prescribed period (should be made up) by days later}.³² The matter, as Imam Al-Qaradabi said, is the whole word in all matters of religion.³³

It indicates that all other obligatory and voluntary worship are mandatory or permitted for obligated person on the condition that hardship and extreme difficulty are denied. It is an asset that everything that harms and endeavours human beings is obligated person, because that is not ease,³⁴ and Allah does not want to force people with His provisions, but He wants to make them easier, and he wants their good and benefit, and that is an asset in religion that belongs to others.³⁵

Also, Allah Almighty said: {On no soul doth God place a burden greater than it can bear. It gets every good that it earns, and it suffers every ill it earns},³⁶ this verse is a resumed phrase that was given by Him after the faithful persons received His orders of obedience and acceptance of what on them to Him within duties, advantages, effects of favor and compassion as a beginning not after question.³⁷ Also, 'comfort' is what the human person can and does not restrict and do not embarrass,³⁸ or what is possible and capable of, is the release of the source and the will to act. While 'the possible' is what people used to be able to do if their will was to do with safety and no obstacles. This is proof that the duty above energy does not occur in the religions of Allah Almighty. Because Allah has only set out to act and establish conditions of creation, He does not make them bear what they cannot do and what has been said in the context of sanctions.³⁹ On the Prophet's Sunnah, there are many hadiths that benefit from the validity of the Sharia's objectives, including what Muhammad (PBUH) said: [Allah Almighty loves for this Ummah the ease and hates for it the hardship],⁴⁰ it means is that Allah Almighty for the fullness of His compassion is satisfactory to this nation the ease in His provisions of religion. He did not emphasize it, as He stressed the past nations, and hated the hardship, it means He did not want or make them determined on them.

There are many effects of hardworking companions, tabi'in and leaders on the validity of objectives, and one of the greatest indications of the objectives being the extrapolation of the era of the companion, which is a strong and reliable practical asset. Because the companions of Messenger of Allah Muhammad (PBUH) witnessed the

revelation and heard the interpretation. They undoubtedly knew the order of the Sharia and the status of the judgments and telling the conditions of the Prophet is undoubtedly a kind of weighting.⁴¹

Thus, in extrapolating their words and following their actions as a way of highlighting their approach to understanding Sharia and its evidence, the governance of the companions, as Al-Ghazali said "It is not of their own, but rather of the sources and resources of Sharia, the entrances to its provisions, exits, currents and emanation. Muhammad (PBUH) followed the meanings, followed the judgments and the reasons for their interests, and relied on the meanings only for they understood that Sharia was permissible on the basis of judgements based on the meaning they understood of the Sharia."⁴²

For example, Omar ben Al-Khattab prevented Muslims from marrying the people of the Book, and some companions may bring out value in Zakat the human body. There is no doubt, therefore, that it is closer to taking into account the legislator's intention than to commit itself to the surface of the text. Consequently, it was the first to renounce the provision to the benefit and interest of the poor because it was closer to achieving the legislator's intent.⁴³

This is objective consideration that realizes people's perceived needs and interests and is closer to advancing the need of the poor. This objective consideration, although it has done something other than the apparent text, has been done with the intention of the text, because the intention of the text is to fill the poor and to pay for it and this happens.⁴⁴

Thus, if the objectives of the Book and the Sunnah are followed, it will be known that Allah has gone through all the best and He has rebuffed all the evil so, the good expresses Him by bringing interests and forestalling the corrupt.⁴⁵

According to Al-Shatibi, extrapolation indicated that Sharia was established for the interests of the slaves and was uncontested.⁴⁶

According to Ibn Taymiyah, Sharia was based on the collection and complementarity of interests, disruption and minimization of corrupt.⁴⁷ The best of the two good is required to be weight if they can't all come together, and to push the two evils if they don't all rush.⁴⁸

All that Allah commands and His messengers, whose interest is superfluous to its spoiler and its benefit is superfluous to harm, even if it is hated by souls.⁴⁹

Totally, the Quran and Sunnah, as Ibn Al-Jawzi said "they are filled with an explanation of judgement and interests and an explanation of creation, and an alert to the aspects of the judgement for which those provisions were lawful. For the purpose, those objects are

created, even though this is in the Quran and Sunnah in about a hundred or two hundred, we have mentioned, but it is more than a thousand places in a variety of ways.⁵⁰ Jurisprudence is based on evidence and interests, that the purposes of the term belong to it, that the words bear the intent and that the object may not be useless, as the object is intended, and if the intention is not as if it does not exist.⁵¹

Third Chapter: Sharia's Objectives' Activating which includes three topics which are as follows:

First Topic: Importance of Knowing & Fulfilling Objectives.

