



The Maqasid Colleges: From Foundation to Activation

Dr. Salima Belkacemi¹, Dr. Abderrahmane Mezouzia²

¹University Al-Zaytuna, Tunisia, Faculty: Higher Institute of Islamic Origins, Religious Schools in Islamic Morocco and the Science of Religions, Algeria. Email: salima.azouz@gmail.com

²University of Batna 1 – Hadj Lakhdar, Faculty of Islamic Sciences, Batna, The Islamic Fiqh and the New Problems, Algeria.

Email: abderrahmane.mezouzia@univ-batna.dz

ABSTRACT:

This research aims to establish the foundational principles of the Maqasid colleges, elucidating their theoretical structure and general organisational framework. The first section defines the Maqasid colleges and discusses their applications as articulated by jurists and legal theorists, highlighting their distinguishing characteristics. The second section reviews methodologies for uncovering the Maqasid colleges as defined by Al-Shatibi and Ibn Ashur, as well as contemporary approaches in this field. The research concludes by outlining the areas in which the Maqasid colleges can be applied to various aspects of life. The findings reveal that the Maqasid can be uncovered through multiple approaches, including those identified by Al-Shatibi and Ibn Ashur, as well as contemporary methods involving reassembly, critical study, terminology research and innovative approaches to setting objectives. The Maqasid colleges can be activated in several domains, including the individual, family, community and humanity.

Keywords: Colleges, Maqasid of Sharia, Methods of uncovering the colleges, Areas of application of the colleges.

Received: 12/05/2025 Accepted: 26/10/2025 Published: 12/12/2025

Introduction:

The legislative structure of Islamic jurisprudence is based on a set of Maqasid principles that govern legal rulings in people's lives. These colleges are not mere partial meanings or subsidiary rules, but rather major standards upon which legislation is founded. Firmly established in the texts of revelation, they have deep roots in the jurisprudence of

the companions of the Prophet. Legal theorists have addressed them at length, emphasising their importance in improving understanding and application.

Historically and in contemporary times, the Maghrebi legal school has played a notable role in clarifying and institutionalising this science. This began with Al-Shatibi, who unveiled its methodological foundation, and culminated with Ibn Ashur, who reformulated many of its concepts and broadened its scope. Consequently, the establishment of the Maqasid colleges has become integral to the contemporary scientific renewal movement.

Given the importance and status of this topic, this article aims to explore the Maqasid colleges in terms of their conceptual basis, defining characteristics, methods of identification, and areas of application, combining a theoretical foundation with systematic clarification.

First: Formulating the problematic

The following main problem can therefore be posed:

What are the scientific foundations upon which the concept of Maqasid colleges is based? What characteristics distinguish them, and what is their role within the legislative framework? How are these colleges revealed through the methodologies of legal theorists, both historically and in contemporary contexts? What are the limits and areas of their application in real life?

Secondly, the importance of the study.

The importance of researching this topic lies in the following aspects:

Highlighting the status of the Maqasid colleges as the collective framework upon which legal rulings are based while clarifying their characteristics aids understanding of their ability to adapt to changes.

- Contributing to the clarification of methodologies for uncovering the colleges through a comparative analysis of Al-Shatibi, Ibn Ashur and the contemporary school.
- Enriching the scientific library with a focused study that addresses the colleges as an independent branch within the science of Maqasid.

Third: objectives of the research

Attempting to answer the posed problem.

Providing an accurate foundation for the Maqasid colleges by offering a comprehensive definition and clarifying the most significant applications of the term used by jurists and

legal theorists, while also highlighting its status in the Quran, the Sunnah and the jurisprudence of the companions of the Prophet.

Demonstrating the characteristics of the colleges and presenting contemporary methodologies for identifying and evaluating them, as well as indicating areas for their implementation.

Fourth: Research Methodology

This study relies on a descriptive-analytical approach. This methodology was employed when presenting definitions requiring clarification, as well as for the classifications and subdivisions in the sections and titles of the study. An inductive approach was also employed by tracing and surveying relevant research materials and collecting and selecting those pertinent to the research topic.

First section: The Conceptual Significance of the Maqasid Colleges

Subsection 1: Definition of the Colleges and Their Applications Among Jurists and Legal Theorists

First: Definition of the Colleges

A. Definition of colleges linguistically: the term originates from the word ‘whole’, and ‘the whole’ is a ‘comprehensive name that encompasses parts’¹. It has also been used to imply ‘some’, in contrast to its use in meanings suggesting abundance, as in Allah’s saying: ‘It destroys everything by the command of its Lord’ (Al-Ahqaf: 25), meaning that it destroyed many people and their dwellings, but not others². Upon reflecting on these definitions and meanings, we find that they converge on a single essence: ‘Comprehensiveness’³.

