



Original Article

The Urgency of Maqasid Shariah in Combating Religious Extremism from Ibn Ashur's Perspective

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Abstract:

Religious extremism has become a prominent issue widely discussed worldwide today. Numerous studies from various perspectives have been conducted by scholars from both the Western and Eastern traditions to understand and identify solutions to the problem. Although the issue of religious extremism is considered somewhat sensitive due to its subjective classification, sometimes based on the biases of the evaluators, the Islamic perspective on progressive fiqh issues needs to be analyzed and highlighted as one of the efforts to address the phenomenon of extremism. This aims to prevent greater harm to the Muslim community and, consequently, preserve religion, life, intellect, honor, and wealth as desired by Islamic law (maqasid Sharia). This article employs a qualitative approach using a descriptive-analytical method, which seeks to critically describe the substance of various concepts and theories related to the moderate concept according to Ibn Ashur. The primary data sources are Ibn Ashur's written works discussing the Maqasid Sharia. Additionally, literature related to religious extremism will be utilized. This article is expected to contribute to the understanding and handling of religious extremism by integrating the principles of Maqasid Sharia from Ibn Ashur's perspective. The purpose of this article is to identify and analyze the significance of Maqasid Sharia in the context of combating religious extremism based on Ibn Ashur's perspective. It also aims to provide new insights into efforts to combat religious extremism by detailing the importance of Maqasid Sharia according to Ibn Ashur's thoughts.



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Keywords: Maqasid syari'ah, ektremisme, Ibnu Asyur

Introduction

The phenomenon of religious extremism and radicalism is intricately connected to core experiences, collective memories, and interpretations of religion ([Harfin Zuhdi, 2020](#)). In the religious context, it seems that there is still no agreement on the precise terminology to describe radical movements up to now ([Azyumardi Azra, 2002](#)). For example, Olivier Roy refers to movements oriented towards the implementation of Islamic law as Islamic fundamentalism, directed at movements such as the Muslim Brotherhood, Hizb ut-Tahrir, and Jama'ah Islamiyah ([Roy, 1994](#)). John L. Esposito prefers using the terms Islamic revivalism or Islamic activism, which have roots in the Islamic tradition ([John L. Esposito, 1992](#)). Meanwhile, Muhammad Abid Al-Jabiri uses the term Islamic extremism ([Muhammad Abid Al-Jabiri, 2001](#)).

To further clarify the phenomenon of religious extremism, the framework provided by the sociologist of religion, Martin E. Marty, with some modifications, seems quite relevant to be applied in examining the phenomenon of "violence in the name of religion." According to him, the main characteristic is oppositionalism, which is the doctrine of resistance against perceived threats that are seen as endangering the existence of one's religion, whether in the form of modernity or modernism, secularization, and Western values in general ([Azra, 1996](#)). The act of resistance or struggle is carried out through various means, including resisting groups that threaten the existence or identity that constitutes the order of life. It involves fighting to uphold aspirations that encompass issues related to life in general, such as family or social institutions. The struggle is conducted within a specific framework of values or identity derived from both historical heritage and new constructions. It entails resisting specific enemies that manifest in the form of communities or religious social orders considered deviant. Ultimately, these actions are carried out in the struggle in the name of God ([Bahtiar Effendi and Hendro Prasetyo, 1998](#)).

Sociologically and empirically, the emergence of religious extremism cannot be separated from the internal dynamics of the society itself. This is influenced by a variety of factors both internal and external. Internally, the emergence of extremist groups, as noted by Abdurrahman Wahid (Gus Dur) as quoted by Syafi'i Anwar, is driven by several factors ([Syafi'i & Syarifah, 2018](#)). It is inseparable from the fact that there is a religious shallowness within the Muslim community itself, especially among its younger generation. This shallowness occurs because they content themselves with a textual understanding of religion. The extensive memorization of religious texts is not accompanied by a comprehension that aligns with the scholars. Therefore, their religious identity tends to be literalistic, rigid, and inclined to reject social change ([Azyumardi Azra, 2002](#)).

Therefore, the sporadic emergence of extremist movements in various parts of the world does not arise from an empty space. The prevailing reality within society is the hasty attitude of many people who blame a particular religion as the main cause of the emergence of religious extremism. It is highly unfair to position Islam as the culprit for the chaos and extremism present today.