Setting the target determines the course of science and action, making it in the right direction that ultimately leads to the achievement of the goal, achieving the aims, reducing the hassle, and with it appreciating the work. Setting your goals and feeling that you are accomplishing them, one by one, motivates you to do more, work and plan. It also enriches your confidence and overwhelms you with feelings of achievement and success. Psychological studies have indicated that human beings' sense that they are moving in the direction of their purpose or that they are close to them, charges them in a strong spirit of enthusiasm and activism and makes them taste success and move from success to another.⁵² It is undoubtedly greater in legitimacy, leading to clarity of vision, foresight, firmness of principle, strength of adherence, enthusiasm, activism and advocacy.

The objectives are not merely knowledge and cognitive pleasure, they are not just philosophical insights into Sharia, its meanings and its aims. It is like all the sciences of Islam a science that produces work and an impact, with its benefits and returns. We can point to the benefits of objectives because of what is due to diligence and what is due to revelation in judgements, etc., and to the obligated persons.

The greatest benefits and the widest returns derived from the objectives of Sharia are those of the hardworking scholars, because they are better able to pass and absorb it, because it is for good and benefit for the whole nation, as they are guided and imitated.⁵³

Al-Shatibi said: "The degree of diligence is given to those who have been characterized such as one is to understand the objective of Sharia on its perfection, and the other is to be able to devise based on his understanding therein".⁵⁴

In Ibn Achour's view, a person who holds the 'science of objectives' can include incidents that have never been resolved in legislator time.

It has no analogues with direct and explicit judgements, under these holistic photographs and proves as proven as its faculties, we are assured that we are proving Islamic legitimate provisions.⁵⁵

The objectives are beneficial to those who are diligent in understanding and interpreting the texts, since the knowledge of the defects and objectives of the provisions will result in those ills and purposes being considered when the judgements are made and written and when determining which faces and branches, they cover or do not. It is one of the fruits of the objective orientation and the objective consideration of jurisprudence.⁵⁶

The objectives benefit the people who are from the rulers and judges and those who rule them, to repay their work and assist them in the proper and sound implementation, guide the priorities of interests and corrupt, benefit in the required balance, and help them to know the constants with faculties and distinguish between means and variables.⁵⁷

It benefits those who are charged with liberating their objectives and exerting themselves from corrupt whims towards noble legitimate objectives, and teaches them that what is shown is good even in its finest form.⁵⁸

Knowledge of objectives often leads the obligated persons to ease of doctrine and speed of acceptance,⁵⁹ because knowing the good objectives and finding out what satisfies Allah, entering His paradise and upholding Islam, lifting its people and earning happiness and good life and highlighting the wisdom of legislation, all of which will enhance determination. It fuels enthusiasm, stimulates business, enables sacrifice and redemption, and stimulates patience and obstacles.⁶⁰

Second Topic: Controls the Activating of Sharia's Objectives.

In this topic, the controls the activating of objectives are referred because there are calls in our time for more attention to the science of Sharia's objectives and activating them. So that things do not mix because Sharia's objectives are independent legal science with its controls. So that it does not become a pretext by some to neglect and repeal the legitimate text, especially prophetic hadiths, and replace them with some anomalies and exotic ideas, on the pretext of evolution and rationality as they claim.