B. Definition of ‘College’ Terminologically: Among scholars, the term ‘college’ does not differ greatly from its linguistic definition. Comprehensiveness and its implications are central to the term’s meaning in a terminological sense. However, it is restricted to matters relating to legal rulings⁴. Al-Qarafi defined it as follows: ‘A term that denotes the ruling on every individual of that material, without leaving any individual out; thus, it is universal, not partial.’⁵

1- Ibn Manzur, The Language of the Arabs, ed. Abdullah Ali Al-Kabeer et al., Dar Al-Ma’arif, Cairo, 11 /590.

2- Ahmad bin Muhammad Al-Fayyumi, The Illuminated Lantern, Scientific Library, Beirut, 2/538.

3- Hassan Al-Harifi, The General Principles in the Noble Qur’an, Dar Ibn Al-Qayyim for Publishing and Distribution, Dammam, Saudi Arabia, 1st edition, 1423 H/2002, p. 16.

4- Al-Hariri, The General Principles in the Noble Qur’an, 1/16.

5- Al-Qarafi, Shihab al-Din Ahmad ibn Idris, The Versified Contract on Particulars and Generalities, ed. Ahmad Khatem Abdullah, Dar Al-Kutub: Egypt, 1st edition, 1420 AH/1999, 1/150.

Therefore, legal colleges are general rulings that encompass all individuals within their remit, forming the foundational principles upon which Sharia law is built.

Second: applications of the colleges among jurists and legal theorists.

Scholars of jurisprudence and legal theory use other terms for the colleges, including:⁶

- Legal principles, or general, universal principles. Imam Al-Shatibi (may God have mercy on him) stated: 'By principles, we mean universal rules, whether in the foundations of religion, the fundamentals of jurisprudence, or other meanings of universal Sharia.'⁷

- Legal generalities: because they include, as previously mentioned, a general legal ruling or a general meaning within Sharia. The legal college is a general principle that encompasses many particulars. Thus, they are referred to as legal generalities due to their focus on general legal rulings⁸.

Legal objectives are general intended rulings and meanings in Sharia. For instance, the removal of hardship is intended by the lawgiver, as well as being a general rule. Al-Shatibi (may God have mercy on him) sometimes refers to colleges in relation to the three legal objectives: necessities, needs and enhancements⁹. He may also use the term to denote benefits¹⁰, as these are intended by Sharia.

Readers may encounter different terminology among scholars, but the objective here is not to compile a comprehensive list of terms, but rather to clarify the content and substance of legal colleges, regardless of their names, as there is no dispute in terminology.

Subsection Two: The Status of Legislative Colleges in the Quran, the Sunnah, and the Jurisprudence of the Companions

First: The Status of Legislative Colleges in the Quran

The status of legislative colleges in the Book of God is evident to those who reflect upon its predominant description of universality, emphasised through the establishment of rulings and attention to foundations and principles. This is indicated by the Prophet's

⁶- Al-Hariri, The General Principles in the Qur'an, pp. 17–18.

⁷- Ibrahim bin Musa Al-Shatibi, The Concurrences in the Principles of Sharia, ed. Abu Al-Fadl Al-Dimyati, Dar Al-Ghad Al-Jadeed, Cairo, 1st edition, 1432 AH–2011, 3/59.

⁸- Al-Shatibi, The Concurrences, 3/152.

⁹- Al-Shatibi, The Concurrences, 3/70.

¹⁰- Al-Shatibi, The Concurrences, 99.

statement: 'I have been sent with concise speech...'¹¹ This encompasses both the Qur'an and the Sunnah, not just the Sunnah alone as one might assume¹².

Second: The status of legislative colleges in the Sunnah

Although the Sunnah is less universal than the Quran, it still employs a 'universal' approach in establishing and justifying rulings. This ensures consistency and comprehensiveness across time and place, guaranteeing the permanent and eternal validity of Sharia¹³. The Prophet (peace be upon him) demonstrated a commitment to this approach when establishing general rulings and their objectives. For example:

- the universality of the 'prohibition of bloodshed' in his statement: 'The blood of a Muslim is sacred, except in one of three cases: a married adulterer, an eye for an eye, or someone who abandons their religion and separates from the community.'¹⁴
- the universality of 'protection of intellect' in his saying: 'Every intoxicant is khamr (fermented), and every intoxicant is forbidden.'¹⁵
- the universality of 'protection of wealth' in his admonition: 'Indeed, Allah dislikes three things for you: idle talk, squandering wealth and excessive questioning.'¹⁶

Third: the status of legislative colleges in the jurisprudence of the companions (peace be upon them).

