

RETHINKING TARIQ RAMADAN'S THOUGHT ON IJTIHĀD: COSMOS, SCRIPTURE, AND THE LIMITS OF SHARIA

A Thesis

**Submitted to the Master's Study Program of Islamic Studies at the
Faculty of Islamic Studies in partial fulfillment of the
requirements for the degree of**

Master of Arts (M.A.)



by:

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UNIVERSITAS ISLAM INTERNASIONAL INDONESIA

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ABSTRACT

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This study examines Tariq Ramadan's rethinking of *Ijtihād* and Sharia by analyzing his ontological, epistemological, and ethical frameworks to understand how he reconstructs Islamic legal thought for the modern world. Employing qualitative hermeneutic and comparative methods, this study generally asks how Ramadan's ideas reshape the concept of *Ijtihād*, redefine the comprehensiveness and limits of Sharia, and what implications these have for contemporary Islamic legal and ethical reform. Here, I discuss Ramadan's concept of dual epistemology or scripture that integrates the revealed text (*kitāb maṣṭūr*) and the observed universe (*kitāb manẓūr*), reframing Sharia from a legal system into a dynamic trajectory centered on *maqāṣid al-sharī'ah*. This study argues that while Ramadan redefines Sharia's comprehensiveness as ethical universality rather than legal exhaustiveness and calls for interdisciplinary *Ijtihād*, his framework still retains epistemic hierarchies privileging traditional jurists, thereby limiting its democratizing potential. I further explore how his approach implies a semi-secularist or hospitable secularism stance, wherein ethical outcomes take precedence over institutional forms, allowing secular institutions that uphold justice and dignity to reflect Islamic ethics more fully than formally Islamic structures. In the comparative part, this thesis compares Ramadan with Ismail Raji al-Faruqi, who envisions Sharia as a civilizational integrating all knowledge under *Tawḥīd*, yet risks epistemic homogenization, and with Sherman A. Jackson, who frames Sharia as jurisdictionally bounded while leaving space for moral agency beyond law. Finally, this study proposes that future Islamic legal and ethical reform requires not only epistemic unity, integrating religious scholars, scientists, and social experts as equal normative pillars to ensure Sharia remains a living moral force, faithful to its divine roots, while transformative within the complexities of modern life.

Keywords: *Dual epistemology, Ethic, Ijtihād, Islamic, Maqāṣid al-Sharī'ah, Sharia, Tariq Ramadan.*

للمختص

نتناول هذه الدراسة إعادتنا لطارق رمضان في فهم الـجته والشريعة من خلال التحليل أطرها النطولوجية والسيكولوجية وألـمخفية، لفهم الـجته التي هي ديبه لبناء الفكر القلبي السالـمي بمقتضى العمل على المصير. وملت خدام الـجته لـمخفية التلوي والقرارن منس على الدراسة لـمخفية عن سؤال جوهرى حول الـجته إعادتنا لفكر رمضان لفهم الـجته، وإعادتنا في فشـل الـجته الشريعة وحدوده، وما يتتبع على ذلك من دالات الإصلاح فلكل فكر القلبي وألـمخفية السالـمي المصير. وتناقش الدراسة في فهم رمضان حول "الزدواجية الـمغوية" أو "الثنائية النصية" التي تتدمج بين النص (القرآن) والكتاب (المصنوع) والكون (المشاهد) للكتاب (المفهوم) (بملي على أطير الشريعة من نظام قلبي صارم إلى ممارسات إلهية في محور حول قصد الشريعة. وتذهب الدراسة إلى أن رمضان، رغم إعادتنا لفهم الـجته الشريعة بوصفها علمية أخلاقية الـمختصاء قلبياً، ودعوتها إلى إضفاء تعدد التخصصات، إل أن إطاره مازال يخلط بين كل شيء مريية معوية فتضح أفضلية الفقهاء القلبيين، مما يحد من إمكانية القرائية. كما تمت لكشف الدراسة ما إذا كان نهج رمضان ينطوي على موقف شبه علمي أو "علمية نقدية" بحيث تتقدم المخرجات الأخلاقية على الشك الـمؤسسية، لم يتح للمؤسسات الـمؤسسية التي ترسخ قيمها لدول الكرامة أنتـمخس ألـمخلق السالـمي بصورة أعمق من النوى السالـمي قلة وفي القسم القرارن من القرارن السالـميين طارق رمضان ولم يـمخجل راجي لـمخفية، الذي يتصور الشريعة كشروع حضاري يدمج جيـم عالم عارف تحت مبدأ التوحيد، مع ملين طوي على ذلك من خطر التجلس العرفي، وينشئ رمان أ. جاكسون، الذي يحد الشريعة بحدود اختصاصية معترك من أجله وطلبة ألـمخفية خارج نطاق القلبي. وتلخص الدراسة إلى أن إصلاح الفكر القلبي وألـمخفية السالـمي منقبـلـمخفية أكثر من مجرد وحدة معرفية بل هي تلزم دمج الـمخفية الشرعية والـمخفية الجاهلية الـمخفية الجاهلية كإركان معيارية لتفكيك، لضمان بقاء الشريعة قوة أخلاقية حية، في ذلك دورها الإلهي، في القلبي من قدرة على التحول والستـمخفية الجاهلية الـمخفية الجاهلية.

الكلمات المفتاحية: طارق رمضان، الـجته، قصد الشريعة، الشريعة، الثنائية الـمغوية، السالـمي، ألـمخلق.

TRANSLITERATION GUIDE

Arabic	Roman	Arabic	Roman	Arabic	Roman
ا	a	س	s	ل	l
ب	b	ش	sh	م	m
ت	t	ص	ṣ	ن	n
ث	th	ض	ḍ	و	w
ج	j	ط	ṭ	ه	h
ح	ḥ	ظ	ẓ	ء	'
خ	kh	ع	'	ي	y
د	d	غ	gh		
ذ	dh	ف	f		
ر	r	ق	q		
ز	z	ك	k		

Short Vocal

Arab Alphabet	Roman Alphabet	Arabic Example	Transliteration
َ	A	فَتْح	<i>fataḥa</i>
ِ	I	عَلِمَ	<i>'alima</i>
ُ	U	حَسُنَ	<i>ḥasuna</i>

Long Vocal

Arab Alphabet	Roman Alphabet	Arabic Example	Transliteration
ِي/ا	Ā	رِضَى/قَامَ	<i>riḍā/qāma</i>
ِي	ī	قَرِيبَ	<i>qarīb</i>
ُو	Ū	جُلُوسَ	<i>julūs</i>

Diphthong

Arab Alphabet	Roman Alphabet	Arabic Example	Transliteration
وُ	Aw	قَوْمَ	<i>qawm</i>
يُ	Ay	رَيْبَ	<i>rayb</i>

Notes:

1. Consonant with shaddah (ّ) for instance سُلَّم is written as *sullam* (double letters).
2. The Arabic letter *hamzah* (ء) at the beginning of a word is transliterated into “a” not into “’a”. For instance أَكْبَر is written as *akbar* not *’akbar*, except in the middle of a term after a consonant. For example, مَرَأَةٌ is written as *mar’a*.
3. The Arabic script of *alif-lām qamariyyah* and *alif-lām shamsiyya* (ال) is written as “al” at the beginning of words. For instance الْمَجْلِس is written *al-majlis* and الرَّجُل is written *al-rajul*.
4. The Arabic letter *ta’ marbūṭa* (ة) is unwritten/invisible when it is located at the end of the words, such as سُورَةٌ is written as *sūra*. When located in the middle of a sentence is written as “t”, such as صَلَاةُ الْمَغْرِبِ is written *ṣalāt al-maghrib*

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CHAPTER I

INTRODUCTION

1.1 Background

The advance in science and technology have established rationality and efficiency as dominant paradigms, thus shaping how society engages with modernity. It seems that embracing rationality, change, and freedom, as well as modernism – has placed autonomy and progress as key values for being an advanced human. Within this framework, embracing rationality, change, and autonomy has often been positioned as essential for progress. Consequently, traditional religious systems, including Islam, are frequently challenged to adapt to modern values or risk being perceived as archaic.¹

Historically, in Islamic tradition, the foundational framework is Islamic Jurisprudence or Sharia, which is derived from the Qur'an and Hadith, with the interpretations of *Fiqh* made and agreed upon by the scholars over centuries. However, its application is not limited to the texts themselves but also needs the reasoning and interpretation of scholars, known as *Ijtihād*. Furthermore, many issues can be debated, especially as society progresses and modern values emerge, then the tension arises between tradition and modernity, particularly in Islamic jurisprudence. For instance, Islamic inheritance law, based on the Qur'an expression: "*Allah commands you concerning your children: for the male, what is equal to the share of two females...*" (Qur'an, 4:11).

Thus, it allocates male heirs twice the share of women, reflecting traditional roles where men bear greater financial responsibility. *Tafsīr Ibn Kathīr* aligns this distribution with men's financial duties, while in the modern context, trying to explore provisions for equal inheritance when circumstances, such as women being breadwinners. Thus, *Ijtihād* is a critical bridge between tradition and modernity, balancing classical interpretations with emerging societal values.

¹ Tariq Ramadan, *Islam, the West and the Challenges of Modernity* (Kube Publishing Ltd, 2009), 32.

In the word *Ijtihād* (اجتهاد) comes from the Arabic root j-h-d (ج-ه-د), which means “to exert effort” or “to strive”. In this context, *Ijtihād* exerts maximum rational and intellectual effort to obtain a legal judgment or opinion. *Ibn Qayyim al-Jawziyya* (d. 1350 CE), in his work *Iʿlam al-Muwaqqiʿin*, *Ijtihād* enables scholars to align Islamic rulings with the objectives of Sharia and interpret Islamic teachings with evolving social contexts. This process underscores the adaptability of Islamic jurisprudence, where principles derived from divine revelation intersect with human efforts to address changing needs.² Despite its adaptability, it has proven that *Ijtihād* is not closed.³ *Ijtihād* often becomes a “contested arena”, especially in addressing contemporary challenges while preserving the essence of the Qur’anic message, in raising debates about the permissible limits of reinterpretation within the framework of tradition.⁴

However, despite its adaptive potential, *Ijtihād* continues to be a deeply contested arena within Islamic legal discourse. The enduring tension between preserving textual fidelity and embracing contextual reinterpretation has long divided scholars along ideological lines, a divide that has become even sharper in the modern period. There is no disagreement among scholars that the core principles of Islam, rooted in the Quran and Sunnah, are immutable and must remain protected from reinterpretations that could dilute their theological integrity. For example, *Imām al-Ghazālī* (d. 1111) argued that while *Ijtihād* is vital for addressing issues not explicitly covered in revelation, its practice must operate within the boundaries set by established legal methodologies to ensure coherence and fidelity to divine intent.⁵ Also, *Ibn Taymiyyah* (d. 1328) insisted on strict adherence to scriptural sources, cautioning against speculative reasoning that departs from the textual foundations of Islamic law. For these scholars, *Ijtihād* was not a free use of reason or rational thinking but a disciplined process governed by

² “Mohammad Hashim Kamali, *Principles of Islamic Jurisprudence*. Cambridge: Islamic Texts Society 2005),” 315.

³ Wael B. Hallaq, “Was the Gate of Ijtihād Closed?” *International Journal of Middle East Studies* 16, no. 1 (1984): 32, <https://www.cambridge.org/core/journals/international-journal-of-middle-east-studies/article/was-the-gate-of-ijtihad-closed/>.

⁴ Tariq Ramadan, *Radical Reform: Islamic Ethics and Liberation* (Oxford; New York: Oxford University Press, 2009), 35–50.

⁵ Abū Hāmid Muḥammad ibn Muḥammad al-Ghazālī, *al-Mustasfā min ʿIlm al-Uṣūl*, Second Volume, *Classical Works on Uṣūl al-Fiqh* (Dār al-Ṭayyibah, 2005), 350–60.

revelation, consensus, and the accumulated wisdom of previous jurists. They believed that unrestrained reinterpretation risks compromising the moral and theological order that Sharia seeks to establish and preserve in society.⁶

On the other hand, contemporary scholars such as Muḥammad ‘Abduh (d. 1905), Fazlur Rahman (d. 1988), and Tariq Ramadan argue that *Ijtihād* must be reimagined as a dynamic, contextually engaged methodology capable of integrating emerging ethical, scientific, and social knowledge while remaining faithful to the *maqāṣid* of Sharia. Fazlur Rahman, for instance, critiqued the positivist reduction of the Quran into a rigid legal code, arguing instead for a double movement hermeneutic wherein the socio-historical context of revelation informs its contemporary moral application. He highlighted the centrality of reasoned reflection in deriving actionable norms from broad ethical directives. ‘Abduh, through his writings on *Tafsīr al-Manār* and Islamic reform, emphasized that the true purpose of revelation is to guide humanity towards justice, rationality, and ethical progress. By arguing that Islamic law must be interpreted in light of changing contexts and human welfare, highlighting that reason is essential in deriving rulings that align with the *maqāṣid*.⁷

Building upon and extending these contemporary trajectories, Tariq Ramadan articulates a profound epistemic shift grounded in what he describes as dual epistemology or the dual books. For Ramadan, divine guidance is manifested in two sources: *kitāb maṣṭūr* (the revealed text) and *kitāb manẓūr* (the observed universe). Revelation and creation are both expressions of God’s will, and meaningful *Ijtihād* requires reading both books together. In his book, *Radical Reform: Islamic Ethics and Liberation* (2008), he writes:

“*Ijtihād* is not only a matter of legal judgment but also a comprehensive effort to interpret the sources in ways that consider the broader ethical objectives of Islam”.⁸

Ramadan’s ontological framework thus challenges classical conceptions of

⁶ Wael B. Hallaq, *Shari’a: Theory, Practice, Transformations*, First Edition, Single Volume (Cambridge University Press, 2009), 146–50.

⁷ Yvonne Yazbeck Haddad, *Contemporary Islam and the Challenge of History* (State University of New York Press, 1982), 13–25.

⁸ Ramadan, *Radical Reform*.

Sharia's comprehensiveness, redefining it from juridical exhaustiveness to ethical universality. Sharia, in his vision, is not a totalizing legal system that legislates every human action but a dynamic moral trajectory guiding human beings towards justice, dignity, and stewardship across all domains of life—spiritual, social, scientific, and ecological. This redefinition expands the epistemic scope of *Ijtihād* to include interdisciplinary knowledge, positioning scientists, ethicists, economists, and social theorists as co-legislators in the moral life of Muslim societies.

Yet, as analyzed in my thesis, Ramadan's framework retains significant tensions. While he calls for epistemic inclusivity and interdisciplinary *Ijtihād*, traditional juristic authority remains privileged as the final arbiter of legitimacy, limiting the transformative potential of his democratizing vision. Moreover, his ethical model, by shifting the focus of Sharia from law to ethics, places a significant moral burden upon individual believers without providing clear institutional mechanisms for resolving epistemic conflicts between textual interpretations and empirical findings. This thesis seeks to critically examine how Tariq Ramadan reconceptualizes *Ijtihād* through his ontology of the cosmos, to explore the implications of his scripture, which are the dual epistemology or two books, for understanding the comprehensiveness and limits of Sharia, and to assess the hermeneutical, ethical, and institutional consequences of his reconfiguration for contemporary Islamic legal thought. By situating Ramadan's approach within broader comparative frameworks, particularly alongside Ismail Raji al-Faruqi's civilizational model and Sherman A. Jackson's Islamic secular framework, this study aims to contribute to the ongoing discourse on Islamic legal reform, revealing how Sharia can be reimagined as a dynamic, ethically grounded path capable of addressing the complexities of the modern world while remaining anchored in divine intentionality.

This thesis is not written to either defend or oppose Ramadan's thought. Rather, it offers a critical examination of how his dual epistemology, which is grounded in the two "Books" of revelation and creation, reshapes the way we understand the comprehensiveness and limits of Sharia. On the other hand, this thesis acknowledges the influence of Ramadan's socio-political background, in

particular his family ties to the Muslim Brotherhood and his intellectual formation in Europe. It does not take this as its primary discussion and contribution. Rather, the socio-political context is presented to situate his intellectual trajectory. At the same time, the core of this study lies in analyzing his epistemological framework and its implications for the limits and comprehensiveness of Sharia. The analysis shows that Ramadan's framework moves beyond the traditional monopoly of the Ulama by giving contemporary experts, such as scientists, ethicists, or other fields, an equal voice in the process of interpretation. In doing so, Sharia is reimagined not as an exhaustive legal code, but as a dynamic ethical framework that speaks to the realities of modern life. To deepen this discussion, the thesis places Ramadan in dialogue with Ismail Raji al-Faruqi and Sherman A. Jackson, by highlighting how much employ ethics in different ways to renegotiate the boundaries of Sharia. Moreover, the contribution of this study is both intellectual and methodological, showing how an interdisciplinary and ethically grounded approach can open new possibilities for Islamic legal thought today.