Several acts of extremism and terrorism in Indonesia and other parts of the world indicate that these actions are not monopolized by a specific religion. The threat of terror and violence often arises due to the extreme views, attitudes, and actions of individuals who use religion as a pretext. At the same time, moderate attitudes

emphasizing justice and balance can emerge from anyone, regardless of their religious affiliation ([Harfin Zuhdi, 2020](#)).

As a plural and multicultural country, religiously motivated conflicts are highly possible in Indonesia. Therefore, a moderate or wasathiyah attitude in practicing religion becomes a crucial key to creating a harmonious and peaceful religious life, both on a personal and societal level. Religious moderation invites those on the extreme right and left to seek common ground in the middle, aiming to become a moderate community. Hence, there is a need for concrete actions such as internalizing religious teachings, including understanding the concept of moderation (wasathiyah) from the perspective of Ibn Ashur in his commentary, *At-Tahrir wa At-Tanwir*.

Ibn Ashur's commentary is renowned for its wealth of scholarly knowledge, leaning towards the mainstream opinions of the Muslim community that promote peace, even in differences, rather than deviations. His tolerant stance towards differing perspectives and methods is evident in his interpretation of Quranic verses, often leading to discussions on the science of Maqasid Shariah. This discipline is notably moderate, focusing on the broader objectives of Islamic law ([Asyur, 1984](#)).

Methods

This article employs a qualitative approach by applying a descriptive-analytical method, aiming to critically describe the substance of various concepts and theories related to the concept of moderation according to Ibn Ashur. The method used in collecting data is through library research, a study that relies on literature-based data. The texts examined include various books, scriptures, as well as both primary and secondary references related to the research theme.

Results

Maqasid Sharia Definitions

In linguistic terms, "maqasid" consists of two words, namely "maqasid" and "shariah." The word "maqasid" is the plural form of the word "maqshid," which is in the form of "mashdar mimi" (a verbal noun sentence that begins with the addition of the letter 'mim' at the beginning) ([Mustafa al-Ghalyani, 2003](#)). The word "maqshid" itself has several meanings, including: principles, straight path, justice, and balance ([Muhammad Said Ramadhan al-Buthi, 1998](#)).

In the context of classical Islamic law, the term "maqasid" is often referred to as "mashalih" by classical scholars ([M. Arfan Muammar et al., 2013](#)). Maqasid memiliki pengertian tujuan, maksud, prinsip, tujuan akhir dan niat ([M. Arfan Muammar et al., 2013](#)). Sedangkan kata syariah berarti jalan menuju sumber air atau sumber "Maqasid" carries the meaning of goals, purposes, principles, ultimate objectives, and intentions. On the other hand, the term "shariah" means the path to a water source or the fundamental source of life ([Totok Jumanthoro and Samsul Munir, 2005](#)). "Syariah" is the set of laws of Allah imposed on humankind, encompassing wisdom and well-being in both worldly life and the hereafter. The term "syariah" itself essentially means the laws of Allah, whether directly established by Allah or elucidated by Prophet Muhammad SAW as an explanation of the laws set by Allah SWT ([Amir Syarifudin, n.d.](#)).

Meanwhile, in terms of terminology, "Maqasid Syariah" refers to understanding the various meanings, wisdom, purposes, secrets, and underlying factors behind the formation of a law. The concept of Maqasid Syariah is one of the important and fundamental concepts that is central in Islam, asserting that Islam exists to realize and preserve the well-being of humanity. The essence of the Maqasid Syariah concept is to actualize goodness while preventing harm ([Paryadi, 2021](#)). Ibnu Asyur argued that in

understanding maqasid (objectives or purposes), one should always engage with five aspects. When the comprehension of maqasid is brought into this realm, it results in ease of analysis and steadfastness of the heart. These five aspects are as follows:

Firstly, an understanding of the Sharia texts (nash-nash syari'ah) and deducing legal rulings from the implications of their meanings, both linguistically and in Sharia terms. Secondly, the study of 'conflict' between evidence (ta'arudh al-adillah), where outwardly these pieces of evidence may seem contradictory, allowing the combining of their meanings or choosing the stronger one through the method of istihsan. Thirdly, the use of qiyas (analogy) for matters where there is no explicit ruling in the texts regarding something that has already been ruled upon by legal texts. This can be done only after understanding the study of 'illah, which is essentially the study of maqasid itself. Fourthly, determining the ruling for something that lacks a legal ruling in the texts and does not have a similar law that can be analogized. In such situations, Imam Malik established what we know as maslahah mursalah. Fifthly, the domain of ta'abbudi studies, where jurists recognize.