A thorough examination of the lives of the diligent Companions (peace be upon them) indicates that they fundamentally relied on the rulings and objectives they received from Legislative Colleges as a standard for all their jurisprudential efforts, and as a guide for any ambiguities they encountered. This became the guiding principle that those who came after them adhered to in supporting this methodology¹⁷.

¹¹- Narrated by al-Bukhari, Muhammad ibn Isma'il, Sahih al-Bukhari, ed. Muhammad Zuhair bin Nasser al-Nasser, Dar Tawq al-Najat, 1st edition, 1422 AH, Book: Jihad and Warfare, Chapter: The Saying of the Prophet (peace be upon him): 'I was supported with terror the distance of a month', Hadith No. 2977, 4/54.

¹²- Ibn Hajar al-Asqalanī, Fath al-Bārī: Commentary on Sahīh al-Bukhārī, ed. Abdul Aziz bin Baz, Dar Al-Ma'rifah, Beirut, 1379 H, 13/248.

¹³- Hindou, M., The Legislative Principles and Their Impact on Ijtihad and Fatwa, International Institute of Islamic Thought, Amman, Jordan, 1st ed., 1437 H-2016, p. 238.

¹⁴- Narrated by Muslim bin Al-Hajjaj, Sahih Muslim, ed. Muhammad Fuad Abdul Baqi, Dar Ihya Al-Turath Al-Arabi, Beirut. Book: Al-Qasama, Chapter: What Permits the Blood of a Muslim', Hadith No. 1676, 3/1302.

¹⁵- Narrated by Muslim, Sahih Muslim, Book: Drinks, Chapter: Statement that Every Intoxicant is Khamr and Every Khamr is Forbidden', Hadith No. 2003, 3/1587.

¹⁶- Narrated by al-Bukhari, Sahih al-Bukhari, Book: Zakat, Chapter: The Saying of Allah: 'They do not ask people for favours' (Al-Baqarah: 273), Hadith No. 1477, 2/124.

¹⁷- Al-Ghazali, Abu Hamid Muhammad bin Muhammad, The Extracted from the Commentary on the Principles, ed. Muhammad Hassan Hayto, Dar Al-Fikr Al-Mu'asir, Beirut, Lebanon, 3rd edition, 1419 H-1998, p. 607.

One notable example of the companions' (peace be upon them) reliance on legislative colleges to establish rulings is the case of Uthman ibn Affan (may God be pleased with him) regarding lost camels. Malik narrated that he heard Ibn Shuhab say: 'In the time of Umar ibn al-Khattab (may God be pleased with him), lost camels were kept safe and no one would touch them. However, during Uthman ibn Affan's (may God be pleased with him) time, he ordered that they be identified and put up for sale. When their owner came forward, they would be given the proceeds.¹⁸'

Uthman's opinion reflected an understanding of the Prophet's prohibition against taking lost camels, recognising that this was conditional upon their safety. However, security had diminished in Uthman's time and lost camels could no longer be kept safe. If left unattended, they would be at risk of being lost as they are a form of property. Uthman's rationale hinged on preserving a fundamental principle of legislation: preserving wealth.

Subsection Three: Characteristics of the Maqasid Colleges**

In order to shed light on the realities of legislative colleges and examine them in depth, it is helpful to present several characteristics that distinguish them.

First: Certainty

This is represented by their definitive meaning and establishment. They are characterised as broad legal rulings supported and confirmed by numerous Sharia texts, derived from thorough inductive reasoning. Therefore, they possess both certainty of existence and certainty of meaning: complete induction yields certainty, and anything produced from a certain foundation is itself certain. Al-Shatibi emphasised this by stating that definitive universal principles are derived from the convergence and transmission of evidence, providing certainty. In contrast, specific rulings rely on isolated pieces of evidence and remain within the realm of conjecture¹⁹.

Second: comprehensiveness and universality.

This characteristic means that the college's content is general and applies to all individuals and instances. Al-Shatibi clarified that this principle is only achieved in legislative colleges in the absence of individual specifications or restrictions, and through repetition in legal texts. All of this is established and confirmed through inductive reasoning²⁰.

Third: permanence and continuity.

¹⁸- Malik ibn Anas, *The Muwatta*, reviewed by a group of scholars, Dar Ibn Hazm for Printing and Publishing, Beirut, Lebanon, 3rd edition, 1416 AH/1996, Book: Pledges, Chapter: Stray Camels, Hadith No. 2979, 2:297.

¹⁹- Al-Shatibi, *The Concurrences*, 1/29.

²⁰- Al-Shatibi, *The Reliance*, ed. Saleem bin Eid Al-Hilali, Dar Ibn Afan: Saudi Arabia, 1st edition, 1412 AH/1992, pp. 1-141.