1.2 Literature Review

This chapter brings together the key scholarly works that inform the central inquiry of this thesis. Rather than offering a general overview of Islamic reform, the review is structured along two unrelated strands. The first looks closely at studies on Tariq Ramadan's intellectual framework, especially his rethinking of *Ijtihād*. The second focuses on broader debates surrounding the nature, boundaries, and always be claimed comprehensiveness of Sharia. Together, these perspectives help illuminate where existing conversations stand and where this study seeks to intervene.

While many discussions focus on Ramadan's role in the politics of reform, or the way he sees ethics, or his vision on *Fiqh al-aqallīyāt*, by saying that:

"We must stop thinking in terms of fiqh al-aqallīyāt, or legal exceptions for minorities. What we need is a fiqh al-mawāṭānah, a jurisprudence of full and responsible citizenship, one that engages

with society ethically, not just legally⁹

This thesis takes a step further. It aims to explore the ontological and epistemological foundations of his thought, especially how his dual conception of two books of divine communication—*kitāb maṣṭūr* (the revealed text) and *kitāb manzūr* (the observed universe)—reshapes the outline of Islamic legal thinking

1.2.1 *Tariq Ramadan's Framework*

Ramadan's key works advance a vision of *Ijtihād* as an ethical and epistemological endeavor that transcends legal formalism. In *Western Muslims and the Future of Islam*, he advocates contextual jurisprudence grounded in *maqāṣid al-sharī'ah*, designed for Muslims navigating Western contexts.¹⁰ On the other hand, he expands this framework into a full-fledged methodology of reform that includes ethical reasoning and contributions from disciplines beyond the religious sciences. Therefore, he reconfigures *Ijtihād* by proposing a dual epistemology or two books, which are known as *kitāb maṣṭūr* (the written or text book) and *kitāb manzūr* (the observed world book).¹¹

Moving to another topic in his work, *The Messenger* emphasizes the Prophet's moral consciousness over legal precedent. The prophet Muhammad, primarily as a source of juridical precedents, Ramadan presents him as an ethical exemplar whose life offers dynamic moral guidance adaptable to changing contexts. This biographical work marks an important moment in Ramadan's attempt to shift the interpretive center of Islam from strict legalism to ethical deliberation rooted in lived experience.¹² On the other hand, Ramadan enters into Islamic theology by presenting foundational Islamic concepts while underscoring the need for internal reform through knowledge, spiritual engagement, and ethical renewal. It reflects not only for Muslim but also non-Muslim audiences, reflecting his commitment to bridging traditional knowledge with modern intellectual sensibilities.¹³

⁹ Tariq Ramadan, *Western Muslims and the Future of Islam* (Oxford University Press, 2004), 119.

¹⁰ Ramadan, *Western Muslims and the Future of Islam*.

¹¹ Ramadan, *Radical Reform*.

¹² Tariq Ramadan, *The Messenger The Meanings Of The Life Of Muhammad*, 1st Edition, vol. 1 (Oxford University Press, 2007).

¹³ Tariq Ramadan, *Introduction to Islam* (Oxford University Press, 2017).

The other works from Ramadan that detail ethics are *The Essentials of Islamic Ethics*, which addresses concerns with the ethical core of Islamic law. He reiterates that ethics must not follow legal decisions but precede and inform them. He argues for a profound shift in Islamic legal theory, where ethical inquiry rooted in both revelation and empirical knowledge becomes the primary norm production.¹⁴ These works reflect Ramadan's consistent intellectual trajectory: to reorient Islamic legal thinking away from formalism, a dialogical and interdisciplinary model of *Ijtihād*.

While Andrew F. March, in his work *Islam and Liberal Citizenship*, engages with Ramadan's ideas about citizenship and pluralism, viewing him as a key Muslim thinker operating within the Western liberal framework. However, his analysis is largely concerned with the political theory implications of Ramadan's work,¹⁵ because Ramadan puts forth critiques of authoritarian tendencies of Muslim-majority states and the institutional of religious authorities, by arguing that political reform must be accompanied by intellectual reform rooted in a renewed understanding of Islamic ethics and pluralism. And Andrew does not delve into the ontological or epistemological shifts that Ramadan proposes.¹⁶ Following Johansen, known for his work on the ethical dimensions of classical Islamic law, offers valuable insights that resonate with Ramadan's goals. His approach is analytical philosophy followed by comparative ethics; instead of his interest in how Ramadan's ethics function within secular politics, he is not focused on how Ramadan's dual epistemology reshapes Sharia as a moral legal system beyond the political domain.¹⁷

Tariq Ramadan's approach to *Ijtihād* emphasizes contextualizing Islamic law through *maqāṣid al-Sharia* to address modern challenges like pluralism, social justice, and Muslim minority rights while maintaining fidelity to foundational

¹⁴ Tariq Ramadan, *Islam The Essentials*, 1st ed., vol. 1, History, Islamic Religion (Penguin Random House, 2017).

¹⁵ Andrew F. March, *Islam and Liberal Citizenship: The Search for an Overlapping Consensus* (Oxford University press, 2009).

¹⁶ Tariq Ramadan, *Islam and the Arab Awakening* (Oxford University Press, 2012).

¹⁷ Baber Johansen, *Contingency in a Sacred Law: Legal and Ethical Norms in the Muslim Fiqh*, Middle East and Islamic Studies - Book Archive Pre-2000 7 (Brill, 1999), <https://doi.org/10.1163/9789004660120>.

principles.¹⁸ Ramadan's positioning as a bridge between Islamic tradition and European identity portrays him as a scholar who embodies both Arab heritage and European citizenship while navigating the tensions between Islam and Secular Western society. Therefore, Ramadan's reform project focuses on contextual reinterpretation of Islamic texts in light of modern contexts, aiming to resolve identity crises faced by Western Muslims and to make Islamic teachings compatible with modern human rights and ethical frameworks.¹⁹ However, critiques such as Caroline Fourest's 'double speaker' argument question the authenticity of his reformist claims, attributing ambiguities in his rhetoric to a neo-traditionalist stance.²⁰ Furthermore, Fourest examines Ramadan's writings and speeches, identifying instances where his language appears ambiguous. He criticizes his invocation of Islamic ethics and *Ijtihād* as tools for reform. He shows that these concepts are used more to appease Western audiences than to effect genuine change in Islamic jurisprudence. Fourest further attributes Ramadan to a neo-traditionalist stance, where his reforms remain rooted in a conservative framework that rejects a deeper structural critique of Islamic law. However, this critique lacks an in-depth exploration of specific applications of *Ijtihād* in Ramadan's work. Ramadan uses a normative-reconstructive methodology that centers ethical principles like justice, dignity, and universality while breaking disciplinary boundaries, with the central questions, for instance, how can Islamic law remain faithful to revelation while being responsive to contemporary ethical and social realities?

Moreover, Tariq Ramadan believes *Ijtihād* is essential for solving modern problems while staying true to Islamic values.²¹ He suggests focusing on principles like justice, dignity, and coexistence to keep Islamic teachings relevant today. He also stresses the need for openness and dialogue between cultures to build understanding.²² Ramadan sees *Ijtihād* as a way to connect tradition with modern life without losing Islam's core principles. In another way, he explores the

¹⁸ Ramadan, *Western Muslims and the Future of Islam*.

¹⁹ Abdeladim Zehani, "Who Is Tariq Ramadan?," *International Journal of Academic Research in Business and Social Sciences* 12, no. 5 (2022), <https://doi.org/10.6007/ijarbss/v12-i5/13909>.

²⁰ Caroline Fourest, *Brother Tariq: The Doublespeak of Tariq Ramadan*, 1st ed., Tariq Ramadan, Muslim Scholars (Encounter Books, 2008), 45–68.

²¹ Tariq Ramadan, "The Quest for Meaning," *ISBN:978-1-84-614152-2*, June 24, 2010, 6–25.

²² Ramadan, *Introduction to Islam*, 95–102.

application of *Ijtihād* in addressing challenges faced by Muslim minorities, emphasizing the importance of contextualizing Islamic law to foster coexistence, pluralism, and social justice. Scholars called Ramadan a “double speaker”,²³ progressive reform,²⁴ his tendencies as a Neo-modernist,²⁵ and even a Liberalist Muslim scholar.²⁶ Moreover, his work with a balanced approach, emphasizing the dialectical relationship between tradition and modernity and advocates for a jurisprudential model rooted in Islamic values that responds to contemporary ethical frameworks.²⁷ Furthermore, indirectly situates Ramadan’s thought within broader postmodern critiques of totalizing knowledge systems by examining how deconstruction challenges ontological, epistemological, and ethical absolutes in Islam.²⁸

What sets this thesis apart is its epistemological focus. While previous works have explored Ramadan’s ethics, politics, or jurisprudential reforms, this study asks what happens when *Ijtihād* becomes not only ethical but ontological? It investigates how Ramadan’s concept of dual revelation reshapes the very conditions under which Islamic legal authority. Additionally, the complexity that Fourest’s concern on his double speaker, at the same time, this work reflects on Ramadan’s understanding of ethics that addressing other groups.

1.2.2 Limits and Comprehensiveness of Sharia

This thesis also draws on the literature that addresses the nature, reach, and ethical role of Sharia. Khaled Abou El Fadl, for instance, came with a question on what moral principles must guide the legitimate interpretation of Sharia? Therefore, he reframes Sharia as a moral discourse rooted in dignity, beauty, and justice rather than mere legal compliance.²⁹ He critiques both fundamentalists who instrumentalize Sharia as coercive law and secularists who dismiss it as irrelevant. For Abou Fadl,

²³ Fourest, *Brother Tariq: The Doublespeak of Tariq Ramadan*.

²⁴ John L. Esposito, *The Future of Islam* (Oxford university press, 2010).

²⁵ Ibrahim Kalin John L. Esposito, *Islamophobia: The Challenge of Pluralism in the 21st Century*, One (Oxford University Press, 2011), 90.

²⁶ Olivier Roy et al., *Secularism Confronts Islam* (Columbia University Press, 2007), 58–60.

²⁷ Ramadan, *The Quest for Meaning*, 1:157–174.

²⁸ Ahmad Achrati, “Deconstruction, Ethics and Islam,” *Arabica* 53, no. 4 (2006): 472–510, <https://doi.org/10.1163/157005806778915119>.

²⁹ Khaled Abou El Fadl, *Reasoning with God: Reclaiming Shari’ah in the Modern Age* (Rowman & Littlefield, 2014), 291–328.

the legitimacy of Sharia lies in its ability to cultivate ethical virtue and moral flourishing. Yet, he warns that rigidly applying classical rulings without moral reasoning risks transforming Sharia into oppressive formalism devoid of its original ethical. His work thus opens space for interrogating whether Islamic law, as currently institutionalized, retains its moral relevance in pluralistic societies.³⁰ Unlike Abou El Fadl, who stays within classical interpretive structure, Ramadan suggests a different ontology: that the universe itself is a revelatory text by shaping legal normativity.

Ismail Raji al-Faruqi based on his question, how can Islamic metaphysics restructure all human knowledge domains? He offers a different trajectory by expanding Sharia's meaning beyond jurisprudence into a civilizational framework grounded in *tawhīd* (divine unity).³¹ His Islamization of Knowledge project envisions a total epistemic reconstruction wherein modern disciplines are realigned with Islamic ontological and ethical foundations. For Faruqi itself, Sharia's comprehensiveness encompasses art, aesthetics, economics, politics, and epistemology, integrating them under a unified worldview.³² However, his project risks epistemic homogenization, raising critical questions about whether integrating all knowledge within an Islamic paradigm allows for pluralism, scientific autonomy, and intercultural dialogue in a globalized context.

While Faruqi's approach reclaims Sharia as a civilizational force capable of shaping all domains of life, it raises a critical tension: does epistemic integration risk homogenizing diverse knowledge systems under a singular Islamic narrative? In aiming for ontological unity, Faruqi's project leaves unanswered whether pluralism, scientific autonomy, and intercultural dialogue can thrive within an Islamized epistemic paradigm. While Faruqi aims for epistemic integration, this thesis tries to compare with his idea, in particular, the limits of Sharia and its comprehensiveness. On the other hand, this position opens space for scholars like Sherman A. Jackson, who, rather than seeking total integration, interrogate the very limits and boundaries

³⁰ Fadl, 405–411.

³¹ ISMA'ĪL R. AL FĀRŪQĪ, *Al-Tawhīd: Its Implications For Thought and Life*, 4th ed., Islamic Theology 4 (The International Inst. of Islamic Thought, 1998), 4:1–10.

³² ISMA'ĪL R. AL FĀRŪQĪ, *Al-Tawhīd: Its Implications For Thought and Life*, 4:1–15.

of Sharia's jurisdiction in his work "*The Islamic Secular*". Jackson offers a sophisticated reconfiguration of Sharia's function in modern pluralistic contexts. Instead of framing Sharia as an all-encompassing civilizational system, he distinguishes between its juridical jurisdiction, where legal rulings directly apply, and domains beyond Sharia's legal scope, which remain under God's gaze but are left to human discretion rather than being regulated by formal law.³³

Marakeby's takes part, which is valuable here. He offers the boundaries of Sharia in both classical and contemporary Islamic legal discourse. Importantly, Marakeby's primary concern is not with Tariq Ramadan, but with the broader and deeper problem of how the limits of Sharia are conceptualized, historically, and normatively. His assumption of Sharia's all-encompassing scope often leads to a conceptual slippage between the positive and negative Sharia.³⁴ Significantly, Marakeby introduces the ethical question of whether these non-regulated spaces can remain ethically neutral, which modern thinkers have increasingly used ethics as a means to either expand or contract the domain of the non-regulated. Comes with critique, particularly of Ramadan and Abou El Fadl, for framing Sharia almost exclusively through ethics.

Moreover, Ramadan emerges with a distinctive ontological and epistemological reconstruction that redefines the scope and function of *Ijtihād*. Unlike Faruqi, who envisions Sharia as a total civilizational framework, or Jackson, who delimits Sharia's jurisdiction to open ethical spaces, Ramadan conceptualizes *Ijtihād* as an interdisciplinary ethical methodology that operates within his two books of *kitāb maṣṭūr* (revealed text) and *kitāb manẓūr* (the observed universe). Adis Duderija, in his work "*Islamic Groups and Their World-Views and Identities: Neo-Traditional Salafis and Progressive Muslims*," focuses on between Neo-Traditional Salafis and Progressive Muslims, mentioning Ramadan as one of 'six major tendencies' or 'trends of thought'³⁵ regarding the interpretation of the Quran and Sunnah by

³³ Sherman A. Jackson, *The Islamic Secular*, 1st ed. (Oxford University Press New York, 2024), 27–55, <https://doi.org/10.1093/oso/9780197661789.001.0001>.

³⁴ Muḥammad Almarākibī, "The Non-Regulated by Sharī'a: Ethics and (Re)-Defining Sharī'a Limits," 2021.

³⁵ Based on Tariq Ramadan's *Western Muslims and The Future of Islam*, the six major tendencies is the result about he identified among Muslims whose thinking and engagement take Islam

contemporary Muslims living in societies that are predominantly on-Muslim populated societies. Of these six typologies, three include the term Salafism/Salafī. He does not explicitly discuss Ramadan's dual epistemology of *kitāb maṣṭūr* (revealed text) and *kitāb manẓūr* (the observed universe), nor does he analyze Ramadan's integration of empirical and ethical sciences into *Ijtihād* in detail.³⁶ This framework reframes Sharia not as a set of exhaustive juridical rulings, but as a moral trajectory that integrates revelation with empirical reality to address modern ethical, scientific, and social challenges. Ramadan broadens it to include insights from natural and social sciences, ethics, and lived human experiences. This moves positions scholars from diverse disciplines as co-legislators in interpreting and applying Islamic ethic and challenging traditional monopolies. However, while his interdisciplinary model seeks to democratize *Ijtihād*, scholars such as Caroline would be asked whether his emphasis on ethics and interdisciplinary results in genuine structural reform or merely repackages traditional frameworks in modern terminology. Thus, Ramadan's contribution lies in shifting the discourse from legal formalism to ethical universality, but it also raises critical questions about whether his approach sufficiently reconfigures institutional authority to operationalize his vision.

Finally, there remains a crucial gap in understanding how Tariq Ramadan's unique perspective fundamentally reshapes the very foundations of Sharia. However, few delve into the deeper question of how his concept of *kitāb maṣṭūr* (revealed text) and *kitāb manẓūr* (the observed universe) transforms the ontology, comprehensiveness, and limits of Sharia itself. While scholars often highlight Ramadan's call for ethical renewal, there has been little exploration of what it means to treat empirical sciences and natural observations not merely as supplementary tools but as co-legislative sources alongside revelation. This raises some important questions: Does his model truly dismantle classical authority hierarchies, or does it simply repackage them within contemporary ethical language without

as primary reference are: Scholastic Traditionalism, Salafi literalism, Salafi Reformism, Political Literalist Salafism, "Liberal or "Rationalist" Reformism, and Sufism.