I: The Concept of Controls: they are holistic provisions that apply to fragments.⁶¹ This concept is synonymous with the rule in some scientists, where Al- Tahanoi said, "rule is synonymous with origin, law, matter, control and destination."⁶² Others said "rule is the control which is the total order applicable to all of its parts".⁶³ While some

scientists disagree, as Al-Siouti said 'the control' collects branches from one section while 'the rule' brings together branches of various sections.⁶⁴

While the notion of "objective rules", it is a holistic issue that expresses the legislator's will to legislate judgements and is used through extrapolation of legitimate judgements.⁶⁵

II: Controls for Activating of Objectives: There are many controls for Sharia's Objectives, the most important of which are:

1. The legitimacy of the objectives: that is, Sharia's Objectives shall not be said or specified, nor shall it be useful or proven except by proof. The affiliation of an objective to the Sharia is as an affiliation of a word or judgment to Allah Almighty, because Sharia is Sharia and the objective is objective.⁶⁶
2. Sharia's Objectives are defined only through Sharia texts, in the sense that the objectives may not be opposed to or contrary to the texts of the Book or the Prophet's Sunnah. It is fixed through texts in the Book or in the Sunnah, so that Sharia's Objectives can only be achieved by being a scientist and an understanding of Arabic language and knowledge of the jurisprudence and balances. Al-Shatibi also said that Sharia is understood only by understanding Arabic as a right of understanding, because they will be in the pattern except for the faces of miracles.⁶⁷
3. The objective is reasonable in meaning, so that if it is presented to the good minds that are high for acceptance, it is not contrary to the minds of scholars, jurists and people's perceived customs, it brings benefits to people and it pushes them against the corrupt.
4. The objective is disciplined, specific and accurate, so as not to leave a space for ambiguity in understanding or mixing with others.
5. The objective should fall under the five necessities of the preservation of religion, oneself, mind, money and offspring. It shall be in order so that it does not miss a more important objective than the other and shall be in order, and shall be made necessary on the validity, the validity on the improvement, the whole on the partial, the general on the private and so on.

Third Topic: Sharia's Objectives' Activating in the Field of Legitimate Policy.

Legitimate Policy: It is such an act that people are closer to good and more distant from corruption, although neither Messenger nor revelation.⁶⁸ The legitimate policy of contemporaries is to work for the establishment of Allah's religion in the earth, to reform the

conditions of people in matters of their religion so that Allah's Word is the supreme, justice is established among people, Sharia of Islam is governed in all matters of life, the conditions of people in matters of their inferiority are reformed, and the administration of their livelihood.⁶⁹ Legitimate policy is based on legitimacy.⁷⁰ Allah Almighty said: {God doth command you to render back your Trusts to those to whom they are due; and when ye judge between man and man, that ye judge with justice; verily how excellent is the teaching which He giveth you for God is He Who heareth and seeth all things. O ye who believe! Obey God, and obey the Apostle, and those charged with authority among you, if ye differ in anything among yourselves, refer it to God and His Apostle, if ye do believe in God and the Last Day; that is best and most suitable for final determination}.⁷¹ It provides for the performance the trusts and fulfilment of the objectives in the preservation of rights and the prevention of harm, conflict and other aspects, as well as in the administration of justice among the people, including political justice or justice with the people, the governed and justice among the entities and groups⁷². The legitimacy of the political sphere as it relates to the legitimacy of several aspects which are as follows:⁷³

1. The association of the political sphere with Sharia as one of the spheres of life that legitimacy assumes by statement and guidance. The whole life, including the political sphere, is set in motion.
2. Considering the political sphere as a human reality, absorbed by the texts, rules, objectives and approaches of the Sharia. This is known as the jurisprudence of the various issues, new events, diligence and conditions. As long as that was the case, the realities of that area deserved to be governed by objectives as part of the Sharia's reality.
3. Considering the political sphere as a humanitarian act that is the subject of legitimate rule or Islamic jurisprudence. If so, it shall be entrusted with its judgement and shall have the objective(s) thereof. The political sphere's attachment to Sharia's objectives are evident here.

Sharia's objectives are the approach that should be original and reference in political issues, by judging our understanding and application of all Islamic references, from understanding the Quran and Sunnah to invoking history and jurisprudence. The revelation of Sharia was not in vain, but to achieve certain interests, goals, objectives and meanings, from these most important objectives and meanings of justice, Allah Almighty said: {We sent aforetime our apostles with Clear Signs and sent down with them the Book and

the Balance (of Right and wrong), that men may stand forth in justice}.⁷⁴ Consequently, justice is the main objective and purpose from revelation the Books and sending the apostles, it is one of general and total Sharia's objectives. One of the meaning of public totalities in legitimate policy is the preservation of the nation's system, which is of particular importance in terms of legitimate policy; as well as forgiveness, facilitation, wisdom, public interest, cooperation, coexistence, solidarity, honesty, volunteerism and other societal values that we today call civic values supportive of a culture of pluralism and supportive of civil society's prosperity.