The legal college is perpetual and its application never ceases; it is valid at all times and in all places. In this context, Al-Shatibi stated: 'Its foundation must be eternal and general in all types of duties and for all obligated individuals in all situations.'²¹

Fourth: Consistency

This refers to the reliable applicability of the college to its specifics without exception. Legislative colleges are consistent due to their universally acknowledged generality. Their universality necessitates their consistency, and just as the generality of the college is established through induction and observation, so too is its consistency²².

Fifth: Abstraction

By this, we mean that one of the characteristics of a college is that it is free from constraints relating to time, place and individuals. It is therefore valid at all times and in all places, and for all individuals. This is due to its universality; as it applies to everyone, it cannot be limited to a specific time, place or person. It is comprehensive, encompassing all branches and particulars that fall within its scope. Any particulars that do not align with this definition do not fall under the term 'college'²³.

Subsection Two: Methods for Uncovering the Maqasid Colleges and Their Areas of Application

Subsection One: Methods for Uncovering the Maqasid Colleges

Islamic Sharia is distinguished from other divine and secular laws by its universality, as evident in the verse: 'And We have not sent you, O Muhammad, except as a bringer of good tidings and a warner to all mankind' (Saba: 28). In Sharia, there is a detailed explanation and ruling for every incident or occurrence. It is of significant importance to identify the pathways that lead to uncovering the subtle nuances and truths of the Maqasid in all legal rulings. Consequently, the efforts of its pioneers have been subject to critique and addition by some contemporary scholars, who emphasise the necessity of systematising these pathways and determining their actual value in revealing the lawgiver's intentions through legislation versus those that were not intended²⁴.

This overarching purpose can only be understood by grasping all its dimensions, which requires pathways and methods to specify both the particular and major Maqasid

²¹- Al-Shatibi, *The Concurrences*, 2:29.

²²- Al-Shatibi, *The Concurrences*, 1/54.

²³- Al-Qasimi, Abdul Ilah, 'The General Principles According to the Jurists: Definition and Specification', *Al-Dar Al-Maghribiya: Morocco*, 1st edition, 1440 AH/2019, p. 24.

²⁴- Ibn Harzallah, Abdul Qader. *An Introduction to the Science of the Objectives of Sharia: From Textual Foundations to Contemporary Issues*. Al-Rushd Publishers, Riyadh, Saudi Arabia. 1st edition, 1426 H-2005. p. 77.

colleges. This has been delineated by the pioneers of the science of Maqasid: Al-Shatibi and Imam Al-Tahir ibn Ashur²⁵.

Identifying the Maqasid is one of the most pressing challenges in this field because determining the purpose directly impacts the identification of the Maqasid colleges and their applications.

First: Methods for uncovering the maqasid according to al-Shatibi

1. Path of the Observable Keywords (Commands and Prohibitions):

A command indicates that the objective is to fulfil what is commanded, while a prohibition signifies that the objective is to refrain from engaging in what is prohibited. Imam Al-Shatibi elucidated this method by revealing the lawgiver's purposes under two conditions: firstly, that the command or prohibition is primary²⁶; and secondly, that the command or prohibition reflects the lawgiver's explicit intention when understood in its essence.

2. Path of the Reasons Behind Commands and Prohibitions:

This method of uncovering the lawgiver's objectives extends beyond considering commands and prohibitions, involving an examination of the reasons behind them. Inquiry into these reasons falls under the framework of the concept of causation, as explored in legal theory. Once these reasons are understood, the legislative objectives become apparent and can be applied wherever they are found. Conversely, if the reasons behind legal rulings cannot be discerned, the legislative objective remains unknown due to ignorance of the cause²⁷.

3. Path of Originality and Dependence:

The objectives of Sharia include some that are original and some that are derived from the original. For instance, the primary objective of marriage is to preserve life; other objectives, such as tranquillity and cooperation between spouses, support and confirm the primary objective²⁸.

4. Path of the Lawgiver's Silence:

²⁵- Ibn Ashour, *The Objectives of Islamic Sharia*, ed. Muhammad Al-Taher Al-Misawi, Dar Al-Nafa'is, Jordan, 2nd edition, 1421 AH–2001, p. 40.

²⁶- Ahmad Al-Raisuni, *The Theory of Objectives According to Al-Shatibi*, Dar Al-Kalima for Publishing and Distribution, Cairo, Egypt, 4th ed., 1434 H–2012, p. 225.

²⁷- Abdul Majid Al-Najjar, *Chapters on Islamic Thought in Morocco*, Dar Al-Gharb Al-Islami, Beirut, 1st edition, 1992, p. 152.

²⁸- Al-Shatibi, *The Concurrences*, 2/682.

The wise lawgiver's silence regarding the permissibility of an action, despite the presence of a meaning that would imply the possibility of that action, reveals that their intention is not to expand upon what has already been legislated. Therefore, silence is akin to a text affirming that the intention of the lawgiver is neither to add to nor diminish what has been established²⁹.