³⁶ Adis Duderija, "Islamic Groups and Their World-Views and Identities: Neo-Traditional Salafis and Progressive Muslims," *Arab Law Quarterly* 21, no. 4 (2007): 345–346, <https://doi.org/10.1163/026805507x247554>.

fundamentally altering their structure? Does integrating scientific and social knowledge as part of *Ijtihād* redefine the comprehensiveness of Sharia in practice, and impact to its limits, or remains a theoretical ideal?

This thesis seeks to fill these gaps by examining how Ramadan's ontology of the universe underpins his rethinking of *Ijtihād* as an interdisciplinary ethical method, and how this, in turn, redefines Sharia's comprehensiveness and limits not as an exhaustive legal code but as a dynamic moral framework rooted in the dual epistemology. In doing so, this study aims to understand whether Ramadan's vision offer a genuinely transformative pathway for Islamic legal thought in the modern world of if it remains confined within inherited limitations that continue to shape its application today.

1.3 Research Questions and Hypotheses

The study seeks to address the following questions:

1.3.1 How does Tariq Ramadan reconceptualize *Ijtihād* as an ethical, epistemological, and interdisciplinary methodology grounded conception of the universe as a source of legislation?

1.3.2 In what ways does Ramadan's duals epistemology or the two books (*kitāb maṣṭūr* and *kitāb manẓūr*) redefine the comprehensiveness and limits of Sharia?

1.3.3 What are the hermeneutical, ethical, and institutional implications of Ramadan's reconfiguration of *Ijtihād* and Sharia for contemporary Islamic legal thought?

1.3.4 How does Ramadan's rethinking of *Ijtihād* and Sharia compare to the approaches of Ismail Raji al-Faruqi and Sherman A. Jackson in addressing the comprehensiveness and limits of Sharia within contemporary Islamic intellectual discourse?

1.4 Research Limitations

This study is primarily conceptual and textual, focusing on the analysis of Tariq Ramadan's ontological, epistemological, and methodological frameworks. It does

not include empirical fieldwork or investigate the direct application of his ideas within Islamic legal institutions or Muslim communities. Although Ramadan's works are available in English and French, with some references also in Arabic, this thesis relies predominantly on English translations. As a result, certain nuances of terminology, expression, and conceptual subtlety present in the original French or Arabic texts may not be fully captured.

The thesis concentrates specifically on Ramadan's rethinking of *Ijtihād* and Sharia, particularly concerning their comprehensiveness and limitations. While it engages comparatively with scholars such as Ismail Raji al-Faruqi and Sherman A. Jackson, the comparison is selective and aimed at shedding light on Ramadan's reconstruction of *Ijtihād* and Sharia. It does not attempt to present an exhaustive survey of all classical or modern reformist approaches to *Ijtihād*. Furthermore, this research is designed to explore the ontological, epistemological, and ethical dimensions of Ramadan's thought. It does not offer prescriptive legal reform proposals, institutional policy models, or practical mechanisms for applying *Ijtihād* or collective *Ijtihād* in contemporary Muslim contexts.

1.5 Expected Results

Tariq Ramadan's rethinking of *Ijtihād* is built upon a distinctive dual epistemology that draws on both *kitāb maṣṭūr* (the revealed text) and *kitāb manẓūr* (the observed universe). By placing these two "books" in conversation, he positions *Ijtihād* not merely as a legal tool, but as a rich, interdisciplinary process—one that brings revelation into dialogue with empirical and contextual knowledge. This approach broadens the scope of Islamic normativity, inviting insights from ethics, science, and the social world to contribute alongside traditional sources.

In doing so, Ramadan also redefines the comprehensiveness of Sharia. Rather than viewing it as a system of juridical exhaustiveness, he frames it as an evolving moral trajectory, rooted in *maqāṣid al-sharī'ah* and directed toward justice, dignity, and human flourishing. Sharia, in his vision, is less about regulating every detail of life and more about guiding believers through the ethical complexities of the modern world—while remaining faithful to divine intent. However, despite the innovation

of his vision, Ramadan's framework is not without limitations. While calling for greater inclusivity and interdisciplinarity, he ultimately preserves traditional juristic authority as the gatekeeper of legitimacy. His model lacks clear institutional mechanisms for resolving conflicts between scriptural interpretation and contemporary knowledge, leaving unresolved how such tensions might be adjudicated in practice.

Thus, while Ramadan offers a compelling ethical reorientation of Islamic legal thought, his project remains only partially transformative. It gestures toward reform but stops short of fully dismantling the classical hierarchies it critiques. This thesis argues that realizing the full potential of his paradigm requires a move beyond epistemic complementarity—where different fields merely inform the process—to epistemic unity, where scientists, ethicists, and jurists stand as equal partners in shaping Islamic ethical reasoning. Only then can his vision of a truly responsive and inclusive Sharia begin to take root.

1.6 Methods

This study begins with a close reading and critical analysis of Tariq Ramadan's primary works—especially *Radical Reform* and *Western Muslims and the Future of Islam*—to unpack the foundations of his thought. Through this reading, the research aims to systematize his ontological, epistemological, and methodological frameworks, with particular attention to how he constructs a dual epistemology and reimagines the boundaries of *Ijtihād* and Sharia in light of contemporary ethical and social realities.

The next step involves a comparative analysis between Ramadan and two other key figures in modern Islamic thought: Ismail Raji al-Faruqi and Sherman A. Jackson. This comparison focuses on how each thinker envisions the comprehensiveness and limits of Sharia. Al-Faruqi's project of the "Islamization of Knowledge" is explored as a civilizational and ontological effort rooted in *tawhīd*, while Jackson's concept of the "Islamic Secular" offers a framework for understanding the normative boundaries between religious and political authority. In contrast, Ramadan's model of ethical and interdisciplinary *Ijtihād*, which is grounded in the interplay between *kitāb maṣṭūr* (the revealed text) and *kitāb manẓūr*

(the observed universe), presents a distinct approach to ethical reasoning in the modern world.

By placing these thinkers in dialogue, the study draws out both points of convergence, such as their shared emphasis on ethical purposiveness and critiques of legal formalism, and key differences, including their positions on classical authority, secularism, and the hierarchy of knowledge. This comparative lens allows for a richer understanding of each framework's implications for the scope, adaptability, and legitimacy of Sharia in diverse contemporary contexts.

Finally, the research offers a theological, ethical, and institutional evaluation of Ramadan's reconfiguration of *Ijtihād*. It asks whether his call for epistemic inclusivity, bringing scripture and empirical knowledge into mutual engagement, translates into meaningful structural transformation within Islamic legal discourse. This includes examining to what extent Ramadan's paradigm empowers Muslim ethical agency today, reshapes traditional authority, and addresses the complex relationship between divine revelation and modern empirical realities

1.7 Overview of the Study

In Chapter One, as an introduction, will introduce the research background, highlight the problem statement, outline the significance of rethinking Tariq Ramadan's conception of *Ijtihād* and Sharia, and present the research questions, objectives, and methodological orientation. It will set the stage by situating Ramadan's project within broader debates on Islamic legal thought, ontology, and epistemology. For the second chapter, Tariq Ramadan and The Reconstruction of Islamic Thought will explore Ramadan's intellectual genealogy, detailing his life, journey in education, and formative influences, including his exposure to both classical Islamic scholarship and Western philosophical traditions. It will analyze his general thought and intellectual project, emphasizing his commitment to ethical reformism and his positioning as an interlocutor between tradition and modernity. This chapter establishes Ramadan's epistemic and ethical motivations as foundational to understanding his reconfiguration of *Ijtihād* and Sharia

In Chapter Three, The Concept of Sharia and Universe in The Thought of Tariq

Ramadan, we will delve into Ramadan's ontology of the universe, focusing on his dual epistemology of two books of *kitāb maṣṭūr* (revealed text) and *kitāb manẓūr* (observed universe). It will analyze how he redefines Sharia's comprehensiveness from juridical to moral universality and explore the limits of Sharia in his thought. Additionally, it will examine his critique of classical authority structures, his emphasis on interdisciplinary *Ijtihād*, and the implications for the role of Ulama and scientists in ethical deliberation. In Chapter Four, Rethinking The Comprehensiveness and Limits of Sharia: A Comparative Analysis of Tariq Ramadan, Ismail Raji al-Faruqi, and Sherman A. Jackson, provides a comparative assessment of Ramadan's thought alongside Ismail Raji al-Faruqi's civilizational framework and Sherman A. Jackson's concept of the Islamic Secular. It will analyze their differing approaches to Sharia's comprehensiveness and limits, their epistemological and methodological divergences, and the implications of their models for contemporary Islamic legal, ethical, and institutional thought.

And the final chapter is Conclusion, which will summarize the key findings of the research, reflecting on Ramadan's reconfiguration of *Ijtihād* and Sharia as an ethical, ontological, and epistemological project. It will assess the theoretical contributions and limitations of his model, discuss its practical and institutional implications, and propose recommendations for further research on the integration of religious and empirical epistemologies in Islamic legal reform.

CHAPTER II

TARIQ RAMADAN AND THE RECONSTRUCTION OF ISLAMIC THOUGHT

2.1 Chapter Introduction

Contemporary Islamic intellectual discourse is marked by a renewed engagement with tradition and a persistent call for reform. At the center of this movement stands Tariq Ramadan, a scholar whose work attempts to navigate the tension between fidelity to Islamic sources and responsiveness to the modern ethical, social, and political realities. His writings, teachings, and reformist vision have given both admiration, inspiration, even its controversy, which has been highlighted by some as a voice of ethical renewal and denounced by others for unsettling inherited certainties.

So, in this part, I would like to discuss how a Muslim thinker raised in the heart of secular Europe became a leading voice in global Islamic reform. What intellectual traditions does he draw on, and how do his intellectual works on Islamic law resonate with classical and contemporary ideas? Moreover, I aim to explore these questions through a detailed exposition of Tariq Ramadan's background, the core themes of his thought, and his broader intellectual project. Here, I will also discuss where he comes from, how he was shaped, what ideas he promotes, and why his project deserves to matter in the Islamic field, which is not only to the field of Islamic law, but to the wider conversation on the moral limitations and potentials of Sharia in the modern world.

2.2 Tariq Ramadan's Life and His Education

Tariq Ramadan is one of the most prominent Muslim intellectuals of the 21st century, known for his efforts to harmonize Islamic tradition with the complexities of modern life. Born in Geneva, Switzerland, in 1962, his father, Said Ramadan (d. 1995), was a key figure in the Islamist movement because he was the leader of the

Muslim Brotherhood in Europe and a close associate of Ḥasan al-Bannā (d. 1949).³⁷ Ramadan benefited from a double education; on one hand, he received an Islamic education at the Islamic Centre of Geneva, which is a religious and political center of the Muslim Brotherhood, run by his family, and on the other hand, he became exposed to Islamism and the ideology of the Muslim Brotherhood.³⁸

Ramadan completed his primary and secondary education in Switzerland, a secular context that exposed him early to Western rationalism, Enlightenment values, and European academic traditions. This exposure did not create a rupture with his Islamic identity but rather seeded the tension that would define his scholarly career: the search for an Islamic ethical system capable of dialoging with modern pluralism.

He went on to study French literature and philosophy at the University of Geneva, where he also earned a Ph.D. in Arabic and Islamic Studies. His

³⁷ It is widely known and frequently cited in academic and journalistic literature that Tariq Ramadan is the maternal grandson of Ḥasan al-Bannā (1906–1949), the founder of the Muslim Brotherhood (*al-Ikhwān al-Muslimūn*). This genealogical fact is often emphasized in external accounts of Ramadan's intellectual and political positioning, particularly by commentators concerned with question of Islamic activism, identity, and transnational networks. Then, Ramadan himself has consistently avoided explicit references to this family connection in his major academic works, lectures, and public interventions. Numerous academic and journalistic sources, especially those critical of Ramadan, foreground this lineage as a key to interpreting his intellectual and political orientations. For instance, Caroline Fourest opens her polemical biography with this genealogical detail, treating it as central to her critique of what she perceives as Ramadan's "double discourse". Fourest, *Brother Tariq: The Doublespeak of Tariq Ramadan*. Also, Peter Mandaville contextualizes Ramadan's project within broader currents of Islamist revivalism, noting the relevance of his family background in shaping public perceptions of his legitimacy and agenda. Peter Mandaville, *Global Political Islam*, 1st ed., Politics & International Relations (Routledge, 2010), <https://doi.org/10.4324/9780203358511>. What is notable, however, is Ramadan's almost complete silence on this relationship in his writings. In *Western Muslims and The Future of Islam* and *Radical Reform: Islamic Ethics and Liberation*, which represent his most comprehensive articulations of a modern Islamic reform project, there is no direct reference to al-Bannā as his grandfather. This rhetorical and methodological distancing may be interpreted in several ways. On the one hand, it reflects Ramadan's scholarly commitment to establishing his intellectual project on its own epistemological grounds, rather than on inherited authority or charismatic lineage. On the other hand, it could be read as a calculated strategy to navigate the politically sensitive terrain of Western and Arab audiences, among whom the legacy of the Muslim Brotherhood evokes divergent reactions, ranging from admiration for its reformist ethos to suspicion of its political ambitions. By abstaining from overt appeals to his lineage, Ramadan arguably performs what one might call a posture of *critical self-sufficiency*: drawing inspiration from al-Bannā's in his reformist ideals while deliberately avoiding dependence on his symbolic capital. This distancing does not necessarily imply a rejection of al-Bannā's ideas, but rather an attempt to re-situate them within a broader, ethically grounded, and context-sensitive Islamic reform project.

³⁸ Abdessamad Belhaj, "Secularism as Equality: French Islamic Discourses on Laïcité," *Religions* 13, no. 10 (2022): 927, <https://doi.org/10.3390/rel13100927>.

dissertation, titled on French language “*Aux sources du renouveau musulman: d'al-Afghani à Ḥasan al-Bannā, un siècle de réformisme islamique*” (At the origins of Muslim renewal: from al-Afghani to Ḥasan al-Bannā, a century of Islamic reformism)³⁹, reflects his early interest in Islamic reform movements and their attempts to reconcile revelation with rationality. He also wrote a complementary thesis on the Andalusian philosopher Averroes (Ibn Rushd), whose rationalist approach and reconciliation of faith and reason left a lasting impression on Ramadan’s thought. Through this academic formation, he was equipped with both rigorous textual training in Islamic sources and a philosophical framework drawn from European thought. His long journey started from his feeling of dissatisfaction with the disconnect between academic Islamic Studies in the West and the lived Islamic tradition. Ramadan traveled to Egypt to study with traditional scholars. He attended classes at Al-Azhar University and studied privately under scholars trained in classical disciplines such as *Tafsīr*, *Fiqh*, *Uṣūl al-fiqh*, and *Hadīth*. However, unlike many Western-educated Muslims who romanticize traditional institutions, Ramadan was forthright in critiquing their limitations.⁴⁰ In his reflections, he notes that while many of his teachers possessed immense textual knowledge, they often lacked engagement with the lived realities of modern Muslim societies and the ethical challenges of globalization, secularism, and democracy. This formative experience reinforced his view that Islamic scholarship must transcend mere replication of inherited norms (taqlīd). It must instead embrace Ijtihād as an ethical and contextual practice, grounded in spiritual discipline but oriented toward real-world human concerns.

Ramadan’s academic career spans several prestigious institutions across Europe and North America. He served as a visiting fellow at St. Antony’s College, University of Oxford, and later as Professor of Contemporary Islamic Studies at the same university. His tenure at Oxford marked a significant moment in the legitimization of Islamic studies as both a scholarly and public discipline in Western

³⁹ Tariq Ramadan, *Aux Sources Du Renouveau Musulman: D'al-Afghānī à Ḥassan al-Bannā Un Siècle de Réformisme Islamique*, 1998, <https://philpapers.org/rec/RAMASD>.

⁴⁰ Ahmad Nabil Amir, “TARIQ RAMADAN: INCLUSIVE AND PLURAL VALUE IN ISLAMIC INTELLECTUAL TRADITION,” *Al-Risalah* 13, no. 1 (2022): 50–73, <https://doi.org/10.34005/alrisalah.v13i1.1550>.

academia. He also held positions at Erasmus University in Rotterdam (where he was appointed to lead as a Visiting Professor and Integration Advisor)⁴¹ and the University of Notre Dame in the U.S, though his visa to enter the United States was controversially revoked in 2004 under the Patriot Act, citing undisclosed security concerns, because some Jewish groups in France have called Ramadan an anti-smite and pro-Israel, also accused of being a Muslim extremist, effectively barring him from a teaching post he was to begin at the University of Notre Dame.⁴²

Despite legal challenges and misconduct allegations that led to a temporary institutional suspension, Ramadan remained intellectually active. He continued to publish and lecture widely, contributing to global forums on ethics, religion, and pluralism. His works have been translated into multiple languages and are taught in university courses across the disciplines of Islamic studies, ethics, and political theory.