So, the application of Sharia's objectives in legitimate policy and principles is the application and return to all these meanings and purposes. We must also look at the Sunnah with objective view, distinguishing between the decisions and actions of the Prophet Muhammad (PBUH) by way of legislation, what was purely human, not legislative, and what was legitimate politics, State and government. One of the most prominent is the construction of the State in Medina, a practical achievement of the Prophet Muhammad (PBUH) in the field of politics. This denies the allegation by some - Islamic, secular and others - that politics should be taken out of Islam, it is considered a sacred matter and a place of attraction and confrontation, and it is not conducted in accordance with the spirit, holy values and blessed provisions.

Thus, the area of legitimate policy is already more flexible than the area of jurisprudence because it is more in interest than in terms of texts. In developing and operationalizing it on the objective basis to take into account the legitimate policy needs by two levels which are:⁷⁵

1. The first level is the organizational level carried out through the Constitution, laws and regulations.
2. The second is the applied operational level that is done through the formulation of policies, planning and decisions, and here is the introduction of a new concept of objectives worldwide.

At the end of this topic, we can say that the objectives relationship with legitimate policy comes as follows:⁷⁶

1. Sharia's Objectives are the aims, goals and purposes of politics, since the function of the ruler in the State is to guard religion and life and reforming the matters of worshippers in livelihood. This is the aim of the regime to safeguard the Islamic religion and to establish the secular interests in accordance with the religion and its objectives (i.e. to preserve the rights of Allah Almighty and the rights of His worshippers).

2. Sharia's Objectives constitute the controls of the provisions of the policy, so that it will always remain under the umbrella of Sharia, and curb anyone who wants to depart from the provisions of religion on the pretext of politics and interest.
3. Legitimate policy plays an important role in a statement that facilitates and respects the interests of the slaves, and its inclusiveness and validity for every era by referring some of its methods and means to the needs and customs of the people, as well as to scientific developments and modern political methods, which correspond to the origins of the Sharia and are not inconsistent with them.
4. Legitimate policy is both a way and a method of writing Sharia's objectives on reality, taking into account changing circumstances and balancing competing and opposing interests and corruptions.

Conclusion

At the end of this research, I can summarize the following:

1. Sharia law has general provisions and holistic principles aimed at the realization of people's interests in the urgent and future. Moreover, objectives' science is ethical in its subject of human righteousness, based on three theories: the theory of actions, the theory of intentions, and the theory of values.
2. The establishment of Sharia's objectives with the formation of the Sharia provisions themselves, that is to say, the objectives began with the beginning of the holy revelation on the Messenger of Allah (PBUH). They were affirmed in the texts of the Book and the Sunnah and are incorporated in its provisions and teachings differently in terms of authorization or gesture and reference thereto. However, those objectives would not have been highlighted and demonstrated at the level of authorship and codification, at the level of making it a surname and terminological science with its significance, realities and curricula. Rather, they were legitimate information and courses based on minds that the predecessors evoke them in their understanding, jurisprudence and judgement.
3. By extrapolating Sharia texts and considering the evidence of the judgments, we are convinced that Sharia has general and special purposes, and it is designed only to achieve the interests of the people in the urgent and future.
4. Sharia's objectives are that the provisions of Sharia that are justified by the realization of people's interests because the texts are infinite and the incidents are infinite, and Sharia came to realize people's mundane and otherworldly interests.

5. Islamic Sharia's objectives are not just knowledge and cognitive pleasure; they are not merely a philosophical deepening of the Sharia, their meanings and aims like all other sciences of Islam, a science that produces work and impact with its benefits.
6. Sharia's objectives are an independent science with strict regulations and rules expressing the will of the legislator to legislate the judgements and using the extrapolation of the Sharia provisions. So that things do not mix, nor do they become a pretext by some to neglect and repeal the legitimate text, especially prophetic hadiths, and replace them with some anomalies and exotic ideas on the pretext of evolution and rationality as they claim.
7. Sharia's objectives are the approach that should be original and referenced in all issues including political issues. Sharia's Objectives constitute the controls of the provisions of the policy, so that it will always remain under the umbrella of Sharia. Legitimate policy plays an important role in a statement that facilitates Sharia and its observance of the interests of the worshippers, its inclusiveness and validity for every era, and a way and methodology together in writing the objectives of Sharia on reality, taking into account changing circumstances and balancing interests and corrupt.