Second: Methods for Uncovering the Maqasid

According to Ibn Ashur:

Ibn Ashur relied on the following methods to uncover the maqasid:

1. Path of Induction:

Induction is 'the process of uncovering the consistency of phenomena and their subsumption under specific laws'³⁰. This methodology necessitates the precise and conscious application of a series of steps and procedures. For Ibn Ashur, this involved tracing Sharia through its various rulings to determine the meanings considered in all or some of these rulings.

2. Path of Clear Texts from the Quran:

For example, consider the following verses: 'And Allah does not like corruption' (Al-Baqarah: 205) and 'He has not made religion difficult for you' (Al-Hajj: 78). These are legislative objectives that are explicitly stated in the Quranic text³¹.

3. Deriving objectives from authentic Sunnah:

This involves extracting objectives directly from the authentic Sunnah, either through general observations of the companions regarding the Prophet's (peace be upon him) actions, or through repeated individual observations of the companions witnessing the Prophet's actions. From these collective observations, a comprehensive legislative objective can be derived³².

Third: contemporary methods for uncovering the Maqasid.

Some contemporary scholars have proposed additional approaches to uncovering the Maqasid, which support and complement previous methods. These include:

1. Path of Reassembly:

²⁹- Al-Shatibi, *The Concurrences*, 3/157.

³⁰- Qasim, M. M., *Introduction to Scientific Research Methods*, Dar Al-Nahda, Beirut, 1st ed., 1998, p. 58.

³¹- Ibn Ashour, *Objectives of Sharia*, p. 20.

³²- Ibn Harzallah, *An Introduction to the Science of the Objectives*, p. 95.

Reassembly and organisation are two of the most prominent methods that should be employed in the renewal of Maqasid research. This method aims to compile scattered details across various topics and reconstruct and arrange them into a coherent scientific framework. This involves gathering dispersed Maqasid related to a specific subject and reorganising them to form a scientific structure that facilitates understanding and conceptualisation for students.

Although contemporary scholars have written about this subject, many areas remain where details are scattered, enabling researchers to organise and reconstruct them into comprehensive theories and frameworks that contribute to reshaping Maqasid topics. One such topic is the methodologies of Maqasid-based reasoning. While these methodologies are well known in their individual components, compiling and analysing them in a study would present them as a comprehensive subject³³. Elucidating the pathways of Maqasid-based reasoning and facilitating their application would constitute a scholarly contribution to Maqasid studies. This would enable scholars to apply this knowledge to contemporary life³⁴.

2. Path of Critical Study:

Critical study is one of the most important methods to be employed in Maqasid research. It involves examining statements, opinions and texts cited in Maqasid literature, and critically evaluating them using scientific research methods. This is particularly important for statements and texts that have been passed down from sources other than the original authors, as this type of transmission is susceptible to distortion and alteration. Opinions and their attribution and justification should be derived from the works of their authors or those directly associated with them. It is not permissible to attribute a view to a school or scholar based on sources that are not the accepted ones. Such transmission undermines the integrity and credibility of the research. Therefore, it is the researcher's task to return to the original sources to understand the statements of their authors, and they should not rely on secondary sources unless necessary³⁵.

3. Path of Research into Terminology:

The study of Maqasid terminology involves surveying terms found in foundational legal or jurisprudential texts, and then analysing and interpreting them by tracing their origins and stages of terminological development. This involves comparing various usages from one author or era to another. Once this process is complete, the results can be compiled into a comprehensive dictionary, enabling students to access an exhaustive

³³- Abdul Majid al-Sosuwa, 'Paths of Purposive Ijtihad in the Jurisprudence of the Companions', *Jordanian Journal of Islamic Studies*, Issue 4, 2018, p. 399.

³⁴- Al-Sosuwa, 'Paths of Purposive Ijtihad in the Jurisprudence of the Companions', p. 400.

³⁵- Abu Sulayman, Abdul Wahab Ibrahim, *Approach to Research in Islamic Jurisprudence*, Dar Ibn Hazm, Beirut, 1996, pp. 151–152.

account of the history of any Maqasid term. This helps them to understand the term's origin, how it was used, and if it experienced a change in meaning, when and by whom. It clarifies the term's meaning and distinguishes between its old and new usages.

Thus, students can accurately identify the underlying reasons for any disagreements regarding the term, whether genuine or illusory, and what the causes are, as well as whether the disagreement impacts practical application³⁶.