Over the decades, Ramadan's thought evolved from a focus on reformist apologetics to a more rigorous reconstruction of the Islamic epistemological framework. His early works, such as *To Be a European Muslim* (1999) and *Western Muslims and the Future of Islam* (2004), aimed to articulate a European Muslim identity that was faithful to Islam but also fully engaged with Western citizenship. Later in *Radical Reform: Islamic Ethics and Liberation* (2009), he outlined a far-reaching vision of how Islamic law, ethics, and spirituality could be reimagined through an interdisciplinary and ethical lens. In this work, Ramadan argues for the expansion of the circle of *Mujtahidūn*⁴³ to include

⁴¹ Annemarie Van Sand Wijk, "The Rise and Fall of Tariq Ramadan in the Netherlands: The Interplay of Dutch Politics, Media, and Academia," *Journal of Muslims in Europe* 3, no. 2 (September 26, 2014): 181–208, <https://doi.org/10.1163/22117954-12341287>.

⁴² "The University of Notre Dame in the United States, Although His Visa to Enter the United States Was Controversially Revoked in 2004 under the Patriot Act."

⁴³ The plural of *Mujtahid* refers to scholars qualified to exercise the *Ijtihād*, the independent reasoning used to derive legal and ethical rulings from Islamic sources, which are the Quran and Sunnah. Traditionally, the *Mujtahid* was expected to master Arabic, Quranic exegesis, Hadith sciences, principles of jurisprudence (*uṣūl al-fiqh*), and the objectives of Sharia, and to have the intellectual rigor and moral uprightness necessary for legal reasoning. Here, Ramadan's context, however, the scope of *Mujtahidūn* is expanded beyond classical jurists to include specialists in modern disciplines who contribute essential contextual knowledge for interpreting "the second book," *Al-Kitāb al-Manẓūr*, the observed world. This redefinition is not intended to dilute religious authority but to pluralize and democratize it, making Islamic legal and ethical deliberation more interdisciplinary, inclusive, and grounded in lived reality.

scholars of social sciences, economics, politics, and medicine, so that the application of Islamic principles can be rooted in both revelation and lived realities.⁴⁴

2.3 Tariq Ramadan's General Thought and His Intellectual Project

Ramadan's general thought is characterized by a deep commitment to reforming Islamic thought from within the tradition. He positions himself neither as a secular liberal nor as a traditionalist but as an interlocutor between these polarities. His methodology insists on remaining faithful to the Quran and Sunnah while subjecting historical interpretations and legal frameworks to critical ethical investigation. Ramadan conceptualizes it as a dynamic, ethical worldview that must be constantly renewed in light of changing contexts. He is particularly concerned with how Muslims live their faith in pluralistic, often secular societies, and how Islamic teachings can speak to modern concerns such as justice, equality, environmental sustainability, and human dignity.

Central to Ramadan's thought is the idea that Islam is an ethical project. He argues that Islamic norms must be rooted in overarching ethical principles such as justice (*'adl*), mercy (*rahmah*), human dignity (*karāmah*), and public interest (*maṣlahah*).⁴⁵ This ethical grounding leads him to prioritize the higher objectives of Islamic law (*maqāṣid al-sharī'ah*) over textual literalism. In this view, the goal of Islamic law is not legal conformity, but ethical transformation. Moreover, Ramadan also strongly emphasizes the concept of personal responsibility in moral decision-making. He argues that Muslims should not outsource their ethical agency to religious authorities but must engage critically with both texts and contexts. This approach renders Islam not merely a religion of rules but a way of life grounded in ethical deliberation.⁴⁶ Ramadan's intellectual project is ambitious and multidimensional, aiming to reconstruct Islamic thought through a process of radical reform. His reformism is not a rejection of the Islamic tradition but an attempt to

⁴⁴ Tariq Ramadan, *Radical Reform: Islamic Ethics and Liberation* (Oxford; New York: Oxford University Press, 2009), 116–118.

⁴⁵ Luqman Zakariyah, "Beyond Textuality in Islamic Legal Exegesis: Intertextuality and Hyper-Textuality for Codifying Legal Maxims of Islamic Criminal Law," 2014.

⁴⁶ Ramadan, *Radical Reform*, 33–35.

reanimate its ethical core.

“We must never forget that our intelligence, our conscience, our heart, our critical sense, and our freedom are also means through which God speaks to us. To neglect them is to risk betraying him”.

Reviving Ethical Centrality

At the heart of Ramadan’s project is the belief that Islam is fundamentally an ethical religion; thus, its laws, doctrines, and practices must be interpreted through an ethical lens. This entails moving away from a narrow fixation on legal rulings and instead emphasizing values and purposes. He argues that over centuries, Islamic jurisprudence became overly preoccupied with procedural correctness, while neglecting the Quranic emphasis on justice, mercy, and human dignity.⁴⁷

For Ramadan, reviving the centrality of ethics is not a modern imposition but a retrieval of the Quran’s original moral impetus. He aligns himself with classical scholars like *Imam al-Ghazālī* (d. 1111) and *Imam al-Shāṭibī* (d. 1388), who also insisted that the ultimate goal of the Sharia is the attainment of human well-being (*maṣlaḥah*) and the prevention of harm (*dar’ al-mafāsīd*).⁴⁸ Thus, any jurisprudence that leads to injustice or suffering is, by definition, un-Islamic, even if it follows formal legal procedures. This ethical orientation also leads Ramadan to advocate for prioritizing the *maqāṣid al-sharī‘ah* over literalist applications of texts that may have been appropriate in one context but harmful in another.

The Two Books: Text and Context Under Ramadan’s View

Central to Tariq Ramadan’s epistemology is the notion of the two sources or two books, a Quranic metaphor that serves as the foundation for his hermeneutical approach. The two books are The Written Book (*al-Kitāb al-Maṣṭūr*) – The Quran and the Sunnah, the revealed textual sources of Islam, and The Observed Book (*al-*

⁴⁷ Tariq Ramadan, “Islamic Ethics: Sources, Methodology and Application,” in *Intercultural Dialogue in Bioethics*, by Alireza Bagheri and Khalid Alali, vol. 02 (WORLD SCIENTIFIC (EUROPE), 2017), https://doi.org/10.1142/9781783267507_0001.

⁴⁸ Tariq Ramadan, “Islamic Ethics: Sources, Methodology and Application,” in *Intercultural Dialogue in Bioethics*, by Alireza Bagheri and Khalid Alali (WORLD SCIENTIFIC (EUROPE), 2017), 02:13–15, https://doi.org/10.1142/9781783267507_0001.

Kitāb al-Manẓūr) – the created world, human experience, and social reality.⁴⁹ Ramadan works upon a classical Islamic motif in which revelation and creation are both seen as manifestations of God’s will. While the *Kitāb al-Masṭūr* reveals divine guidance through language and prophecy, the *Kitāb al-Manẓūr* reveals divine signs (*āyāt*) through history, society, nature, and human experience. Both, he argues, are epistemologically significant and mutually illuminating.

“Nature, history, and human experience are *āyāt*. To ignore either is to misread God’s message.”⁵⁰

Ramadan’s method insists that interpreting the Quran without understanding modern life’s historical and sociological conditions results in an abstract or even harmful legalism. Conversely, analyzing the world without grounding in the divine message leads to secular reductionism or moral relativism.⁵¹ Therefore, the proper Islamic response to contemporary challenges requires what he calls reading both books together and interpreting revelation in light of lived reality, and interpreting reality through the ethical vision of revelation. This is not a call to modernize the Quran but to actualize its moral objectives within a dynamic and ever-changing human context. Thus, the act of *Ijtihād* must now be reconceived as a composite act that requires expertise in both sources which are religious sciences and human or social sciences.

Universal Ethical Engagement

Tariq Ramadan extends his ethical reformism beyond the Muslim community. He challenges the notion that Islamic ethics are relevant only to Muslims. On the contrary, he believes that the Quran calls Muslims to uphold justice and compassion for all humanity, making Islamic ethics inherently universalist.

“The command to stand for justice applies to everyone, not just Muslims. Ethics is about universality.”⁵²

⁴⁹ Ramadan, *Radical Reform*, 41–43.

⁵⁰ Tariq Ramadan, *Islam The Essentials*, 1:88.

⁵¹ Ramadan, *Radical Reform*, 42.

⁵² Tariq Ramadan, *Islam The Essentials*, 1:91.

This universalism leads him to encourage Muslims to engage fully with modern democratic societies, not in a posture of opposition or passive accommodation, but as moral contributors. He advocates for active citizenship, urging Muslims in Western contexts to participate in civil society, work within legal systems, and collaborate with people of other faiths to promote shared values such as social justice, gender equity, environmental stewardship, and the fight against poverty. Also, Ramadan stresses that interfaith dialogue must move beyond polite conversation toward joint ethical action. He argues that the shared Abrahamic heritage and common ethical principles between Islam, Christianity, and Judaism offer fertile ground for cooperation on global challenges.⁵³ His vision for ethical engagement is firmly rooted in the Quranic imperative to enjoin good and forbid evil (*al-amr bi-l-ma'rūf wa-n-nahy 'an al-munkar*), but it is updated for a world that requires coalition-building, cross-cultural solidarity, and moral imagination.⁵⁴

2.4 His Influence and Project on The Sharia

Ramadan's influence on the field of Islamic legal thought stems not from issuing new legal rulings or offering alternative jurisprudence, but from his insistence on rethinking the ethical foundations and epistemological structures that sustain Islamic law. His intellectual project does not seek to discard Sharia, but to revive its spiritual depth and ethical orientation, to restore what he describes as its liberatory power.⁵⁵

For Ramadan, Sharia is not merely a legal system; it is a way, a path that leads toward the realization of justice, dignity, and spiritual awareness.⁵⁶ In this spirit, his approach moves away from the over-codification of Islamic ethics into rigid, inherited norms and urges scholars to return to the higher objectives of law, as a living moral framework. He argues that law must serve ethics, not the other way around. This leads to a decisive shift: instead of treating classical jurisprudence as the endpoint of legal thinking, Ramadan treats it as one historical expression of a

⁵³ Tariq Ramadan, *Western Muslims and the Future of Islam* (Oxford; New York: Oxford University Press, 2004), 94–95.

⁵⁴ Tariq Ramadan and Tariq Ramadan, *Islam and the Arab Awakening* (Oxford Univ. Press, 2012).

⁵⁵ Ramadan, *Radical Reform*, 3–10.

⁵⁶ Ramadan, *Western Muslims and the Future of Islam*, 29–30.

broader, divinely mandated ethical mission.⁵⁷ That mission is grounded in the Quranic call to justice, compassion, and human welfare, which must be renewed in every generation.⁵⁸

Critically, Ramadan calls for collective and interdisciplinary *Ijtihād*, involving not only traditionally trained jurists but also experts in medicine, economics, environmental studies, and the social sciences. Therefore, for him is an ethical application of Sharia today cannot be entrusted to jurists alone, since the complexity of modern life requires collaboration across fields of knowledge.⁵⁹ On the other hand, he goes further, calling for institutional structures that enable this collaboration, such as councils composed of scholars and practitioners alike, where each voice contributes to the ethical discernment of new rulings. This is a move not only toward ethical inclusivity but also toward a more participatory and decentralized model of legal authority.

Ramadan's project ultimately confronts one of the most pressing questions in modern Islamic thought: What are the boundaries of Sharia? Is it a divine code that governs all aspects of life in exhaustive detail? Or is it a flexible framework that seeks to shape ethical subjectivities in a changing world?

Ramadan answers by repositioning the Sharia not as a total system, but as an evolving moral grammar rooted in divine revelation and aimed at cultivating justice in context.⁶⁰ For him, the limits of Sharia are not deficits, but signposts of divine trust in human agency.⁶¹ God has not given human beings a rule for every circumstance, but has endowed them with the tools, like reason, conscience, and spiritual vigilance—to navigate what the texts do not spell out explicitly. In this light, the spaces where Sharia appears silent or ambiguous are invitations to ethical responsibility, not legal invention for its own sake, but to moral discernment anchored in revelation. Ramadan insists that we must not confuse ethical

⁵⁷ Ramadan, *Radical Reform*, 19–23.

⁵⁸ Ramadan, *Western Muslims and the Future of Islam*, 29–32.

⁵⁹ Ramadan, *Radical Reform*, 104–7.

⁶⁰ Ramadan, *Radical Reform*, 27.

⁶¹ Andrew March, “The Post-Legal Ethics of Tariq Ramadan: Persuasion and Performance in Radical Reform: Islamic Ethics and Liberation,” *Middle East Law and Governance* 2, no. 2 (2010): 253–273, <https://doi.org/10.1163/187633710X500757>.

intentionality with legal formality. What matters in many cases is not simply what one does, but why and how—the inner commitment to justice, mercy, and human dignity that underlies outward actions.

This outlook marks a clear departure from both traditionalist legalism and secular liberalism.⁶² Ramadan does not call for the privatization of Islam, nor the politicization of its laws. Rather, he advocates for a spiritually conscious public ethic: one in which Muslims live faithfully in the world, guided by the ethical spirit of Islam, even in areas not directly regulated by law.⁶³ In his view, then, the limits of law are also the beginning of ethics. They are the horizon where believers, drawing on their understanding of revelation, must engage with the complexity of lived experience with humility, courage, and intellectual rigor.

From this nuance, Ramadan's journey and thought show us that renewing Islamic thought does not mean severing it from its roots. His journey is a vivid illustration of how a Muslim thinker can remain deeply grounded in tradition while opening new pathways for ethical and spiritual growth. He shows that fidelity to Islam is not about rigidly clinging to inherited rulings, but about courageously rethinking them to remain faithful to the core values of justice, compassion, and human dignity.

By placing ethics at the heart of Sharia, embracing the wisdom of both revelation and the world, and advocating for a collective Ijtihād that draws from all fields of knowledge, Ramadan challenges us to go beyond stale traditionalism and superficial modernism. He does not simply critique; he offers a hopeful vision of Islam as a holistic moral project, which nurtures human beings who are spiritually aware, ethically responsible, and actively engaged in bettering their societies. Then, for Ramadan, Sharia is not a closed set of rules frozen in the past, but a living, dynamic path that leads us closer to God by guiding us to act justly and mercifully in the realities we face today. His project is more than legal reform; it is a call to reawaken the ethical and spiritual heart of Islam, reminding us that true Islamic commitment is not about legal conformity alone, but about striving every day to

⁶² March, *Islam and Liberal Citizenship*, 203.

⁶³ Ramadan, *Western Muslims and the Future of Islam*, 70.

embody the divine values that make us fully human.

CHAPTER III
ANALYSIS OF THE CONCEPT OF SHARIA AND THE UNIVERSE
IN THE THOUGHT OF RAMADAN

3.1 Chapter Introduction

This chapter is devoted to exploring Ramadan's conceptualization of Sharia on his claims of comprehensiveness. I argue that while Ramadan presents Sharia as a universal and dynamic framework, in reality, his approach has significant limitations that prevent it from functioning as a truly comprehensive system. His emphasis on ethical and contextual interpretation rather than legal inflexibility limits the application of Sharia, leading to unresolved contradictions within his framework. Even though he insists that Sharia remains universal, his approach in practice limits its scope to ethical guidance rather than a binding legal system.

3.2 Quranic Reflections on The Comprehensiveness and The Limits of Sharia

I often find myself sitting with a sense of tension: on the one hand, while the Quran speaks with a voice of certainty,

“We have not left out anything in the Book” or “Today I have completed your Religion”.

On the other hand, I look at the world around me, which it is too complex, it is shifting from other to another. The shifting moral landscapes and the ethical challenges that earlier jurists could never have imagined, and I wonder: what does “Comprehensive” really mean? Is it a literal claim where every possible situation, from ancient inheritance disputes to going for editing in the 21st century, is somehow accounted for in textual rulings? Or is the Quran inviting us to something deeper? Then, how about the comprehensiveness of Sharia and the limits of it on Ramadan's thought, is it in contradiction with the Quranic literal meaning? Then it needs some reflection from the Quranic verses and comments from Quranic scholars, because the Quran gives us direction, but not a complete map. It invites reflection, not passive obedience.⁶⁴

⁶⁴ Fazlur Raḥmān, *Islam & Modernity: Transformation of an Intellectual Tradition*, 8. impr, Publications of the Center for Middle Eastern Studies 15 (Univ. of Chicago Press, 2002), 20–22.