References

The Holy Quran

- Al- Ghazali, (1971), *Shafa Al-Ghalil fi Baian Al-Shabah wa Al-Makhil wa Msalk*, Al-Rashad Press, Baghdad, Ed.1.
- Al-Amdi, Ali Ibn Abi Ali bin Mohammed (631AH), *Al-Ehkam fi Asol Ak-Ahkam*, Investigation by Abdul Razak Afifi, Islamic Office, Beirut.
- Al-Daboussi, Abu Zeid Issa, *Tasis Al-Nadhar*, investigation by Mustafa Mohammed Al-Qabani, Dar Ibn Zudon – Beirut.
- Al-Derini, Fathi, (1407 AH-1987), *Characteristics of Islamic Legislation in Politics & Governance*, Al-Rusrah Foundation, Beirut, Ed.2.
- Al-Fassi, Alal, *Sharia's Objectives & its Honours*, (1432AH-2011) Investigation by Ismail Al-Hassani, Dar Al-Salaam, Cairo, Ed 1.
- Al-Fiomi, Ahmed bin Mohammed bin Ali, *Al-Masbah Al-Mineer*, Investigation by Youssef Sheikh Mohammed, Modern Library.
- Al-Furozbadi, Al-Moheet Dictionary, Al-Rusah Foundation - Beirut.
- Al-Ghamari, Ahmed bin Mohammed Al-Hassani, *Realizing Hopes for Zakat al-Fitr*, investigation by Nazam bin Mohammed Saleh Ya'qub.
- Al-Ghazali, Abu Hamid Mohamed Mohammed (505AH), *Al-Mastsfa fi Elm Alasol*, Investigation by Mohammed bin Suleiman Al-Ashqar, Al-Raha Foundation - Beirut, Ed.1,1417AH – 1997.

- Al-Jasas, Al-Jabaq, Ahmed bin Ali Abu Bakr Al-Razi Al-Hanafi (370AH), Provisions of the Quran, investigation by: Abdulsalam Muhammad Ali Shaheen, Scientific Books House - Beirut, Ed. 1, 1415H - 1994.
- Al-Khadimi, Dr. Nouredine Mukhtar, (1437 AH-2016) Sharia's Objectives in Politics & Constitution, Dar Al-Salam, Cairo, Ed. 1.
- Al-Khadimi, Dr. Nouredine Mukhtar. (1429 AH-2008). Research on Sharia Objectives, Al-Maref Foundation - Beirut, Ed.1
- Al-Kubaisi, Dr. Bashir Mahdi (1432 AH-2011) Science of Sharia Objectives, Al-Manahaj House, Ed.1.
- Al-Lossi, Abu Maali Mahmoud Shukri bin Abdullah (1342 AH), Spirit of meaning in the Interpretation of the Great Quran & Al-Fataha, House of Arab Heritage Revival.
- Al-Qaid, Dr. Ibrahim bin Hamad (1422 AH), Ten Habits of a Successful Character, Al-Maref Human Development House-Riyadh, Ed 1.
- Al-Qaradawi, Dr. Yousef, (1419 AH-1998) Legitimate Policy in the Light of Sharia Texts & Purposes, Wehba Library-Beirut, Ed.1.
- Al-Qaradawi, Dr. Yousef, (2006), Study in the Jurisprudence of Sharia Objectives Between Total Objectives & Partial Texts, Dar Al-Sharouq, Cairo, Ed.1.
- Al-Raghid Asfahani, (1381 AH-1961) Vocabulary in Quran Stranger, investigation by Mohammed Syed Kilani, Mustafa Al-Babi Press, Cairo.
- Al-Raysoni, Dr. Ahmed (1429 AH - 2008), Objective Thought, Rules & Benefits, Dar Al-Hadi, Beirut, Ed.2.
- Al-Raysoni, Dr. Ahmed, Objective Orientation in Ibn Rushd's Jurisprudence.
- Al-Razi, Abu Abdullah Mohammed bin Omar bin Al-Hassan (606 A.H.), Great Interpretation, Arab Heritage Revival House, Beirut, Ed. 3, 1420 A.H.
- Al-Shatibi, Ibrahim Musa Mohammed Al-Lakhmi Al-Granati (790AH), Approvals, investigation by Mashhar bin Hassan, Dar Ibn Afan, Ed.1, 1997.
- Al-Shwkani, Mohammed bin Ali bin Mohammed bin Abdullah Al-Yemeni. (1250AH), Ershad Al-Fohol ele Tahqiq Al-Haq mn Elm Alsol, investigation by Sheikh Ahmed Ezzo Enaya, Arab Book House, Beirut, Ed. 1, 1419H-1999.
- Al-Siwti, Abd Al-Rahman bin Abu Bakr, Jalaluddin (911AH) Al-Ashbah wa Al-Nazar, Scientific Books House – Beirut, Ed1,1411AH-1990.
- Al-Tabrani, Abu Al-Qasim Suleiman bin Ahmed (360H) Al-Majm Al-Kabeer, Investigation by Hamdi bin Abdul Majid, Arab Heritage Revival House, Ed2, 1983.
- Al-Tahanoi, Muhammad bin Ali Ibn al-Qadi Mohammed (1158H), Kashaf Estlhat Al-Fnon Investigation by Dr. Ali Dahroj, Lebanon Library Publishers -Beirut, Ed.1, 1996.
- Attiya, Dr. Jamaluddin Mohammed, Towards the Activating of Sharia's Objectives, World Institute of Islamic Thought, USA, Ed. 3, 2011.
- bin Abdullah, Abu Omar Mohammed (2007) Legitimate Politics, Dar al-Ma'alam-Beirut, Ed.1.