Ibnu Ashur argues that understanding Maqasid involves grappling with five aspects, and when this understanding is applied to these areas, it leads to ease in analysis and certainty in the heart. These five aspects include:

1. Understanding the Shariah texts and deducing legal rulings from the implications of their meanings, both linguistically and in the terminology of Islamic law.
2. Study of the 'conflict' between evidence (ta'arudh al-adillah) where, on the surface, these evidences seem to collide. This requires the ability to reconcile their purposes or choose the stronger one through the method of istihsan.
3. Employing analogy (qiyas) for matters that do not have explicit legal rulings, extending a ruling from a similar case that has a legal ruling. This can be done only after completing the study of 'illah, which is essentially the study of Maqasid itself.
4. Determining the ruling for something that lacks a specific legal ruling in the texts and has no analogous ruling that can be analogized. In such cases, Imam Malik established what is known as maslahah mursalah.
5. Engaging in the realm of ta'abbudi studies, where jurists acknowledge their limitations in uncovering the purpose and wisdom behind a law established by Shariah.

These aspects contribute to a comprehensive understanding of Maqasid, facilitating a nuanced and well-grounded approach to Islamic jurisprudence ([Ibnu Asyur, 1979](#)).

From the five realms mentioned above, it is evident that the urgency of Maqasid is only relevant for jurists (fuqoha) or, at the very least, those who have acquired considerable expertise in studying the principles of Islamic jurisprudence (ushul fiqh). The general public does not have a need for this detailed knowledge, as it requires serious examination by Islamic legal experts. Moreover, even among scholars, there may be varying degrees of understanding of Maqasid Shariah in accordance with their diverse levels of scholarly capacity.

Religious Extremism

Extremism and Fundamentalism are actually two terms used to refer to the same thing, like two sides of a coin, even though they originated from different traditions. The term fundamentalism emerged in the context of the Christian tradition ([Hasanudin, 2020](#)). It was first used to name an aggressive and conservative movement within the Protestant Christian churches in the United States in the post-World War I era, primarily emerging in Baptist, Disciple, and Presbyterian churches and gaining support from certain clergy groups. This movement then formed a religious thought stream that tended to interpret religious texts rigidly and textually ([Dollar, 1973](#)). The inclination towards such a style of interpretation, according to figures commonly referred to as fundamentalists, is deemed necessary to preserve the purity of doctrine and its implementation. This inclination is also driven by the belief

that the complete adherence to doctrine is the only way to save humanity from destruction ([James Barr, 1994](#)).

The tendency to interpret religious doctrines rigidly and textually, as done by Protestant fundamentalists, is found among adherents of other religions as well. Therefore, it is reasonable that Western Orientalists then labeled similar phenomena among Muslims as Islamic fundamentalism, just as they perceived similar trends in other religions. Hence, terms like Sikh fundamentalists, Protestant fundamentalists, Catholic fundamentalists, Hindu fundamentalists, and so on emerged, even though individuals within these groups may be reluctant or even reject being labeled as such ([Helmi Syarifuddin et al., 2018](#)).

In Islamic tradition, the terms fundamentalism or extremism are known as al-tatharruf al-dini. Al-tatharruf comes from the word "tharf" (side), meaning to be on one side, either right or left. When an extremist movement tends to align with authorities or the majority, it is called right-wing extremism. Conversely, if the movement fights for and advocates the interests of the common people or minorities, it is referred to as left-wing extremism ([Hasan Hanafi, 1996](#)).