3.2.1. The Quranic Claim to Comprehensiveness

Certain verses of the Quran have been repeatedly cited to support the notion of Sharia comprehensiveness, and by extension, the self-sufficiency of Islamic legal reasoning. Among the verses are:

“We have neglected nothing in the Book.” (6:38)

“This day I have perfected for you your religion and completed My favour upon you,

And have chosen for you Islam as your dīn” (5:3)

“We have sent down to you the Book as clarification for all things.” (16:89)

Literally, these verses may seem to imply that divine revelation, in the form of the Quran, offers a complete and unqualified guide to all aspects of human existence. I took classical exegetes such as *al-Ṭabarī* (d. 923) and *Fakhr al-Dīn al-Rāzī* (d. 1210) approached these verses with interpretive sensitivity. They did not understand them as asserting a kind of legal totality, in which every specific rule and regulation is spelled out in advance. Rather, they say the Quran provides a *mabda'iyah*, meaning a set of foundational principles which means to guide human reason and moral reflection.

al-Ṭabarī's interpretation of 6:38 emphasizes that the Quran functions as an explanation (*bayān*), which is a source of moral illumination and divine orientation, rather than as a manual for every conceivable legal issue.⁶⁵ On the other hand, *al-Rāzī* explains that what is meant by “clarification for all things” (*Tawḍīḥ*) is not an exhaustive catalogue of rulings, but rather a body of ethical and theological principles from which concrete rulings may be derived through reflection and contextual reasoning.⁶⁶

This distinction between comprehensive orientation and legal plentitude—is critical. The Quran itself as universally relevant, but not legally comprehensive. Its

⁶⁵ Muḥammad ibn Jarīr al-Ṭabarī, *Jāmi' al-Bayān 'an Ta'wīl Āy al-Qur'ān*, Cairo, vol. 9, Quranic Exegesis (Bayrūt: Dār Ihya' al-Turāth al-'Arabī, 1980), 232–237.

⁶⁶ Fakhr al-Dīn Muḥammad ibn 'Umar al-Rāzī, *Tafsīr al-Rāzī: Maḥātīḥ al-Ghayb*, Quranic Exegesis (Dār Ihya' al-Turāth al-'Arabī, 1980), 20:100–102.

guidance lies in its ability to frame the world ethically and spiritually, not in the enumeration of endless statutory provisions. The Quran regularly appeals to human faculties: the use of reason, mutual consultation, and juristic effort. These are not supplementary tools; they are structurally embedded within the Quranic project itself, signaling a divine pedagogy that relies on human participation.

Seen from this perspective, the Quranic claim to total guidance is not incompatible with Tariq Ramadan's reading of Sharia. Ramadan does not reject the idea that Sharia offers a comprehensive vision; rather, he reinterprets the nature of that comprehensiveness. It is not the remaining rooted in divine revelation while engaging dynamically with history, science, and human complexity. In doing so, he reframes Sharia not as a legal totality but as a living tradition of moral reasoning. Thus, the Quran's universal claim is not diminished by this shift; instead, it is deepened by moving from an emphasis on legal closure to one of ethical openness.

On the other hand, contemporary scholars of Quranic studies have provided more nuanced and critical readings of the Quran's claims to comprehensiveness, pushing beyond the traditional assumption that it entails legal exhaustiveness. Fazlur Rahman (d. 1988), for instance, argues that the Quran was never intended to be a legal code in the positivist sense; rather than it communicates moral imperatives through broad ethical directives that require contextual understanding and reasoned reflection to be transformed into actionable legal norms.⁶⁷ He emphasizes that:

"The Quran socio-moral vision must be extrapolated through a process of ethical reflection, not blind repetition."⁶⁸

Accordingly, verses in the Quran such as 6:38 are not to be interpreted as affirmations of a totalizing legal corpus, but as rhetorical markers of ethical universality, which is an invitation to engage in continuous interpretative responsibility. This critical stance is touched by Nasr Hamid Abu Zayd (d. 2010),

⁶⁷ Maria Ulfa and Ahmad Hisyam Syamil, "The Concept of Morality According to Fazlur Rahman," *Tasfiah: Jurnal Pemikiran Islam* 7, no. 1 (2023), <https://doi.org/10.21111/tasfiah.v7i1.9602>.

⁶⁸ Fazlur Rāḥmān, *Islam & Modernity: Transformation of an Intellectual Tradition*, 8. impr, Publications of the Center for Middle Eastern Studies 15 (Univ. of Chicago Press, 2002), 20–21.

who challenges the classical presumption that every Quranic verse yields a fixed and timeless legal meaning. Instead, Abu Zayd describes the Quran as a discursive text where semantically dynamic, historically conditioned, and hermeneutically open.⁶⁹ He maintains that divine guidance in the Quran unfolds through engagement with human reason situated in the time and context, and that claim is as mentioned in Quranic verses

“a clarification of all things” (16:89)

Should be seen not as a literal inventory of rules, but as a hermeneutical orientation which a divine framework that guides without dictating. While Mohammad Arkoun deepens this line of critique by contending that the Islamic legal tradition prematurely arrested the ethical potential of revelation through early juridical codification. For Arkoun (d. 2010), the comprehensiveness of the Quran can only be meaningfully recovered by allowing revelation to be re-engaged in light of modern epistemologies, particularly in the fields of social and natural sciences. He interprets the Quranic verse 5:3 not as a declaration of legal finality, but as the closure of the prophetic phase of revelation, implying that the task of ethical interpretation must remain continuously open and evolving.

This contemporary insight suggests that the Quran’s comprehensiveness is best understood as an epistemic and ethical orientation rather than a closed legal system. This reframing aligns closely with the reformist model proposed by Tariq Ramadan. By conceptualizing Sharia as an evolving ethical trajectory grounded in the *maqāṣid* rather than as an immutable body of rules, Ramadan is not negating the Quran's universality but retrieving it from centuries of over-codification and juristic monopolization. His model reflects a growing consensus among modern Quranic scholars: that the Quran offers a comprehensive moral vision, deeply anchored in divine intentionality, but it is the task of human beings to actualize this vision through critical reasoning, contextual awareness, and interdisciplinary engagement. Thus, the Quran's claim to offer guidance is not undermined by recognizing its legal incompleteness; on the contrary, while it is affirmed that the Quran offers

⁶⁹ Naṣr Hāmid Abū Zayd and Katajun Amirpur, *Reformation of Islamic Thought: A Critical Historical Analysis*, First, WRR Verkenningen 10 (Amsterdam University Press, 2006), 1:52–58.

“clarification” not as an endpoint, but as a starting point, by invites the believer into a lifelong process of ethical deliberation, moral striving, and spiritual growth.

3.2.2. The Quranic Claim to The Limits

The Qur’an often speaks with a voice that is at once confident in its completeness and cautious in its detail. On the other hand, verses like:

“We have not neglected anything in the Book.” (6:38)

“This day I have perfected for you your religion and completed My favour upon you,

And have chosen for you Islam as your dīn” (5:3)

From those verses, there is little doubt about its sufficiency as divine guidance. Yet on the other hand, the Quran openly acknowledges its silences. For instance, in another verse in the Quran:

“O believers! Do not ask about any matter which, if made clear to you, may disturb you. But if you inquire about what is being revealed in the Quran, it will be made clear to you. Allah has forgiven what was done ‘in the past’.⁷⁰ And Allah is All-Forgiving, Most Forbearing.” (5:101),

Where believers are warned not to press for rulings on matters that, if clarified, might cause them distress. Imam *al-Qurṭubī* read this as a reminder that God’s silence is not neglect but mercy: a deliberate choice not to overburden the faithful with unnecessary legal detail.⁷⁰ *Al-Shāṭibī*, in his *al-Muwāfaqāt*, takes the idea of *al-maskūt ‘anhu*—what the Qur’an leaves unsaid—and shows that these silences are not gaps or oversights but deliberate spaces where human reasoning is meant to step in. He explains that the Quran entrusts believers with the task of their *‘aql* (reason) alongside *naql* (revelation), remain within the framework of *maqāṣid al-sharī‘ah*.⁷¹

⁷⁰ Abū ‘Abd Allāh Muḥammad ibn Aḥmad. *Al-Qurṭubī, Al-Jāmi‘ li-Aḥkām al-Qur’ān* (Dār al-Ḥadīth, 2006), 6:427–30.

⁷¹ Ibrāhīm ibn Mūsā Al-Shāṭibī, *Al-Muwāfaqāt fī Uṣūl al-Sharī‘a*, ed. ‘Abd Allāh Darrāz (Dār al-Kutub al-‘Ilmiyya, 2003), 2:305–10.

Building on this, scholars like Kamali describe these silences as the very foundation for principles such as *istihsān* (juristic preference) and *maṣlaḥa* (public welfare), which allow to privilege of fairness and benefit when the text itself is quiet.⁷² This approach challenges older portrayals of Sharia as immutable code, instead highlighting its deep intertwining of law and morality and its capacity for adaptability across different times and contexts.⁷³ At the same time, focusing solely on theoretical frameworks of *uṣūl al-fiqh* risks obscuring the real diversity of Islamic law as it was practiced. Historical evidence shows that the juristic tradition was marked not only by refined hermeneutics but also by plurality, internal tensions, and debates over authority and certainty. Rather than delivering a uniform legal system, Sharia in practice often operated through a balance of probabilities, analogical extensions, and the lived customs of the community.⁷⁴

In Shi'i jurisprudence, noting that divine silence reflects God's entrustment of moral agency to the believer, placing reason at the center of the interpretive process. Jonathan Brown and Norman Calder similarly highlights the role of prophetic practice and ḥadīth traditions in framing silence not as absence but as mercy and openness to contextual judgment. Furthermore, many unspoken matters were left deliberately to the community's lived practice, underscoring that the comprehensiveness of Sharia was never intended as legal totalization⁷⁵. From this perspective, the Quran claims both comprehensiveness and limitation.

It is precisely this dialectic of speech and silence that Ramadan reconfigures in his project of *Ijtihād*. Drawing on his “two books”, Ramadan reads the Quranic silence not as a deficiency but as an ontological opening, where empirical knowledge and ethical reflection stand alongside revelation as co-legislative sources.⁷⁶ *Ijtihād* must move beyond mere legal technicalities to become a

⁷² “Mohammad Hashim Kamali - Principles of Islamic Jurisprudence-Islamic Texts Society (2005),” 241–43.

⁷³ Rudolph Peters and Peri Bearman, *The Ashgate Research Companion to Islamic Law*, n.d., 26–33.

⁷⁴ Bernard G. Weiss, *The Spirit of Islamic Law*, The Spirit of the Laws (University of Georgia Press, 1998).

⁷⁵ Norman Calder, *Studies in Early Muslim Jurisprudence* (Clarendon Press, 1993), 152–55; Jonathan A. C. Brown, *Misquoting Muhammad: The Challenge and Choices of Interpreting the Prophet's Legacy* (Oneworld, 2014), 174–77.

⁷⁶ Ramadan, *Radical Reform*, 47–49.

comprehensive ethical enterprise that engages the sciences, philosophy, and lived realities of Muslims today.⁷⁷ Thus, where *al-Shāṭibī* saw divine silence as an allowance for juristic discretion, Ramadan extends it into a mandate for interdisciplinary collaboration: scientists, ethicists, and social thinkers now sit with jurists as equal contributors in shaping normative outcomes. This radical move decentralizes the monopoly of classical Ulama and reframes Sharia's comprehensiveness from juridical exhaustiveness to ethical universality. The implication is that Sharia's limits today are less about divine silence than about structural authority: Ramadan opens the door for a broader moral Sharia but stops short of dismantling the juristic gatekeeping that constrains its democratizing potential.

3.3 The Comprehensiveness of Sharia

Sharia linguistically means a “path” or “way” to well-being, truth, and justice. It is not exclusive to Islamic law; terms like Sharia Musa, which means laws of Moses, or Sharia al-Masih, which means the way of Jesus, it indicates can refer to divine guidance in different religious traditions. As a classical legal system, Sharia includes a collection of legal principles formulated in Fiqh⁷⁸ by Islamic jurists and theologians. Its main textual foundations are the Quran and Sunnah, which document the actions and statements of the Prophet Muhammad.⁷⁹ However, beyond being a legal framework, Sharia serves as a holistic guide to life in Islam, which provides not only legal rulings but also ethical, social. And spiritual dimensions. For theologians like Muhammad Abduh and Fazlur Rahman, Sharia is understood as the divine will. This objective and noncontingent law govern the universe in a moral and ethical sense that must be interpreted dynamically to remain relevant.

Fiqh in linguistic terms in Arabic derives from *فقه* - *فقه* - *فقه* which means deep understanding or clear comprehension of something. The term Fiqh comes from the language or etymology, which means smart, intelligent, know, and

⁷⁷ Ramadan, *Western Muslims and the Future of Islam*, 68–70.

⁷⁸ Imām al-Ḥaramayn Abū al-Ma‘ālī ‘Abd al-Malik ibn ‘Abdullāh al-Juwaynī, *Sharḥ al-Waraqāt fī Uṣūl al-Fiqh*, al-Ṭab‘ah al-Ūlā, with Jalāl al-Dīn Muḥammad ibn Aḥmad al-Maḥallī, Single Volume (Maktabah Nizār Muṣṭafā al-Bāz, 1996).

⁷⁹ Jonathan A C Brown, “Muhammad’s Legacy in the Medieval and Modern World,” *Oneworld Oxford*, Hadith, 2009, 12.

understand, from the origin doctrine against the goal of a speaker and his speech.⁸⁰ In Islamic legal terms, Fiqh is the knowledge of practical Sharia rulings derived from detailed evidence.⁸¹ Sharia refers to a text for the study of Islamic law from the Quran, Sunnah, or a text from the Prophet Muhammad, PBUH, Consensus (*Ijmā'*), and Analogy (*Qiyās*).⁸² Although commonly used interchangeably in many public discourses and literature, Sharia and Fiqh are not synonymous. As previously discussed, Sharia refers to a text, and Fiqh is knowledge of practical rulings acquired from detailed evidence.⁸³

Fazlur Rahman elaborates on this gap by stressing that much of what is commonly regarded as “Islamic law” today is in Fiqh, not Sharia. Because it is essential to draw a line between the eternal and universal values of the Qur'an, which constitute the real Sharia, and the historically conditioned human interpretations of those values, which constitute Fiqh.⁸⁴

Therefore, conflating Sharia with Fiqh is to blur the line between the divine and the human, the ideal and the historical. Understanding this distinction is crucial, especially in the modern era, where reinterpretation and reform are often necessary to align legal rulings with Islam's higher ethical goals.

One of the foundational claims of Islamic jurisprudence is that Sharia is comprehensive, meaning it governs all the detailed aspects of life, from spirituality and morality to law and governance, which means Islam is also the best religion.⁸⁵ Classical scholars upheld the comprehensiveness of Sharia rooted in the Qur'an and classical legal thought:

⁸⁰ Dr. Abd. Shomad, *Hukum Islam: Penormaan Prinsip Syariah Dalam Hukum Indonesia*, Revision (Kencana Prenada Media Grup, 2010), 1:27.

⁸¹ Saifuddin Al-Amidi, *Al-Ihkām fī Uṣūl al-Ahkām*, Islamic Law (Al-Maktab al-Islāmī, 2004), 1:12.

⁸² Abū Muḥammad 'Alī ibn Ḥazm al-Andalusī al-Zāhirī, *Al-Ihkām fī Uṣūl al-Ahkām*, Islamic Law (Dār al-Āfāq, 2001), 3:137.

⁸³ Wael B. Hallaq, *A History of Islamic Legal Theories: An Introduction to Sunnī "Uṣūl al-Fiqh"*, 1. paperback ed., 5. print (Cambridge: Cambridge Univ. Press, 2007), 236–260.

⁸⁴ Fazlur Raḥmān, *Islam & Modernity: Transformation of an Intellectual Tradition*, 8. impr, Publications of the Center for Middle Eastern Studies 15 (Univ. of Chicago Press, 2002), 17–38.

⁸⁵ Norsyahira Cik Hamid and Wan Khairul Aiman Wan Mokhtar, “The Comprehensive Aspect in Islam from Quran and Hadith Perspective,” *International Journal of Academic Research in Business and Social Sciences* 9, no. 11 (2019): Pages 557-564, <https://doi.org/10.6007/IJARBS/v9-i11/6575>.

“If you dispute with one another on an issue, bring it back to God and the Messenger.” (4:59)

“We have sent down to you the Book as an explanation for all things.” (16:89)

The first verse highlights the command from Allah that whatever areas the people dispute about, whether major or minor areas of the religion, they are required to refer to the Quran and Sunnah for judgment concerning these, as the authority of divine guidance in resolving matters.⁸⁶ The second verse highlights that some details are delegated as a part of Sharia, it is *Ijmāʿ* and *Qiyās* to serve as a complete system covering all human affairs.⁸⁷ These verses are frequently cited to support the view that Sharia is a complete system governing all human affairs.

Additionally, scholars like *Imām al-Ghazālī* (d. 1111 CE)⁸⁸ and *Ibn Taymiyyah* (d. 1328 CE)⁸⁹ provided substantial arguments to justify this all-encompassing nature of Sharia.⁹⁰ Their perspectives are based on the foundational sources of Islamic law: the Quran, the Sunnah, the Consensus (*Ijmāʿ*), and analogical reasoning (*Qiyās*).

Ghazālī, in his work *Mustaṣfā min ʿIlm al-Uṣūl*, in the introduction, has said that “Our Islamic Sharia is complete” (*Anna sharīʿatanā al-Islām kāmīlah*). He tried to frame comprehensiveness is not in a non-restrictive sense, but rather in an inclusive manner, which indicates Sharia has provided guidance for all human conditions, either explicitly through textual sources or implicitly through principles that allow for reasoning and adaptation. The last one is Ibn Taymiyyah, on his phenomenal work *Majmūʿ al-Fatāwā*, said that “So whatever goes beyond the

⁸⁶ Ismāʿīl ibn ʿUmar ibn Kathīr, *Tafsīr al-Qurʾān al-ʿAẓīm*, al-Ṭabʿa al-Thāniya, vol. Al-Mujallad al-Thānī: Āl ʿImrān-al-Nisāʾ, Tafsīr Ibn Kathīr, Various Volume 1-8 (Bayrūt: Dār al-Kutub al-ʿIlmiyya, 2019), 342–345.