- bin Ismail, Abu Abdullah Mohammed (256 AH) *Al-Jamaa'a Al-Masanad Al-Saleh*, (), Investigation by Mohammed Zuhair Nasser, Dar Tuq Al-Najah, Ed.1, 1422 AH- 2001.
- Bouloze, Dr. Mohamed, *Sharia's Objectives, Aims & How to Operationalize them in School Curricula*, Aswine Magazine.
- Derdor, Dr. Elias, (1436AH-2015), *Lectures on Sharia's Objectives*, Dar Ibn Hizm-Beirut, Ed.1.
- Elbagha, Dr. Mustafa Deeb, 1430 AH-2009. *Research on Islamic Legislation Objectives*, Al-Mustafa- House - Damascus, Ed 1.
- Ibn Abdulsalam, Ezzedine Abdulaziz bin Abdulsalam, known as Sultan of Ulama (660 AH) *Qwad Al-Ahkam fi Masalah Al-Anam*, investigation by Taha Abd Al-Ra'uf Saad, Library of Azharu Colleges-Cairo.
- Ibn Abu Shibeh, Al-Mosnaf, Office of Studies & Research, Dar Al-Fakr-Beirut.
- Ibn Arabi, Judge Mohammed bin Abdullah Abu Bakr Al-Maliki (543 AH), *Provisions of the Quran*, Investigation by Mohammed Abdulkader Atta, Scientific Books House-Beirut, Ed.3, 1424 AH-2003.
- Ibn Ashour, Mohamed Tahir bin Mohammed bin Mohammed Tahir (1393 AH), *Liberation & Enlightenment*, Dar Sahnoun, Tunisia, 1997.
- Ibn Ashour, Mohammed Al-Tahir bin Mohammed (1393 AH), *Sharia's Objectives*, Investigation by Mohammed Al-Habib, Ministry of Endowments- Qatar, 2004.
- Ibn Faris, Abu al-Hussein Ahmed bin Zakaria, (1399AH-1979), *Lexicon of Language Metrics*, Investigation by Abdussalam Mohamed Harun, Dar Al-Fikr-Beirut.
- Ibn Manzoor, Mohammed bin Makram bin Mansour Al-Afriqi Almsri (711AH), *Lasan Al-Arab*, Sadr House, Beirut, Ed. 4, 1422 AH-2001.
- Ibn Qaim Al-Jawzi, Elam Al-Moqain en Rabb Al-Elmin, Dar Al-Gil-Beirut.
- Ibn Qaim Al-Jawzi, *Keys to the House of Happiness*, Scientific Books House-Beirut.
- Ibn Rushd, Abu Al-Walid Mohammed bin Ahmed bin Rashid (595 A), *Badiat Al-Mujtahid*, Dar Al-Hadith, Cairo, 1425 AH – 2004.
- Ibn Taymiyah, Taqi Al-Din Abu Al-Abbas Ahmed Abd Al-Halim (728AH) *Total Fatwas*, investigation by Abdulrahman Mohammed Kassem, King Fahd Complex, Riyadh, 1416AH-1995.
- Ismail, Abdulrahman Ali, *Sharia's Objectives*.
- Reza, Rashid Mohammed Rashid ibn Ali Reza (1354 AH) *Interpretation of the Wise Quran*, Interpretation of Manar, Egyptian Book Authority-Cairo, Ed.1, 1990.
- Shabir, Dr. Mohammed Osman (2007), *Total Rules & Jurisprudence in Islamic Sharia*, Dra Al-Naqas, Jordan, Ed.1.