4. Path of Renewal in the General Writing of the Maqasid

Renewal in the general writing of the Maqasid is evident in the formulation and presentation of Maqasid discussions to a broader audience of readers and scholars. This style is characterised by simplicity, while preserving the essence of the Maqasid when addressing contemporary issues and new developments. This presentation style encompasses the following qualities:

- simplification and ease of presentation;
- clarity of expression;
- avoidance of digressions in linguistic matters.

Good organisation and structuring; addressing issues of contention; and providing multiple clarifications through examples.

Highlighting the role of the Maqasid in addressing emergent issues such as insurance and banking transactions, as well as topics related to social changes and public policy discussions.

Subsection Two: Activating the Maqasid Colleges

In this life, there are areas where the interests of humanity's stewardship on Earth are realised. These interests are rooted in individual, familial, societal and human existence, and adherence to Sharia law works to protect them.

First: The Individual Sphere

In this area, preserving individual faith involves establishing and strengthening sound beliefs, and avoiding anything that could undermine or weaken them, such as major sins

³⁶- Farid Al-Ansari, Fundamentals of Research in Legal Sciences, Dar Al-Bashayer for Publishing and Distribution, Amman, Jordan, 2008, pp. 151–152.

like polytheism and hypocrisy. It also involves embodying virtues such as honesty and sincerity³⁷.

As noted by the scholar Ibn Ashur, the preservation of life involves safeguarding souls from harm, both individually and collectively, since the world is composed of individual human beings³⁸. This involves preserving every part of the body and avoiding behaviours that may impair or confuse the mind, such as acting on impulses, blindly imitating others, and being arrogant³⁹. It also involves disseminating knowledge and fulfilling intellectual responsibilities that drive creativity and contribution.

Sharia encourages the preservation of the family lineage to maintain the continuity of the human species. This is a fundamental aspect of human nature and a motivation for activity, ensuring the survival of the species across generations until God inherits the Earth and all that is upon it. Therefore, marriage laws have been established, and adultery and fornication have been prohibited⁴⁰.

Since wealth is a human necessity, it fulfils essential, necessary and enhancement needs. From an Islamic perspective, the earth belongs to God and humans are entrusted to inhabit and develop it. Thus, Sharia encourages the investment and preservation of wealth.

Specific regulations have been established for acquiring wealth, including rules related to work, transferring ownership through contracts, inheritance, acquiring permissible resources and reviving abandoned land, among others. Related guidelines have also been established for earning lawfully and spending legitimately, while avoiding hoarding wealth and remaining distant from wastefulness and extravagance⁴¹.

Second: the family sphere

The family is the building block of society and has been a vital part of the organisation of human existence throughout history. No other social institution is as important as the family. Recognising this significance, Sharia law has established regulations to organise family affairs, and jurists have devoted attention to exploring its overarching objectives⁴².

Although the relationship between the sexes can lead to procreation and thus fulfil the objective of preserving lineage, Sharia law emphasises this goal by designating marriage

³⁷- Yusuf Al-Qaradawi, *How to Deal with the Qur'an*, Dar Al-Shorouk, Cairo, Egypt, 3rd edition, 1421H–2000, pp. 65–69.

³⁸- Ibn Ashour, *Objectives of Sharia*, ed. Muhammad Al-Misawi, introduction.

³⁹- Jamal al-Din Atiyah, *Towards Activating Purposive Objectives*, Dar al-Fikr, Syria, 1st ed., 1422 AH – 2001, p. 44.

⁴⁰- Ibn Zughaybah, Izz al-Din, *The General Objectives of Islamic Sharia*, Dar al-Nafa'is, Jordan, 1st edition, 1436 AH–2015, pp. 132–133.

⁴¹- Atiyah, *Towards Activating Purposive Objectives*, p. 147.

⁴²- Ibn Ashour, *Objectives of Sharia*, p. 151.

as the legitimate means of procreation. It encourages the preservation of this objective by prohibiting deviant behaviours, promoting childbirth, and forbidding abortion, emasculation, and other practices⁴³.

Adultery is prohibited to safeguard lineage, as are adoption and the concealment of pregnancies. There are also specific rulings concerning the waiting period (iddah), acknowledging and denying parentage, and many other related rulings.

To this end, Sharia establishes the responsibilities of the head of the family from its formation. These include choosing a spouse of good faith and educating the wife and children in matters of belief, worship, and ethics. Great rewards are promised to those who fulfil this duty, as exemplified in the verse: 'And enjoin your family to prayer and be steadfast therein. We do not ask you to provide for us; We provide for you. The outcome is righteousness' (Ta-Ha: 132).

The absence of this principle leads to a loss of faith within the family, resulting in corruption, disintegration and the poor upbringing of future generations, who will be responsible for shaping the future.