⁸⁷ Ismāʿīl ibn ʿUmar ibn Kathīr, *Tafsīr Al-Qurʾān al-ʿAẓīm*, al-Ṭabʿa al-Thāniya, vol. Al-Mujallad al-Rābiʿ: al-Anfāl-al-Naḥl, Tafsīr Ibn Kathīr, Various Number 1-8 (Bayrūt: Dār al-Kutub al-ʿIlmiyya, 2019), 594–595.

⁸⁸ Abū Ḥāmid Muḥammad ibn Muḥammad al-Ghazālī, *al-Mustaṣfā min ʿIlm al-Uṣūl*, Classical Works on Uṣūl al-Fiqh, Four Volumes (Dār al-Ṭayyibah, 2005).

⁸⁹ Taqī al-Dīn Aḥmad ibn ʿAbd al-Ḥalīm Ibn Taymiyyah, *Majmūʿ al-Fatāwā*, vols. 1–3, Islamic Legal Fatāwā, 37 Volumes (Dār Ibn al-Jawzī li-l-Nashr wa-l-Tawzīʿ, 1995).

⁹⁰ Many classical Muslim scholars provided the comprehensiveness of Shari. By mentioning these three scholars does not mean to go in detail with them. But represent as the Muslim scholar's tradition with their work on the classical Islamic law. However, they do not mention it specifically or use certain terms. Moreover, through one of their works, it can be understood that they said it.

Sharia is false, for the judgment belongs to Allah alone” (*Famā kharaja ‘ani al-sharī‘ah fahuwa bāṭilun, fa-inna al-ḥukma lillāhi waḥdah*). Through these and other scholarly contributions, it becomes evident that the notion of comprehensiveness of Sharia is deeply discussed in Islamic legal and intellectual traditions.

Ibn Taymiyyah's statement does not imply a rigid or static application of the law. Rather, it reflects his assumption that justice and governance are best articulated within the framework of divine guidance as he understands it. His position thus prioritizes scriptural sources in defining the boundaries of justice and righteous rule, while leaving limited room for models of justice derived independently of revelation. This reflects the ability of Sharia to deal with every single issue, not through such arbitrary rulings but through principles that ensure justice, order, and balance in society.

By taking together from these scholars, these perspectives reveal a consistent understanding that Sharia is not an isolated system limited to ritual or worship, but an integrated and self-contained framework to address all human needs. The comprehensiveness lies in its divine sources, its rationale for understanding, and its ability to provide just acceptable and adaptable solutions. Because of that, it is not incomplete or in need of external additions, but can guide every aspect of life according to divine wisdom.

Moving forward to the modern scholars, they have debated whether Sharia remains comprehensive in the same way in contemporary contexts. The emergence of secular legal systems, globalization, and scientific advancements has led many to reconsider the applicability of classical jurisprudence. While traditional scholars maintained that Sharia must remain unchanged because of its comprehensiveness, contemporary thinkers argue that a dynamic approach is necessary to ensure its relevance in modern society.⁹¹ Several scholars like Yūsuf al-Qaraḍāwī (d. 2022)⁹²,

⁹¹ Ḡāsir ‘Auda, *Maqasid Al-Shariah as Philosophy of Islamic Law: A Systems Approach*, ed. Ḡāsir ‘Auda (The International Inst. of Islamic Thought, 2008).

⁹² John L. Esposito and Emād al-Dīn Shāhīn, *Key Islamic Political Thinkers*, 1st Edition (Oxford University Press, 2018), 1:186–207.

Tariq Ramadan (b. 1962)⁹³, and Khaled Abou El Fadl (b. 1963)⁹⁴. Engaged in this dynamic approach to Sharia.⁹⁵ Additionally, each offers a distinct perspective on how Islamic law should evolve in the face of modern challenges.

Yūsuf al-Qaradāwī upholds that Sharia is inherently comprehensive (*shāmil*), covering every dimension of human existence – from acts of worship and spiritual purification to transactions, family relations, ethics, social order, and governance. He views Sharia as a set of ritual obligations and a holistic framework that seeks to build a just and balanced society, rooted in divine guidance. This comprehensiveness is anchored in the *maqāṣid* of Sharia, which aim to protect and nurture the essential needs of human life: religion (*dīn*), life (*nafs*), intellect (*‘aql*), lineage (*nasl*), and property (*mal*)⁹⁶. By safeguarding these five universal values, Sharia preserves both individual dignity and communal harmony, shaping an ethical order that remains relevant across eras. However, Al-Qaradawi emphasizes that this timeless relevance requires active, thoughtful engagement. He insists that Sharia is not a static or fossilized system but must be continuously interpreted through *Ijtihād*.⁹⁷ For him, *Ijtihād* is the bridge between eternal principles and changing realities. He calls for *tajdīd* (renewal) – a revitalization of Islamic jurisprudence that remains faithful to foundational texts while addressing contemporary challenges such as rapid technological developments, globalized economic systems, complex bioethical dilemmas, and evolving political structures. Without such dynamic engagement, he warns, Muslims risk either stagnating in outdated applications or drifting away from Sharia’s moral compass.

Central to Al-Qaradawi’s thought is a nuanced understanding of rigidity and flexibility within Sharia. He categorizes Islamic rulings into immutable commands,

⁹³ “BIOGRAPHY | Tariq Ramadan - Site Officiel,” accessed March 24, 2025, <https://tariqramadan.com/biography/>. It is just a short biography from Ramadan, I put the completely his idea, background of his education, works, and fully about his life in the previous chapter.

⁹⁴ “Abou El Fadl, Khaled | UCLA Law,” accessed March 24, 2025, <https://law.ucla.edu/faculty/faculty-profiles/khaled-m-abou-el-fadl>.

⁹⁵ Actually, many contemporary thinkers discussed on their works about the comprehensiveness of Sharia. However, this paper focuses on Tariq Ramadan and mentions those two scholars representing their works on the comprehensiveness of Sharia.

⁹⁶ Yūsuf al-Qaradāwī, *Introduction to Islam*, 1st Edition (Islamic Inc. Publishing & Distribution, 1997), 1:229.

⁹⁷ Yūsuf al-Qaradāwī, *The Lawful and the Prohibited in Islam*, Revised Edition (Al-Falah Foundation, 2001), 1:11–15.

such as the five daily prayers, fasting in Ramadan, or clear prohibitions like usury (*ribā*), alcohol, and adultery, which are rooted in unequivocal texts and remain unchanged until the end of time. Yet alongside these are flexible rulings concerning economic transactions, governance, social customs, and public policy, where Sharia offers space for adaptation. Here, scholars can employ tools such as *maṣlaḥah mursalah* (consideration of public interest), *urf* (local customs), and *maqāṣid*-based reasoning to formulate rulings that respond to contemporary needs while remaining anchored in ethical objectives.⁹⁸ This approach ensures that Sharia does not become a rigid legalistic system divorced from lived realities, nor does it transform into a fluid ideology without ethical boundaries.

When addressing modern societal challenges, al-Qaradawī's applied vision of Sharia becomes particularly vivid. In economics, he champions Islamic banking and finance as practical alternatives to conventional *ribā*-based systems, aiming to establish fairness and prevent exploitation in economic dealings.⁹⁹ In politics, he advocates for democratic participation rooted in Islamic ethics, emphasizes *shura* (consultation) and collective decision-making while rejecting authoritarianism as contrary to Islamic justice. In the realm of bioethics, he supports organ transplantation and certain reproductive technologies, provided they align with *maqāṣid* and protect human dignity, showing his willingness to engage with complex medical advancements without abandoning moral considerations.¹⁰⁰

Importantly, Al-Qaradawī warns against two dangerous extremes in Islamic thought: *tajmīd* (rigidity), where scholars or communities refuse to adapt rulings to new circumstances, leading to stagnation and alienation from society, and *tamyī'* (dissolution), where Sharia's ethical essence is diluted under secular, liberal, or purely materialistic paradigms, risking the loss of its distinctive moral guidance. Instead, he passionately advocates for *wasatiyyah* (the middle path), an approach characterized by moderation, balance, and contextual adaptation rooted in divine guidance. As he eloquently states:

⁹⁸ Yūsuf al-Qaradāwī, *The Lawful and the Prohibited in Islam*, 1:120.

⁹⁹ Yūsuf al-Qaradāwī, *The Lawful and the Prohibited in Islam*, 1:15–20.

¹⁰⁰ Yūsuf al-Qaradāwī, *Introduction to Islam*, 1:243–245.

“The straight path of Islam is neither extremism nor negligence, neither rigidity nor dissolution, but the path of moderation. This is the ummah that Allah has made *wasat* (middle and just), for it holds the balance in belief, law, and conduct.”

This middle path is not merely a theological slogan but a practical methodology, ensuring that Sharia remains a dynamic, living system. It preserves its eternal principles while responding thoughtfully to contemporary realities through disciplined, scholarly *Ijtihād*. In doing so, Sharia continues to guide Muslim societies through the complexities of modern life, offering solutions that are at once faithful to revelation and responsive to human welfare, ultimately enabling believers to live in this world with dignity while seeking success in the hereafter.

Khaled Abou El Fadl, in his *Reasoning with God: Reclaiming Shari'ah in the Modern Age*, offers another perspective, viewing Sharia as an inherently moral and rational project, deeply connected to human dignity and universal ethical values. He critiques both traditionalist scholars who demand rigid adherence to classical rulings without critical reflection and modern secularists, who reject any normative role for Sharia in public life. Therefore, he argues that Islamic law is not merely a fixed set of rules mechanically applied but rather a dynamic moral discourse that requires active engagement, reasoned interpretation, and continuous ethical deliberation. The legitimacy of Sharia lies not in its coercive enforcement but in its capacity to cultivate justice, dignity, and beauty within society. Then, applying Sharia rigidly without critical moral reasoning risks transforming it into an oppressive legalistic system rather than a just and compassionate path that reflects divine beauty and virtue.¹⁰¹

The last figure is Tariq Ramadan, who is the main part of this work. Ramadan takes a similar approach to Khaled by proposing that Sharia should not be seen primarily as a legal system but rather as a dynamic ethical framework. In his work *Western Muslims and the Future of Islam* and *Radical Reform*, he argues that the rigidity of classical Islamic law must be rethought in light of contemporary realities. Moreover, Sharia is an ethical compass rather than a rigid legal system, which

¹⁰¹ Khaled Abou El Fadl, *Reasoning with God: Reclaiming Shari'ah in the Modern Age*, 1st Edition, vol. 1 (Lanham, Maryland: Rowman & Littlefield, 2014), 328–330.

contends that classical Islamic jurists operated within specific socio-historical contexts, and modern societies require a different approach. The Objective of Sharia should also be prioritized over strict legal adherence.¹⁰² While his approach offers flexibility and adaptation, it raises key philosophical and legal questions about the comprehensiveness of Sharia.

What is notable in Ramadan's approach is the effort to shift the discourse on Sharia from one of regulation to one of orientation.¹⁰³ The comprehensiveness of Sharia, in this revised formulation, lies not in its claim to deliver a legal verdict for every single scenario, but in its ability to inform a disposition toward the world, one that is grounded in mercy, justice, and stewardship. This can be attributed to the possibility of developing a Sharia-based environmental ethic, where care for the creation is not an optional concern but a religious imperative rooted in the very logic of the universe.

Moreover, Ramadan presents Sharia as an evolving path that aligns with the universal order. Sharia and the Universe contain divine wisdom, and humans must use scriptural and scientific knowledge to remain faithful to God's intent. This perspective reinforces the idea that Sharia is not just a legal code but a dynamic system interacting with the natural and social world. Then, if Sharia is only an ethical guideline, can it still function as a comprehensive legal system as traditionally claimed? Does Ramadan's approach suggest that Sharia remains comprehensive in a different sense, or does it redefine its scope and function? What is comprehensive, according to him? Moreover, does his argument for Sharia's adaptability and integration with modern knowledge contradict the classical understanding of its all-encompassing authority, or does it offer a new interpretation of its comprehensiveness?

3.4 The Concept of Sharia and Universe in The Sort of Tariq Ramadan

Among classical scholars, Sharia is often associated with legal prescriptions that govern human actions. However, this association is not absolute. Classical

¹⁰² Ramadan, *Radical Reform*, 112.

¹⁰³ Ramadan, 123–135.

scholars, particularly within mystical and philosophical traditions, also understood Sharia as a path encompassing ethical refinement and spiritual realization. For instance, thinkers like *Ghazālī* emphasized that Sharia includes both outward legal rulings and inward moral spiritual dimensions, aligning human conduct with the divine will.¹⁰⁴ Modernist scholars such as Tariq Ramadan have continued and expanded this line of thought by emphasizing that Sharia still extends beyond jurisprudence to form a comprehensive ethical and spiritual framework. This perspective draws upon an understanding that divine revelation is not confined to written scripture but is also embedded in the order of the universe, which serves as an expression of God's will.¹⁰⁵

3.4.1. Ethical Definition of Sharia and Islamic Means for Tariq Ramadan

In Tariq Ramadan's thought, Sharia is not primarily a corpus of fixed legal rulings but a dynamic ethical path—a “way to the source”—by which Muslims seek proximity to God through moral responsibility, spiritual depth, and active engagement with human reality. This understanding represents a radical departure from classical juristic models, which tended to anchor the comprehensiveness of Sharia in its ability to regulate all domains of life through prescriptive rulings derived from textual sources.

Ramadan reclaims the linguistic root of the word “Sharia”—meaning the path to a watering place and to articulate its existential and ethical resonance.

“The Shahada translates the idea of ‘being Muslim’, and the Sharia shows us ‘how to be and remain Muslim.’”¹⁰⁶

Based on this statement, it can be understood that the formulation of the Sharia becomes less a set of juridical boundaries than a moral trajectory: a

¹⁰⁴ Abū Ḥāmid Muḥammad ibn Muḥammad al-Ghazālī, *Iḥyā' 'Ulūm Al-Dīn*, Dar al-Ma'rifa Edition, Classical Islamic Works (Dar al-Ma'rifa, 2005), 4:14–20.

¹⁰⁵ Ḥusain Naṣr, *Religion & the Order of Nature: The 1994 Cadbury Lectures at the University of Birmingham* (Oxford University Press, 1996), 24–41. Refer to Sayyed Hossein Naṣr who explains that divine revelation manifests not only through the Quran but also the universe, which reflects God's wisdom and presence.

¹⁰⁶ Tariq Ramadan, *Western Muslims and the Future of Islam* (Oxford; New York: Oxford University Press, 2004), 32.

framework for striving toward the divine, deeply tied to the ethical imperative of human freedom, accountability, and justice. The language of Submission in Islam is thus reinterpreted as ethical self-mastery and intentionality rather than passive adherence to law.

On the other hand, the concept of what is “Islamic” is not determined by mere textual replication or legal conformity, but by proximity to the universal ethical purposes of Islam (*maqāṣid al-sharī‘ah*). This move has deep implications; it allows for pluralism, recognizes the epistemic fallibility of jurists, and empowers moral agency in a changing world. This also explains why Ramadan challenges the classical presumption that Islamic law is exhaustive or self-contained. Therefore, Ramadan affirms the human contribution in shaping what is usually called Sharia, then faith is an ongoing dynamic process of becoming, and Sharia is the spiritual and ethical method for navigating this journey.

Furthermore, this approach questions whether an ethical orientation, however noble, can fully preserve the integrity of communal norms without a strong juridical framework. While Ramadan liberates the individual conscience and re-centers divine intentionality, his model risks an overemphasis on individualism, potentially fragmenting collective identity. Moreover, by framing Sharia primarily as a moral path, how are disputes about what counts as ethical or just to be resolved without recourse to institutional or legal mediation? While this can enhance moral autonomy, it raises pressing questions about the boundaries of interpretation and the role of scholarly (*Ijtihād Jamā‘ī*) and consensus (*Ijmā‘*) in the age of decentralization. Then, it can be understood that Ramadan’s reframing is not anti-legal; rather, it seeks to return law to its ethical foundations. He does not deny the importance of rules but insists they must serve moral ends.