Footnotes:

¹ Al-Masbah Al-Mineer, Al-Fiomi, Part 2, pp 504.

² See: Lasan Al-Arab, Ibn Manzoor, Part 15, pp 347; Lexicon of Language Metrics, Ibn Faris, Part 5, p.79.

³ Al-Shbah wa A-Nazar, Al-Siwti, Part. 1, p. 11.

- ⁴ See: Lasan Al-Arab, Ibn Manzoor, Part 3, p 353; Lexicon of Language Metrics, Ibn Faris, Part 5, p.95.
- ⁵ Ershad Al-Fohol ele Tahqiq Al-Haq mn Elm Alsol, Al-Shwkani, Part 2, p.184.
- ⁶ Al-Mastsfa fi Elm Alasol, Al-Ghazali, Part1, p. 379.
- ⁷ Approvals, Al-Shatibi, Part2, p. 17.
- ⁸ Sharia's Objectives, Ibn Ashour, p. 183.
- ⁹ Sharia's Objectives and its Honours, Alal Al-Fassi, p.111.
- ¹⁰ Objective Thought, Rules & Benefits, Dr. Ahmed Al-Raysoni, p. 13.
- ¹¹ Research on Islamic Legislation Objectives, Dr. Mustafa Deeb Elbagha, p. 8.
- ¹² Vocabulary in Quran Stranger, Al-Raghid Asfahani, p.258.
- ¹³ Kashaf Al-Fnon, Al-Tahanoi, Part 1, p. 759.
- ¹⁴ Kashaf Al-Estlhat, Al-Tahanoi Part 1, p. 759.
- ¹⁵ Islam is a Faith & Sharia, Mahmoud Shaltut, p. 85.
- ¹⁶ Research in Sharia's objectives, Dr. Nouredine Mukhtar Al-Khadimi, p. 20.
- ¹⁷ Surt Anbiyaa: Verse (107).
- ¹⁸ Surt Isra: Verse (9).
- ¹⁹ Surt Anfal: Verse (24).
- ²⁰ Sharia's objectives' Science, Dr. Bashir Mahdi Al-Kubaisi, p. 10.
- ²¹ Surt Hud: Verse (7).
- ²² Surt Mulk: Verse (2).
- ²³ Surt Zariyat: Verse (56).
- ²⁴ Surt Yunus: Verse (57)
- ²⁵ Surt Isra: Verse (9).
- ²⁶ Surt Hajj: Verse (78).
- ²⁷ Surt Baqara: Verse (185).
- ²⁸ Approvals, Al-Shatibi, Part 2, p. 12.
- ²⁹ Lectures on Sharia Objectives, Dr. Elias Derdor, p. 193.
- ³⁰ Approvals, Al-Shatibi, Part 2, p. 82.
- ³¹ Surt Baqara: Verse (185).
- ³² Surt Baqara: Verse (185).
- ³³ Al-Jama'a of the Provisions of the Quran, Al-Qaratabi, Part 2, p. 301.
- ³⁴ Provisions of the Quran, Al-Jasas, Part 1, p. 270.
- ³⁵ Interpretation of the Wise Quran, Interpretation of Manar, Rashid Reza, Part2, p. 123.
- ³⁶ Surt Baqara: Verse (286).
- ³⁷ Spirit of meaning in the Interpretation of the Great Quran & Al-Fataha, Al-Lossi, Part 3, p. 69.
- ³⁸ Great Interpretation, Al-Razi, Part 7, p. 116.
- ³⁹ Liberation & Enlightenment, Ibn Ashour, Part 3, p. 135.
- ⁴⁰ Al-Majm Al-Kabeer, Al-Tabrani, Hadith No (707).
- ⁴¹ Ibid., p. 214.
- ⁴² Shafa Al-Ghalil fi Baian Al-Shabah wa Al-Makhil wa Msalk, Al- Ghazali, p.190.
- ⁴³ Realizing Hopes for Zakat al-Fitr, Ahmed bin Mohammed Al-Hassani Al-Ghamari, p. 104.