Their rejection of the label 'fundamentalists' seems somewhat justified because, at least in the development of the last three decades, the term fundamentalism has been used (especially by Western media) in a careless manner and has become a term with double standards. For example, in the United States, when looking at Islamic groups that they perceive as obstacles to their political interests, they are simplistically categorized as fundamentalists, and even terrorists ([Helmi Syarifuddin et al., 2018](#)). Look, for example, Western media often views the Palestinian people's struggle for independence from the Zionist occupiers of Israel, particularly through the organization Hamas, as terrorism. However, the same actions by the Ukrainian people against the Russian invasion in their country are labeled as fighters for independence. This is reflected in President Joe Biden's speech commemorating Ukraine's Independence Day on August 24, 2023:

"Our commitment to Ukraine's independence is unwavering and eternal. That's why the United States and other G7 countries issued a joint declaration in Lithuania last month, promising to assist Ukraine in maintaining armed forces capable of deterring Russian aggression in the years to come—a declaration that has now been followed by more than 25 countries. Alongside our European partners, we are currently supporting Ukraine in their struggle for freedom, and we will assist them in the long term."

Western media often uses religious terms that tend to involve violence in achieving their goals. Such labels are commonly applied to Palestinian, Algerian, Libyan, Afghan political groups, and others.

Even among some Islamic modernists, there is a tendency to attach the term "fundamentalist" as a stereotype often accompanied by cynicism. For instance, Fazlur Rahman refers to fundamentalists as individuals with narrow-minded thinking, anti-intellectual, and rigid and stagnant thoughts ([Rahman, 2021](#)). Even Nurcholis Madjid uses the term as a replacement religion that is inferior compared to established religions. According to Nurcholis, besides teaching religious doctrines that are considered rigid, fundamentalism also teaches false things. Therefore, in the present era, fundamentalism has become a source of chaos and mental illness ([Madjid, 1992](#)).

Extrimism In Islam

In general, Muslims worldwide acknowledge that Islamic teachings originate from the Qur'an and the hadiths of the Prophet, both of which can be considered 'transcendent,' meaning they transcend space and time. However, understanding religious thought is not sufficient by merely understanding its sources, especially with only a translation. Despite the unified and transcendent nature of its teachings, these teachings will always undergo a process of actualization into the social reality of its followers, particularly in matters that are subject to change (mutaghayyiroat) rather

than constants (tsawabit). There are at least two factors influencing this process of actualization. First, the internal factor involves the inclination towards certain patterns of understanding and interpretation of the doctrine. Second, the external factor involves local customs and culture (al-'Urf) ([Helmi Syarifuddin et al., 2018](#)).

Prof. Fatimah Nur Fuad says Extremism in Islam can be categorized into three forms. Firstly, al-tatharruf al-i'tiqady, or theological extremism. Examples include deviant sects such as Qadariyah, Jahmiyah, Murji'ah, Mu'tazilah, Shia Rafidhah, and others. Secondly, al-tatharruf al-siyasi, or political extremism. For instance, the emergence of the Khawarij sect, which boycotted the leadership of Ali bin Abi Thalib, and the development of ideas permitting the killing of Muslims committing major sins or declaring other Muslims as disbelievers due to disagreements ([M. Amin Djamaluddin, 2008](#)). The third form is al-tatharruf 'amaliy, or extremism in actions. Examples include practices like 'puasa mutih' (a specific form of fasting), performing night prayers without sleep, making a vow to remain unmarried for a lifetime, engaging in extended out-of-town missionary activities without providing for the family, and similar practices.

Prophet Muhammad (SAW) has long prohibited extremist behavior in religion. In a well-known hadith, the Prophet reproached three companions who were inclined towards extreme religious practices. The Prophet said, "By Allah, I am the most God-fearing among you, but I do not observe night prayer every night, I do not fast every day, and I also marry women! Whoever dislikes my Sunnah is not of me." (Narrated by Bukhari).

In another hadith, Prophet Muhammad (SAW) advised, "Keep away from excessiveness (ghuluw) in religion, for indeed, excessiveness in religion destroyed those who came before you." (Narrated by An-Nasa'i 5/268, Ibn Majah no.3029). From the explanation of these hadiths, it can be said that extremist attitudes in Islam generally stem from a high level of enthusiasm and zeal in practicing the comprehensive teachings of religion, unfortunately not accompanied by sufficient knowledge. As a result, such behavior becomes a mistake and tarnishes the image of Islam itself.