Furthermore, the regulations address not only social and emotional aspects, but also intricate financial matters in which Islamic Sharia excels over all previous and subsequent systems. Provisions have been legislated for the dowry, various expenses for wives, divorced people, custodians, wet nurses, inheritance, bequests to close relatives, family endowments, and the burden of blood money (diya) borne by the clan. Guardianship over wealth is also covered⁴⁴.

Third: the national sphere

Sheikh Ibn Ashur was the first to explicitly point out that the five Maqasid are considered alongside the interests of the nation and individuals. He did not limit his explanation to necessities, but also clarified it with regard to needs and enhancements. He established colleges to protect the community from absence and existence, elevating from the individual to the collective in matters concerning the preservation of religion, life, intellect, lineage and wealth.

Fourth: The Human Sphere

Allah (Exalted) says, "And [mention] when your Lord said to the angels, 'Indeed, I will make upon the earth a vicegerent.' They said, 'Will You place therein one who causes corruption and sheds blood, while we declare Your praise and sanctify You?' He said, 'Indeed, I know that which you do not know'" (Al-Baqarah: 30).

⁴³- Ibn Ashour, Objectives of Sharia, p. 81.

⁴⁴- Atiyah, Towards Activating the Objectives of Sharia, p. 154.

He also stated: 'Indeed, We offered the Trust to the heavens, the earth, and the mountains, but they declined to bear it and feared it. But man undertook it. Indeed, he was unjust and ignorant' (Al-Ahzab: 72).

These verses illustrate humanity's unique status as 'vicegerents' and their entrustment with a responsibility that necessitated the granting of free will, enabling them to pass this test. In the broader human context, this conception of humanity's mission is to convey Islam as a global message directed to all people, with Muslims bearing the burden of delivering it.

The essence of this message is the obligation to worship Allah and obey His commands, while avoiding what He has forbidden⁴⁵. This approach entails wisdom, good counsel and rational discourse. Islam affords Muslims a special status, as it is regarded as a divine message transmitted through the prophets. Although some messages have been distorted, the core principles remain the same: belief in God, the Day of Judgement, and righteous deeds.

Conclusion:

After reviewing the subject of this scientific article and addressing its various aspects, the key findings and recommendations can be summarised as follows:

First: Study Results

It is evident from the various linguistic and terminological definitions that the concept of a 'college' revolves around comprehensiveness. Specifically, the terminological meaning relates to legal rulings. Colleges are rulings that encompass all individuals within their category without exception. Consequently, legal colleges are not merely partial jurisprudential rules, but represent the general principles on which legislation is based and form the overarching framework within which detailed rulings are organised. They have legislative status in the Quran, the Sunnah and the jurisprudence of the companions.

The colleges are referred to by many names, including legal principles, legal generalities and legislative objectives.

The legal colleges are distinguished by many characteristics that set them apart, including certainty, as they are broad legal rulings supported by numerous Sharia texts; comprehensiveness and universality, as their content is general and applicable to all individuals; permanence, as their application does not cease or end; and consistency, as their applicability to particulars is reliable and consistent.

⁴⁵- Al-Qaradawi, How to Deal with the Qur'an, p. 103.

The uncovering of the colleges can occur through various methods, including those defined by Al-Shatibi and Ibn Ashur, as well as contemporary methods such as reassembly, critical study, terminology research and renewal in the general writing of the Maqasid.

The Maqasid colleges can be activated in various areas, including the individual sphere (e.g. preserving one's faith and life), the family sphere, the national sphere, and the human sphere.

Second: recommendations

The research has necessitated the following recommendations:

- Emphasising the importance of re-examining the methodologies of Al-Shatibi and Ibn Ashur when uncovering the colleges and activating them in contemporary research. This will help to avoid a fragmented interpretation of texts that obscures the understanding of the Maqasid colleges.
- Formulating tools and methodological procedures to assist mujtahids in implementing the colleges and outlining how they contribute to addressing contemporary issues, particularly in modern financial transactions. This includes specifying the limits of each college and its area of application, in order to prevent either uncontrolled expansion or undue restriction, which would be contrary to the objectives of Sharia.
- Proposing a comprehensive scientific project that focuses on compiling the legal colleges, their foundations, evidence and areas of application to make them easier for researchers to reference.