- ⁴⁴ Tasis Al-Nadhar, Abu Zeid Issa Al-Daboussi, p. 112.
- ⁴⁵ Qwad Al-Ahkam fi Masalah Al-Anam, Ibn Abd Alslam, Part 2, p.189.
- ⁴⁶ Approvals, Al-Shatibi, Part 2, p. 6.
- ⁴⁷ Total Fatwas, Ibn Taymiyah, Part 10, p. 512.
- ⁴⁸ Ibid, Part 23, p. 343.
- ⁴⁹ Ibid, Part 24, p. 278
- ⁵⁰ Keys to the House of Happiness, Ibn Qaim Al-Jawzi, p. 408.
- ⁵¹ Provisions of the Quran, Ibn Al-Arabi, 2, p. 460.
- ⁵² Ten Habits of a Successful Character, Dr. Ibrahim bin Hamad Al-Qaid, p.210.
- ⁵³ Objective Thought, Rules & Benefits, Dr. Ahmed Al-Raysoni, pp. 75-76.
- ⁵⁴ Approvals, Al-Shatibi, Part 5, p. 533.
- ⁵⁵ Sharia's Objectives, Ibn Ashour, Part 3, p. 244.
- ⁵⁶ Objective Orientation in Ibn Rushd's Jurisprudence, Dr. Ahmed Al-Raysoni, p.9.
- ⁵⁷ Objective Thought, Dr. Ahmed Al-Raysoni, p. 113.
- ⁵⁸ Ibid, p. 112.
- ⁵⁹ Al-Ehkam fi Asol Ak-Ahkam, Al-Amdi, Part 4, p.262.
- ⁶⁰ Sharia's Objectives, Aims & How to Operationalize them in School Curricula, Dr. Mohamed Bouloze, p. 182.
- ⁶¹ Kashaf Al-Fnon, Al-Tahanoi, Part 2, p. 1110.
- ⁶² Ibid, Part 2, p. 1295.
- ⁶³ Al-Masbah Al-Mineer, Al-Fiomi, p. 700.
- ⁶⁴ Al-Ashbah wa Al-Nazar, Al-Siwti, Part. 1, p. 7.
- ⁶⁵ Total Rules & Jurisprudence in Islamic Sharia. Mohammed Osman Shabir, p. 31.
- ⁶⁶ Objective Thought, Rules & Benefits, Dr. Ahmed Al-Raysoni, p. 50.
- ⁶⁷ Approvals, Al-Shatibi, Part 5, p 53.
- ⁶⁸ Elam Al-Moqain en Rabb Al-Elmin, Ibn Qaim Al-Jawzi, Part 4, p. 372
- ⁶⁹ Legitimate Politics, Abu Omar Mohammed bin Abdullah, p. 37.
- ⁷⁰ Legitimate Policy in the Light of Sharia Texts & Purposes, Dr. Yusuf al-Qaradawi, p. 27.
- ⁷¹ Surt Nisaa: Verse (58 -89)
- ⁷² Sharia's Objectives, Dr. Nouredine Mukhtar Al-Khadimi, p. 16.
- ⁷³ Ibid, p. 18.
- ⁷⁴ Surt Hadid: Verse (25)
- ⁷⁵ Towards the Activating of Sharia's Objectives, Dr. Jamaluddin Mohammed Attiya, pp. 261-262.
- ⁷⁶ Sharia's Objectives, Abdul Rahman Ali Ismail, p. 64.