The Role Of Ibn Ashur's Maqasid In Preventing Religious Extremism

1. Brief Profile of Ibn Ashur

He has the full name, Thahir bin Muhammad bin Muhammad Thahir bin Muhammad bin Muhammad As-Syadzili bin Abdul Qadir bin Muhammad bin Muhammad bin 'Asyur al-Tanisiy. He was born in the city of La Marsa, north of the outskirts of Tunis, in the year 1296 H / 1879 M, at the home of his maternal grandfather; Sheikh Muhammad Al-Aziz Bu 'Utur. Ibn Ashur's mother herself was a princess of the then Tunisian minister, named Fatimah bint Muhammad Al-Aziz bin Muhammad Al-Habib bin Muhammad Al-Tahyyib bin Muhammad bin Muhammad bin Muhammad Bu 'Utur. His lifetime spanned two historical phases, namely the French colonization phase (1881 – 1956) and the independence phase (1957 – 1973) ([Husni Ismail, 1995](#)).

The scholarly heritage flowing within Ibn Ashur's being cannot be separated from the influence of two charismatic scholars in his family: first, his father, and second, his maternal grandfather. The works of this scholar, affectionately known as Ibn Ashur, ranging from Maqashid as-Syari'ah al-Islamiyyah to the tafsir book At-Tahrir wa At-Tanwir, have significantly contributed to the contemporary intellectual landscape. Analyzing the extended family of Ibn Ashur reveals several factors that motivated the development of his maqashid syari'ah thought expressed in various works. These factors include: Firstly, a strong desire to restore the glory and golden era of Islam that had faded with the decline of Islamic knowledge and the weakening of its noble values. During that time, the focus of the Muslim community was more on the superficial aspects of Sharia, rather than its essence. Secondly, a deeply rooted scholarly

tradition from an early age, fostering a strong awareness of the negative impacts of blind adherence to legal schools (ta'asshub madzhab) that could jeopardize the unity of the Muslim community. Continuation of such practices would inevitably result in the weakening of the Muslim community's strength ([Ibnu Ashur, 2009](#)). Thirdly, the 'blue blood' flowing through his veins from his grandfather, who had served as a minister, had somewhat influenced his thinking on politics, social issues, and state law. His close relationship with his grandfather played a role in the transformation of the mindset of a ruler in managing the stability of the country in terms of security, social matters, and the economy ([Hasanudin, 2020](#)).

As a prominent scholar in his time, and even serving as the Grand Sheikh in Tunisia, Ibn Ashur produced many notable works. Among them, the most renowned are Tafsir al-Tahrir wa al-Tanwir, Maqasid al-Shariah al-Islamiyyah, Hasyiyah 'ala al-Mahalli 'ala jam' al-Jawami', al-Waqf wa Asaruhu fi al-Islam, and many more. He passed away in the year 1393 H or 1973 CE, leaving behind a treasure trove of thoughts through his diverse works in various disciplines such as exegesis, Maqasid al-Shariah, and others. Ibn Ashur was one of the great Islamic scholars who made significant contributions to the Islamic world, mastering not only one but several scholarly disciplines. Through his works, particularly Maqasid al-Shariah Islamiyyah and at-Tahrir wa Tanwir, Ibn Ashur became a crucial figure in the discourse on Maqasid al-Shariah and Quranic exegesis.

2. The concept of Wasatiyyah according to Ibn Ashur

In linguistic terms, the word 'wasath' means in the middle or something that has two ends of equal measure. However, in terminology, it signifies the values of Islam built on a mindset that is straight and moderate, avoiding excess in specific matters. The meaning of 'ummatan wasathan' in Surah Al-Baqarah, verse 143, is a just and chosen community. It implies that this Islamic community is the most complete in its faith, the best in its morals, and the most virtuous in its deeds. Allah has bestowed knowledge, gentleness of character, justice, and goodness upon them, which are not given to other communities. Hence, they become 'ummatan wasathan,' a perfect and just community that will bear witness to all humanity on the Day of Judgment. Ibn Ashur also mentions that this verse praises the Islamic community for being able to adopt a moderate (middle) approach in implementing Sharia. They neither exceed the limits (excess) nor adopt an indifferent attitude (negligence), consistently adhering to the laws of Allah ([Asyur, 1984](#)).