The question of what qualifies as “Islamic” (*Islāmī*) is more complex than it might first appear. The term “Islamic” wasn’t used extensively by pre-modern Muslim scholars in a broad way.¹⁰⁷ Scholars talked about knowledge of Islam (*‘ilm al-Islām*), Sharia, Fiqh, or Islamic ethics, but they didn’t use “Islamic” as a universal

¹⁰⁷ Wendy M K Shaw, *The Islam in Islamic Art History: Secularism and Public Discourse*, n.d.

label for arts, culture, and economics as today.¹⁰⁸ The academic debate over what “Islamic” means began seriously in the mid-20th century, moving from a descriptive orientalist category to a critical and ethical inquiry.¹⁰⁹

Linguistically, the term “Islamic” is derived from (*Islām*), which means submission, peace, or surrender to God. In Arabic morphology, the suffix “-iyy” is used to form relational adjective words; the *Islāmiyy* means pertaining to Islam or related to Islam. However, this linguistic construction does not specify the degree or authenticity of the relation, where something could be labeled as “*Islāmiyy*” simply because it is connected historically, culturally, or geographically to Muslims, without necessarily being ethically faithful to Islamic principles.

In Tariq Ramadan’s thought, the term “Islamic” cannot be understood merely as it originates from traditional Muslim labels. Instead, “Islamic” signifies what remains faithful to the universal ethical principles established by divine revelation—justice, freedom, dignity, solidarity, and the protection of creation. Ramadan situates “Islamic” at the intersection of three elements: the Texts (Quran and Sunnah), the Universal ethical objectives (*maqāṣid al-sharī‘a*), and the realities of the contemporary world (*al-Wāqi‘*). Thus, “Islamic” for Ramadan, a system, action, or culture, is Islamic not because of it historically emerged from a Muslim society, but because it embodies the ethical spirit mandated by Revelation. For example, a system that promotes justice, dignity, and peace can be considered “Islamic” even if it does not emulate medieval Islamic models. Conversely, a practice rooted in Muslim culture but violating these universal values would lose its “Islamic” character. Thus, “Islamic” for Ramadan is a life orientation rather than a static description, which is a dynamic and moral attempt to realize God’s guidance in a changing historical situation.

¹⁰⁸ Being Muslim was a way of living, like praying, fasting, justice, good attitude. Islam was not constructed as an “identity” that had to be stamped in every activity. Therefore, it was not necessary to create a separate category like “Islamic art,” or “Islamic architecture,” or “Islamic philosophy,” and others. Thus, Islam ethically guided practices, but they were not rebranded into what is called “Islamic”

¹⁰⁹ Wael B. Hallaq, *The Impossible State: Islam, Politics, and Modernity’s Moral Predicament* (Columbia University Press, 2013), 44–50.

“The idea is to return to the dimension of ‘transformation’ instead of just ‘adaptation’ to the requirements of the modern world, demonstrates an intellectual and ethical posture that is both clear and demanding.”¹¹⁰

Moreover, Ramadan goes further than most traditional scholars by saying that the universe itself is a “book” alongside the Quran, and that studying the created order is part of Islamic epistemology.¹¹¹ As such, ethics derived from the natural order, scientific discovery, and human experience are also part of the Islamic mandate, as long as they do not contradict the core moral purpose of revelation. Additionally, Ramadan sees that “Islamic” is neither a nostalgic attachment to medieval forms nor a blind reproduction of cultural artifacts. It must be an evolving ethical project, deeply rooted in divine revelation yet dynamically engaged with historical change, scientific knowledge, and human experience. The “Islamic” identity today is there because it is always relational, always free, always ethical, always there to be in dialogue also discussed and autonomous about the rational frameworks. Then, what truly makes something “Islamic” is not the science itself, the medical practice, politics, or the economic system as today developed—it is the ethical framework, part of the moral boundaries, and the goals that guide how this knowledge is used. In reality, there’s no such thing as “Islamic Science,” “Islamic Medicine,” or “Islamic economics” and other things labeled by “Islamic” in the strict sense. Rather, it is Islamic ethics that steps in: it shapes how we interpret sacred texts, how we used to care for the human body, and how we conduct our business and financial dealings. It is the ethical spirit that brings an Islamic character to these fields, not their technical content.

“What is ‘Islamic’ are the ethics, the norms, and the goals that are to orient—and limit—the use of the knowledge acquired. Thus, there are, properly speaking, no “Islamic sciences,” nor “Islamic medicine,” nor “Islamic economics,” but “Islamic ethics” assists in the treatment of texts, study of the human body, or in the conduct of commercial affairs.”¹¹²

I see that Ramadan’s ideas are powerful because he pushes Islam away from being an external set of labels and deeply closer to being a living moral force. He

¹¹⁰ Ramadan, *Radical Reform*, 50.

¹¹¹ March, “The Post-Legal Ethics of Tariq Ramadan.”

¹¹² Ramadan, *Radical Reform*, 141.

invites Muslims to see the world not as a battle between “Islamic” and “non-Islamic” systems, but as a broad domain in which Islamic ethics must work calmly, deeply, and critically. Medicine does not need to be labeled “Islamic” to be ethical; politics and business do not need Arabic terminology or be labeled “Islamic” to reflect justice and compassion. What matters is whether these fields embody the values that God commands: justice, dignity, honesty, and care for creation.

This vision has radical implications, and that’s why his work is called “Radical Reform”. It tells Muslims that what you build matters less than how you build it. A hospital built by Muslims is not automatically “Islamic”; a secular hospital that treats patients with dignity and fairness might, in God’s sight, fulfill Islamic ethics better. It seems, Ramadan’s argument pushes toward a semi-secularist position; he de-links Islamic from external institutional forms and attaches it instead to the presence of ethical values, or he separates “Islamic spirit” from “Islamic Structure”. Specifically, from mapping the three models of secularism, I assume that Ramadan fits into the “Hospitable Secularism”; the state may support or accommodate religion administratively, but cannot define its theology or enforce it. Ramadan wants space for Islamic ethics to shape public conversations, institutions, and policies—not through Sharia enforcement, but through shared moral reasoning and ethical contribution.¹¹³ This means that a secular institution that upholds justice and dignity can, paradoxically, embody Islamic ethics more fully than an Islamic institution that nominally lacks such values. Therefore, reimagines Islam’s engagement with modernity not to create parallel Islamic structures but to foster ethical excellence in a shared human civilization, as he mentioned:

“I am not talking about reforming Islam. It is to reform the Muslim minds and the Muslim understanding of the texts. Simply, Islam doesn’t need reform; we need to reform the Muslim mind.

¹¹³ Abdullahi Ahmed An-Na’im, *Islam and the Secular State: Negotiating the Future of Shari’a* (Cambridge (Mass.): Harvard University Press, 2008), 265–270. Ramadan’s ethical reform project aligns most closely with what A.A. An-Na’im terms “Hospital Secularism”, in which the state refrains from enforcing religious doctrine but allows space for religious ethics to contribute to public life. Rather than advocating for an Islamic state or Sharia-based legal order, While Ramadan argues that Islamic ethics—not formal institutions—define what is truly “Islamic”, a view consistent with An-Na’im’s insistence that a secular state is essential to protect the voluntary nature of religious practice and prevent state co-optation of religious authority also it is necessary to preserve both religious freedom and ethical pluralism.

3.4.2 *Wāqī‘* as A Second Book

In the thought of Tariq Ramadan, this duality of revelation—textual and universal, is fundamental.¹¹⁴ The Quran, mentioned as the (*Kitābun Maṣṭūr*) and the universe (*Kitābun Manẓūr*) are two complementary expressions of the divine message. Ramadan shows that the universe contains signs (*Āyah*) that reflect God’s presence, order, and purpose. These signs are not interpreted in isolation from scripture, but rather in concert with it. Generally, it means “a written book”. In Islamic thought, this term is often used for the Quran and Sunnah, which are recorded and transmitted in textually. The word *Kitābun* from the root k-t-b (ب-ت-ك) means “to write,” and the word *Maṣṭūr* comes from the root s-t-r (س-ط-ر), which also means “to write” or “to inscribe,” and thus *Kitābun Maṣṭūr* can be understood as the book that has been written down or inscribed.¹¹⁵ While in this context, Tariq Ramadan uses the word *Kitābun Maṣṭūr* as a textual and scriptural revelation from a dual epistemology in Islamic theology, where the other one is *Kitābun Manẓūr*. Basically, the word *Kitābun* has the same roots as the previous explanation. While *Manẓūr* refers to the root n-ẓ-r (ن-ظ-ر), meaning “to look” or “to observe,” or “to reflect upon,” which is observed or and thus *Kitābun Manẓūr* can be understood as “the observed book” or “the book that is looked at”. It is a metaphor used by many classical and modern Islamic thinkers, including Ramadan, to describe the natural world or the universe as a form of divine revelation. Muslims’ ethical task is engaging with both the text and the world as sources of guidance. This conception of Sharia situates it as a comprehensive moral framework that draws on the patterns of the universe. The precision, balance, and interconnectedness observed in nature mirror the ethical principles found in revelation.¹¹⁶

On the other hand, Ramadan further asserts that true adherence to Sharia necessitates attentiveness to the context (*al-Wāqī‘*) in which one lives. Comes from the root of the Arabic term W-q-‘ (و-ق-ع), which conveys the idea of something happening, occurring, or taking a position. The verb *waqa’a* means “to happen”, and

¹¹⁴ Ramadan, *Radical Reform*, 109.

¹¹⁵ al-Rāghib al-Aṣḥānī, *al-Mufradāt Alfāz al-Qur’ān {nuskhatun muḥaqqaqah}*, vol. 2 (Dār al-Qalam, 1992).

¹¹⁶ Ramadan, *Radical Reform*, 88–90.

“to occur”, and from this comes the noun *al-Wāqi‘*, often translated as “what has happened”, “the current tragedy”, or simply its “reality”. In classical Arabic, it refers to what is happening in concrete situations, the observable state of things as they unfold in real time. It stands in contrast to imagined, hypothetical, or purely theoretical constructs. This distinction has deep theological and legal significance in Islamic thought, especially in the realm of legal reasoning, where scholars have long emphasized the need to harmonize *naṣh* (textual sources) with *al-Wāqi‘* (real-life context) to arrive at sound, applicable rulings. Semantically, *al-wāqi‘* carries a strong sense of immediacy and tangibility.¹¹⁷ Unlike broader terms like *ḥaqīqah* (truth) or *wujūd* (existence), *al-wāqi‘* speak directly to the conditions in which life is lived—socially, politically, economically, technologically, and environmentally. It’s the “real world” in all its complexity, and engaging with it thoughtfully is key to meaningful ethical and legal reflection in the Islamic tradition. In modern Islamic thought, scholars like Tariq Ramadan highlight *al-wāqi‘* not just as a backdrop for applying religious law, but as a meaningful source of knowledge in its own right. For Ramadan, *al-wāqi‘*—the lived reality—is an epistemological category, a place where divine guidance must be actively engaged and interpreted. He doesn’t treat reality as something secondary or passive, but as a dynamic space that informs our moral and legal reasoning. In this spirit, he revives the classical concept of *Ijtihād al-wāqi‘*—context-based reasoning—but pushes it further. It’s no longer limited to addressing individual legal cases; instead, it opens the door to insights from sociology, economics, ecology, and technology, all of which shape the moral challenges Muslims face today.¹¹⁸

This includes the cultural, social, and environmental realities of the time.¹¹⁹ He maintains that understanding the universe through empirical observation and scientific inquiry is not separate from religious devotion but rather an extension of it. Ethical engagement with the world thus requires a deep understanding of both

¹¹⁷ Mohammad Hashim Kamali, *Principles of Islamic Jurisprudence*, Second, vol. Single volume (Malaysia: Ilmiah Publisher, 1991), 289–290.

¹¹⁸ Tariq Ramadan, *Islam and the Arab Awakening* (Oxford; New York: Oxford University Press, 2012), 118–120.

¹¹⁹ Tariq Ramadan, *Western Muslims and the Future of Islam* (Oxford; New York: Oxford University Press, 2004), 34–39.

revelation and creation. It's part of an integrated approach in which Sharia becomes dynamic and responsive. It is not a static system of rules but a living ethical discourse that continuously engages with new knowledge, evolving contexts, and the enduring principles of divine revelation.¹²⁰ The comprehensiveness of Sharia lies not in its juridical totality but in its moral reach, and its capacity to guide human beings toward a life of purpose, justice, and alignment with the divine order reflected in both scripture and the universe.¹²¹ In addition, the fidelity to revelation demands attention to time and place, and the constantly evolving conditions of human existence. Scientific knowledge and empirical investigation are not something marginal in religious understanding, but an essential component in interpreting the divine signs in *Kitābun Manzūr*. In this framework, natural and social sciences are integrated into the process of ethical deliberation, forming part of a holistic epistemology that transcends the boundaries between the sacred and secular.

This reinterpretation also invites a transformation of the traditional structures of religious authority, including the limits and the role of them. By recognizing the *Kitābun Manzūr* as a source of divine signs, Ramadan makes the space for scientists, ethicists, and specialists in worldly knowledge to contribute meaningfully to Islamic ethical discourse. Founding the result that broadened the methodology for *Ijtihād* which is no longer the domain of jurists alone, but a collective project that demands interdisciplinary collaboration and contextual sensitivity.¹²²

Moreover, Ramadan's framework implies that interpreting the universe becomes a form of worship. Engaging with the natural world, pursuing scientific understanding, and working to solve ethical problems through the lens of divine principles are not secular activities but spiritual responsibilities. Then, Sharia is not only a code for religious life but a vision for human flourishing that integrates

¹²⁰ *Legal Practice and Cultural Diversity*, Cultural Diversity and Law (Ashgate, 2009). Ramadan criticizes the reduction of Sharia to mere legalistic formulas and instead argues for an "ethics-based approach" rooted in the *maqāṣid al-sharī'a*, such as justice, dignity, and the public interest which means *maṣlaḥa*. Lisbet Chistoffersen and Jorgen S. Nielsen has the same view with Ramadan that Sharia is not a static system of rules but a living ethical discourse that continuously engages with new knowledge, evolving contexts, and the enduring principles of divine revelation.

¹²¹ Ramadan, *Radical Reform*, 110.

¹²² Ramadan, *Western Muslims and the Future of Islam*, 45–48.

reason, reflection, and revelation.¹²³ Additionally, this integrated vision of Sharia in this sort of Ramadan redefines the Muslim subject; rather than being a passive follower of rules, the Muslims are seen as active participants in the unfolding of divine will in history. Ethical decisions—become shared between the divine and the human, where the believer is guided by revelation and entrusted with moral agency. Therefore, the relational model as the authority of Sharia does not diminish, but how it transforms also moves from juridical domination to ethical empowerment.

3.4.3 The Consequences of Tariq Ramadan's Thoughts

The intellectual framework put forward by Tariq Ramadan produces far-reaching consequences—hermeneutical, institutional, epistemological, and ethical—that deeply impact contemporary Islamic thought. His call for radical reform is not just a matter of updating the law, but also involves a transformation in the way Muslims view revelation, law, and their relationship with the modern world. These consequences can be classified into several interrelated domains:

Decentering of Classical Legal Authority

The decentralization of classical legal authority comes as the first consequence of Ramadan's thought, because of the most significant impact of Ramadan's vision on it. Historically, and even into the present, the ulama have been entrusted with authoritative interpretation of Sharia, formally or informally.¹²⁴ However, Ramadan reframed this hierarchy by emphasizing that Sharia should be interpreted through collaboration between the Ulama and the experts in the empirical sciences, ethics, and other disciplines. The inclusion of *al-wāqi'* as an epistemological source inevitably reshapes the hierarchy of interpretive authority.

The term “democratization of *Ijtihād*”—through collective, interdisciplinary engagement—undermines the classical monopoly of religious scholars. The authority of the mufti is no longer grounded solely in mastery of legal texts but must

¹²³ Ramadan, *Radical Reform*, 33–36.

¹²⁴ Muhammad Qasim Zaman, *The Ulama in Contemporary Islam: Custodians of Change*, Paperback. Princeton Studies in Muslim Politics (Princeton, N.J.: Princeton University Press, 2007) 26, 108.

also involve a critical grasp of lived realities and ethical consequences. Thus, Ramadan both expands and conditions the authority of the Ulama and calling them to develop a dual expertise: textual fidelity and contextual fluency.¹²⁵

Rethinking The Comprehensiveness of Sharia

Traditionally, the comprehensive (shumūliyyah) nature of Sharia has been linked to its capacity to regulate every aspect of life through legal prescriptions. For Ramadan, he shifts this paradigm, where comprehensiveness is no longer about total legal codification but about the ethical penetration of Islamic principles into all spheres of life—personal, social, scientific, political, and ecological. This redefinition has profound implications. It reconfigures the legalistic expectations of Muslims, especially in modern states, where legal pluralism and constitutional secularism might limit the application of Islamic law. Instead of seeing this as a defeat, Ramadan sees it as an opportunity to cultivate Islamic values in the shared public sphere, promoting justice, compassion, and human dignity as universally resonant ideals.

Thus, the claim that Sharia is comprehensive does not contradict the limitations of the law. Rather, its comprehensiveness lies in the moral reach of its principles, not in the legal enforceability of its rules. This distinction reframes the debate around Sharia and the state—no longer demanding political hegemony, but encouraging ethical leadership and civil participation.