List of Sources and References:

1. Ibn Hajar, Abu Al-Fadl Ahmad, Fath Al-Bari Sharh Sahih Al-Bukhari, Edited By Abd Al-Aziz Bin Baz, Dar Al-Ma'rifah, Beirut, 1379 Ah.
2. Ibn Harzallah, Abd Al-Qadir, Introduction To The Science Of Objectives Of Islamic Law: From Textual Principles To Contemporary Problems', Maktabat Al-Rushd Nashirun, Riyadh, Saudi Arabia, 1st Edition, 1426 Ah – 2005 Ce.
3. Ibn Zughaba, Izz Al-Din, The General Objectives Of Islamic Law, Dar Al-Nafa'is, Jordan, 1st Edition, 1436 Ah – 2015 Ce.
4. Ibn Ashur, The Objectives Of Islamic Law, Edited By Muhammad Al-Tahir Al-Misawi, Dar Al-Nafa'is, Jordan, 2nd Edition, 1421 Ah – 2001 Ce.
5. Ibn Manzur, Lisan Al-Arab, Edited By Abdullah Ali Al-Kabir And Others, Dar Al-Ma'arif, Cairo.
6. Abu Sulaiman, Abd Al-Wahhab Ibrahim, The Approach To Research In Islamic Jurisprudence, Dar Ibn Hazm: Beirut, 1996.

7. Al-Ansari, Farid. The Abcs Of Research In Islamic Sciences. Dar Al-Basha'ir Lil-Nashr Wal-Tawzi': Amman, Jordan, 2008.
8. Al-Bukhari, Muhammad Ibn Isma'il, Sahih Al-Bukhari, Edited By Muhammad Zuhayr Ibn Nasr Al-Nasr, Dar Tuq Al-Najat, 1st Edition, 1422 Ah.
9. Al-Huraifi, Al-Hasan. The Legal Universals In The Holy Quran. Dar Ibn Al-Qayyim Lil-Nashr Wal-Tawzi': Dammam, Saudi Arabia, 1st Edition, 1423 Ah/2002 Ce.
10. Al-Raysuni, Ahmad, The Theory Of Objectives According To Al-Shatibi, Dar Al-Kalimah Lil-Nashr Wal-Tawzi': Cairo, Egypt, 4th Edition, 1434 Ah – 2012 Ce.
11. Al-Suswa, Abd Al-Majid, 'The Paths Of Maqasid-Based Reasoning In The Jurisprudence Of The Companions', Jordanian Journal Of Islamic Studies, Issue 4, 2018.
12. Al-Shatibi, I. M., The Approvals In The Principles Of Islamic Law, Edited By A. F. Al-Dumyati, Dar Al-Ghad Al-Jadid, Cairo, 1st Edition, 1432 Ah – 2011 Ce.
13. Al-Shatibi, The Adherence, Edited By Salim Bin Eid Al-Hilali, Dar Ibn Affan: Saudi Arabia, 1st Edition, 1412 Ah/1992 Ce.
14. Atiyya, Jamal Al-Din. Towards Maqasid Activation. Dar Al-Fikr, Syria. 1st Edition. 1422 Ah – 2001 Ce.
15. Al-Ghazali, Abu Hamid Muhammad Bin Muhammad, The Sifted From The Annotations Of The Principles, Edited By Muhammad Hassan Hito, Dar Al-Fikr Al-Mu'asir: Beirut, Lebanon, 3rd Edition, 1419 Ah – 1998 Ce.
16. Al-Fayumi, Ahmad Bin Muhammad, The Illuminating Lamp, Al-Maktabah Al-'Ilmiyyah, Beirut.
17. Qasim, Muhammad Muhammad. Introduction To Scientific Research Methodologies. Dar Al-Nahdah: Beirut, 1st Edition, 1998 Ce.
18. Al-Qasimi, Abd Al-Ilah, The Legal Universals According To The Jurists: Definition And Specification', Al-Dar Al-Maghribiyyah: Morocco, 1st Edition, 1440 Ah/2019 Ce.
19. Al-Qarafi, Shihab Al-Din Ahmad Ibn Idris, The Organised Treatise On The Specific And The General, Edited By Ahmad Al-Khatm Abdullah, Dar Al-Kutub: Egypt, 1st Edition, 1420 Ah/1999 Ce.
20. Al-Qaradawi, Y., How Should We Deal With The Qur'an, Dar Al-Shuruq, Cairo, Egypt, 3rd Edition, 1421 Ah – 2000 Ce.
21. Malik Bin Anas, Al-Muwatta, Reviewed By A Selection Of Scholars (Dar Ibn Hazm Lil-Tiba'ah Wal-Nashr: Beirut, Lebanon, 3rd Edition, 1416 Ah/1996 Ce).
22. Muslim B. Al-Hajjaj, Sahih Muslim, Edited By Muhammad Fuad Abd Al-Baqi, Dar Ihya' Al-Turath Al-'Arabi, Beirut.
23. Al-Najjar, Abd Al-Majid. Chapters On Islamic Thought In Morocco. Dar Al-Gharb Al-Islami: Beirut, 1st Edition, 1992 Ce.
24. Hindu, Muhammad. The Legislative Universals And Their Impact On Interpretation And Legal Rulings. The International Institute Of Islamic Thought. Amman, Jordan. 1st Edition. 1437 Ah – 2016 Ce.