Wasatiyyah is one of the characteristics of Islam that distinguishes it from other religions. The moderate understanding calls for a tolerant Islamic preaching, opposing all forms of liberal and radical thinking. Liberalism, in the sense of interpreting Islam by following one's desires and prioritizing reason over textual evidence, leads to the desacralization of Sharia texts. Radicalism, on the other hand, involves understanding Islam only through textual aspects without guidance from the scholars, resulting in a rigid interpretation incapable of reading the realities of life. The Islamic wasatiyyah attitude is a rejection of extremism in the form of oppression and falsehood. It is nothing but a reflection of the pure innate nature of humans untainted by negative influences. The Islamic wasatiyyah attitude is also a manifestation of Islam's teachings as a religion of mercy for all worlds. This attitude needs to be advocated for the emergence of the best community (khayru ummah) ([Rahmadi et al., 2023](#)).

3. The Concept of Hifzuddin's Maqasid as a Countermeasure to Extremism

In the Maqasid Sharia, Hifzuddin is the primary goal in the hierarchy of maqasid, as it is closely related to the essence of human existence. If the goal of Hifzuddin is achieved, it can serve as the foundation for the well-being of human

life. Conversely, it can damage the essence of human life if this goal fails to be achieved. According to Ibn Ashur, Hifzuddin is defined as "protecting the religion of every Muslim from the threat of anything that can harm his creed and deeds. Safeguarding the religion for the entire community means rejecting anything that can nullify or damage the established principles of the religion." ([Ibnu Asyur, 2009](#)).

One of the things that can undermine Hifzuddin is an extreme approach to religion. If we observe, the Sharia laws inherently embody a spirit of providing ease (taysir) and alleviating difficulties (raf'u al-haraj) for the community. For instance, there are concessions (rukhsah) for travelers not to fast, performing tayammum for those who cannot find water or are ill, and the flexibility in the amount of obligatory zakat for a muzakki (one who gives zakat), and many more.

Numerous Quranic verses and hadiths emphasize facilitating and practicing religion while discouraging extremism. As Allah SWT says, "Allah intends for you ease and does not intend for you hardship" (Al-Baqarah: 185). In a hadith, the Prophet stated, "You are sent [by Allah] to make things easy and not to make them difficult" (Narrated by Tirmidhi). The Prophet also prohibited extremism, advising, "Verily, this religion is easy, and no one burdens himself in religion except that it overcomes him. So, aim for what is right, adhere to the middle course, give glad tidings, and seek help in the morning and evening and some part of the night" (Narrated by Ahmad).

The Prophet cautioned against extremism in religion, stating, "Indeed, this religion is solid and strong, so enter into it with gentleness." He also warned about the destruction of those who go to extremes in religion, saying, "Destruction is for those who exaggerate in the matters of religion" (Narrated by Muslim). This issue has even reached the level of qath'i (definitive legal ruling) in Islam due to the overwhelming evidence regarding the command to make things easy and the prohibition of extremism ([Al-Najjar, 2008](#)).

The command to provide ease in religion and the prohibition of extremism within it are intended to safeguard the religion itself. An extreme approach to religion may lead people away from Islam, perceiving it as a difficult and burdensome doctrine. The Prophet Muhammad (SAW) strongly prohibited extremism (ghuluw) in worship, as evident in his saying: "And do not hate yourself for worshipping Allah" (Narrated by Baihaqi). This hadith indicates that the Prophet forbade excessive worship, as it could make a person find it difficult to perform, leading to a dislike for the worship and ultimately abandonment.

Conversely, the spirit of ease found in the Sharia laws demonstrates that Islam is a religion that is simple and does not burden its followers. This encourages many people to embrace Islam, propagate it, and maintain steadfastness in practicing it. All of this aligns with the goal of Hifzuddin within the maqasid syariah ([Al-Najjar, 2008](#)).

Conclusion

Allah SWT mentions that the Islamic community is the best community brought forth for all of humanity, and among the characteristics of this best community is the concept of wasathiyyah embedded in Islamic law itself. Ibn Ashur explains that with the concept of wasathiyyah, the Islamic community becomes the most perfect in its faith, the best in its morals, and the foremost in its deeds. Extremism in religion is not limited to matters of worship alone but also extends to the realms of belief and politics. Combating extremism in religion aims to protect Islam from elements that could harm it, causing many people to run away and distance themselves from Islam. And this is one of the methods in realizing the maqasid of hifzuddin.

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