The Functional Transformation of Ijtihād

Ramadan's thought introduces a significant functional shift in the concept of *Ijtihād*, moving it beyond its classical juristic form toward a broader ethical and interdisciplinary enterprise. *Ijtihād* was largely restricted to textual interpretation through tools like analogical reasoning (*Qiyās*) and consensus (*Ijmā'*), grounded primarily in linguistic and legal expertise. However, Ramadan reimagines *Ijtihād* as

¹²⁵ Means Two books of Revelation, which is from the Ramadan concept.

a moral and epistemological process that must actively engage with both divine revelation and the empirical realities of the contemporary world.

Thus, Ramadan's thought of the functional transformation on *Ijtihād*, his methodology closely refers to some contemporary scholars such as *Yūsuf al-Qaraḍāwī*, in contrast, does not treat *al-wāqī* ' as an independent source of knowledge but rather as a contextual factor to be considered within the framework of established scriptural and juristic principles.¹²⁶ Ramadan calls for a form of *Ijtihād* that does not merely apply legal rulings to context but allows context—scientific knowledge, technological change, social transformation—to co-inform the meaning and relevance of divine guidance. This transformation makes *Ijtihād* function not only as a means of deriving legal norms but also as a dynamic and interdisciplinary process that bridges revelation and creation. Ramadan's method reframes the task of the Muslim jurist—not as a legal technician, but as a morally responsible agent working toward the realization of divine values in a changing world.¹²⁷

Ethicalization of Islamic Knowledge

Ramadan's vision places ethics at the center of the Islamic intellectual tradition. Rather than emphasizing rule application, he prioritizes the pursuit of the common good (*maṣlaḥah*) through ethical deliberation. In doing so, he restores the ethical objectives (*maqāṣid al-sharī'ah*) as the foundational core, and not merely ancillary principles.

This ethicalization has three notable consequences. Firstly, it enables a critical interrogation of cultural practices historically associated with Islam but lacking moral justification. Secondly, it provides a flexible but principled framework to engage with contemporary challenges, such as bioethics, climate change, economic justice, and human rights. Lastly, it leads to a semi-secularist concept by repositioning Islamic thought, wherein the presence of Islamic values in public life no longer depends on the enforcement of Sharia, which is based on legal

¹²⁶ *Yūsuf al-Qaraḍāwī, Al-Ijtihād al-Mu'āṣir Bayna al-Indibāt wa al-Infirāt*, Ṭab'ah ūlā, Dirāsāt Fiqhiyyah Mu'āṣirah 4 (Maktabat Wahbah, 1998), 1:22–30.

¹²⁷ Ramadan, *Radical Reform*, 110–132.

codes, but on the persuasive power of Islamic ethics to shape shared moral outcomes. In this sense, ethical reasoning becomes the primary mode of Muslim contribution to the public sphere, allowing Islamic norms to participate in pluralistic societies not through legal domination but through moral persuasion, dialogue, and civil cooperation.¹²⁸ This shift reflects what Ramadan describes as the transition from adaptation to transformation, wherein Islamic knowledge guides public life through ethical resonance rather than legal formality.¹²⁹

Towards an “Overlapping Consensus” Between Islam and Political Liberalism

One of the broader consequences of Ramadan’s thought that it is very important which particularly in the context of Muslims living in liberal democracies, is its potential to establish what political philosopher John Rawls called an “Overlapping Consensus”.¹³⁰ Rather than asking Muslims to secularize or abandon their tradition, Ramadan shows how Islamic principles—such as justice, dignity, and communal responsibility—can be theologically grounded bases for supporting democratic participation, pluralism, and citizenship in non-Muslim societies. So, in this framework, Muslim supports liberal norms not because they are forced to adopt secular liberalism, but because their Islamic ethical commitments lead them to affirm the same values from within their tradition. This allows for a principled coexistence between religious conscience and political loyalty, moving beyond toleration to deep moral engagement.

Therefore, this overlapping consensus becomes the basis for shared civil life, where Muslims contribute ethically to society. Despite their faith, because of it means that Muslims can support and help build a democratic society as a moral obligation based on Islam, not by compromising their beliefs. Then Islamic ethics become a motivation, not a barrier, to civil engagement and public service. Thus, Ramadan’s thought builds a bridge between Islamic ethics and Western political

¹²⁸ March, “The Post-Legal Ethics of Tariq Ramadan,” 260.

¹²⁹ Ramadan, *Radical Reform*, 25–35.

¹³⁰ Andrew F. March, “Reading Tariq Ramadan: Political Liberalism, Islam, and ‘Overlapping Consensus,’” *Ethics & International Affairs* 21, no. 4 (2007): 400–401, <https://doi.org/10.1111/j.1747-7093.2007.00114.x>.

philosophy, enabling Muslim communities to move from the defensive mode of “integration” to the proactive mode of “contribution.”¹³¹

Those are the consequences of Tariq Ramadan’s thought. Reflects a radical restructuring of Islamic legal and ethical reasoning in response to the complexities of the modern world. By decentralizing classical legal authority, rethinking the comprehensiveness of Sharia, functionally transforming *Ijtihād* methods, and centering Islamic knowledge on ethical deliberation rather than rule enforcement, Ramadan initiated a shift from a law-based paradigm to an ethics-based paradigm. His framework empowered Muslims not only to interpret revelation in light of evolving realities but also to actively participate in shaping a pluralistic society through moral responsibility. Perhaps most important, his notion of “Overlapping Consensus” offers a way for Islam to contribute constructively to liberal democracy—not by abandoning its principles, but by advancing them through a shared ethical commitment. Then, these consequences form the foundation of Ramadan’s radical reform: a vision of Islam that is intellectually grounded, ethically driven, and politically engaged, without sacrificing its spiritual integrity.

In the end, Ramadan’s conception of Sharia is not simply an ethical shift that redirects Muslims towards virtue, nor is it a call to return to the way of God. It is a broad epistemological and methodological intervention into the architecture of Islamic legal thought. By redefining the sources of knowledge to include not only sacred texts but also the universe we live in (*kitābun manẓūr*) and our concrete realities (*al-wāqī‘*), he challenges the long-held idea that Sharia’s strength lies in its ability to regulate every detail of life through law. Instead, he argues that its true comprehensiveness lies in its moral depth, its flexibility, and its capacity to respond meaningfully to the changing conditions of the world.

This approach has powerful consequences. It calls for a shared and interdisciplinary process of reasoning—one that includes not just religious scholars or Ulama, but also scientists, economists, ethicists, and others with expertise. It dissolves rigid boundaries between the religious and the secular, and between

¹³¹ March, “Reading Tariq Ramadan,” 410.

Islamic and non-Islamic frameworks. Rather than building the walls, Ramadan offers a wider space for dialogue and cooperation grounded in shared ethical values like justice, dignity, and compassion.

More boldly, Ramadan suggests a form of what might be called “Islamic Secularism”—not one that pushes religion out of public life, but one that separates religious identity from rigid institutional forms. Like an example before, a hospital, a courtroom, or a school, in this view, becomes “Islamic” not because it is run by Muslims or decorated with Arabic nuance, but because it holds on to the values that revelation promotes, which are justice, compassion, and human dignity.¹³²

After understanding Ramadan's position in the Sharia and universe, it naturally leads us to reflect more deeply on its boundaries and, just as importantly, on those entrusted ways to interpret it. If Sharia is to remain responsive, context-aware, and morally expansive, the question arises: who is the authority to interpret and apply it today? Traditionally, this role fell to the Ulama, whose deep knowledge of religious texts guided legal and ethical decisions. But, if we go to reality today, many aspects are shaped rapidly by scientific progress, complex technologies, and changing social dynamics, which the new challenges. To remain Sharia relevant and coherent in the face of modern realities, we need to rethink again not just its functional limits, but also who deserves to shape it. That can lead us to an urgent and timely question again: how should we understand the authority and role of the Ulama in our time? How might scientists, scholars, and other experts help inform the ethical and legal conversation within the framework of Islamic law?

3.5 The Limits of Sharia and The Role of The Ulama and Scientists

Tariq Ramadan's conception of Sharia marks a profound shift from classical understandings. Instead of treating Sharia as a fixed and total legal system, he recasts it as an evolving ethical framework, rooted in divine principles, yet always in conversation with human experience. While earlier jurists insisted on the comprehensiveness (*shumūliyya*) of Sharia by emphasizing its jurisdiction over every aspect of life through direct or analogical rulings. Interestingly, Ramadan

¹³² Ramadan, *The Quest for Meaning*, vol. 1.

proposes a different reading. For Ramadan, comprehensiveness today must be understood through the lens of moral depth and interpretive openness, rather than legal exhaustiveness.

Understanding this rethinking introduces new conceptual boundaries to Sharia and fundamentally reshapes how authority within the Islamic tradition is imagined. Ramadan is clear that Sharia's completeness is not threatened by its contextual limitations, and those limits are part of what makes it a dynamic system.¹³³ The limits of Sharia are not a flow and allow divine guidance to meet the complexity of human reality. And so, while the traditional authority of the Ulama is still respected, it must now be reconfigured to reflect this ethical and epistemological transformation.

Sharia recognizes the concept of legal limitation, which is similar to the conventional systems, by imposing a specific timeframe within which legal actions must be initiated. If that lapses, the court may no longer hear the case. The purpose of this rule is to prevent stale claims and save judicial resources.¹³⁴

Tariq Ramadan: From Legal Exhaustiveness to Ethical Comprehensiveness

Ramadan redefines the comprehensiveness of Sharia not in terms of exhaustive legal codification, but in terms of an ethical, open-ended project rooted in the universal values of Islam. Ramadan asserts that Sharia is comprehensive “in principle” – it offers an ethical framework covering all dimensions of life, but also its legal expression (*fiqh*) is necessarily partial, contingent, and historical. The Divine Will is not exhausted by historical precedents, nor is there “The Final in Historical Models.”¹³⁵ The refusal to sacralize the divine will is not justification for

¹³³ Ramadan, *Western Muslims and the Future of Islam*, 37. The way to the source actually is never confused with the source itself: the latter is clear which to declare the absolute and the universal outside of time, but everything along the way must consider in it time, in change, and in imperfection. Ramadan here distinguishes between the eternal truth of divine revelation which the Book of revelation and the evolving human process of understanding and applying it. This statement covered in Ramadan argument that limits within Sharia are not deficiencies but essential conditions for ethical dynamism and contextual responsiveness.

¹³⁴ Dr. Muhammad Asghar, “The Historical Development of The Law of Limitation and Its Original in Sharia & Law,” *Advance Social Science Archives Journal* 2 (December 2024): 339–46.

¹³⁵ Ramadan, *Western Muslims and the Future of Islam*, 37–41.

its rejection. The refusal to sacralize past Islamic legal systems marks a radical movement from the classical identification of Sharia with the totality of jurisprudence. This is the limitation of Sharia for Ramadan, in which its juridical expressions are not a weakness, but rather a deliberate opening for ethical engagement across time and space.

However, what limits the contemporary relevance of Sharia according to Ramadan is not the divine law itself, but the monopoly of authority claimed by traditional jurists (*fuqahā'*) who lack sufficient integration with evolving scientific, economic, and social knowledge. Then come to criticize the fragmented structure of Fiqh councils, which often rely on outdated or second-hand knowledge when dealing with complex contemporary issues. While experimental sciences are sometimes consulted, social sciences-such as economics, psychology, and anthropology-remain sidelined or viewed as secondary and approximate. This neglect results in decisions that are ethically reductive and socially disconnected

“The greatest impediment to a renewed application of Sharia in the modern world is not divine law itself, but the failure of its interpreters to engage other fields of knowledge... The monopolization of legal reasoning by traditionally trained jurists undermines the ethical scope of Islamic law.”¹³⁶

To overcome these limits, Ramadan calls for a structural epistemic shift: a full integration of *text scholars* (*'ulamā' an-nuṣūṣ*) and *context scholars* (*'ulamā' al-wāqi'*) on equal footing in the production of applied Islamic ethics. Rather than seeing scientists as external advisors, they must be incorporated as co-legislators who help interpret the “Book of the Universe” alongside the scriptural sources. The ethical comprehensiveness of Sharia, then, emerges not from its ability to pre-legislate every possible case, but from its capacity to evolve through the dynamic synergy of revelation and reason, text and context, ethics and science.

On the other hand, Fazlur Rahman for instance, formulated a “Double Movement” method that began with understanding the socio-historical context of revelation and returned to the contemporary setting to apply the Quran’s universal

¹³⁶ Ramadan, *Radical Reform*, 3–10.

moral vision.¹³⁷ He too rejected the conflation of Sharia with Fiqh and warned against treating historically contingent rulings as timeless expressions of divine will. While Kamali critiques the traditional *uṣūl al-fiqh* framework for its entrenchment in medieval technicalities and for marginalizing *maqāṣid*-based reasoning. Kamali advocates expanding the role of *maqāṣid* to include broader social, economic, and civilizational goals as essential components of normative Islamic reasoning. Therefore, Kamali's central argument is that contemporary *Ijtihād* must break free from the limitations of analogical reasoning and consensus that were developed in pre-modern socio-political contexts.¹³⁸

While Tariq Ramadan's project offers an interesting model of reform through epistemic inclusion, it nonetheless maintains a hierarchical architecture of legal authority. His invitation to include scholars and experts from different fields in the process of *Ijtihād* is certainly innovative, but it remains within a structure where these figures support-rather than share equality with textual experts in determining normative outcome. This approach, despite its pluralistic aims, still privileges scholars as the final arbiters of legitimacy.¹³⁹

I propose a more radical move: a shift from epistemic complementarity to epistemic unity. In this proposed model, scientific disciplines are not merely auxiliary inputs into Sharia deliberations, but rather stand as equal pillars of normativity. The Sharia, thus reimagined, is not a static corpus of rulings awaiting technocratic updates; it becomes an ethical process also theologically open, dialogically structured, and deeply attuned to the evolving conditions of human life.¹⁴⁰ This framework also necessitates a rethinking of what qualifies as an *'ālim*. The category of Ulama is no longer restricted to formally trained religious scholars.

¹³⁷ Muhammad Yusuf and Anwar Sadat, "Fazlur Rahman's Double Movement and Its Contribution to the Development of Religious Moderation," *International Journal of Islamic Studies & Humanities* 4, no. 1 (2021), <https://search.ebscohost.com/login.aspx?direct=true&profile=ehost&scope=site&authtype=crawler&jrnl=26143836&AN=152566921&h=e9ahI6MspZetOLGORBxQ7kzgze7YsNjgp2G0zmA2e2cMmWdV%2BYnnIkYbr6eT1nS90UPgJut%2BDKPWI4DyW64U0w%3D%3D&crl=c>.

¹³⁸ Mohammad Hashim Kamali, *Maqāṣid Al-Sharī'ah, Ijtihād and Civilisational Renewal* (London: International Institute of Islamic Thought, 2012), 28–32.

¹³⁹ Ramadan, *Radical Reform*, 56–63.

¹⁴⁰ David L. Johnston, "Maqāṣid Al-Sharī'A: Epistemology and Hermeneutics of Muslim Theologies of Human Rights," *Die Welt Des Islams*, 47 (2007): 149–187, <http://www.jstor.org/stable/20140763>.

It expands to include anyone—Muslim or non-Muslim—whose expertise contributes meaningfully to the realization of the *maqāṣid*, such as justice, dignity, environmental sustainability, and public welfare.

Reconfiguring Legal Authority: Who Deserves to Speak for Sharia Today?

Accordingly, Sharia's comprehensiveness is also reframed. Rather than seeking to regulate every domain of life through prescriptive legal detail, its comprehensiveness lies in its ethical adaptability and the capacity of its principles to regenerate meaning across epistemic frontiers and cultural contexts. In this view, Sharia is comprehensive not because it's everything, but because it can mean something everywhere

Tariq Ramadan's reformist vision challenges the inherited structure of Islamic legal thought by reimagining the very sources of normativity. No longer confined to the textual injunctions (*nuṣūṣ*), the sources of Sharia are expanded to include the concrete realities of the world (*al-wāqiʿ*). In Ramadan's formulation, both scripture and worldly experience are *āyāt*—divine signs—that must be treated as equally revelatory in ethical and legal deliberation.¹⁴¹

Yet, while this conceptual duality or binary opens space for a multidisciplinary framework, Ramadan ultimately stops short of reconfiguring the authority structures that shape Islamic legal reasoning. Despite calling for epistemological openness, his model remains structurally rooted in the inherited architecture of *uṣūl al-fiqh*, where the jurist (*faqīh*) or textual scholar (*ʿālim*) retains the final say. Experts in other disciplines—whether climate scientists, psychologists, economists, or even politicians—may be consulted, even involved, but only as subordinate advisors. The epistemology may be inclusive, but the authority is not. Ramadan is not unaware of this tension. He is candid in his criticism of modern Fiqh councils, which he accuses of relying on fragmented or outdated knowledge. These councils, he notes, may invite scientists or experts, but “they most often meet on

¹⁴¹ Ramadan, *Radical Reform*, 114–121.

their own” and thus produce *fatāwā*,¹⁴² that are disconnected from the complexity of modern realities.¹⁴³ The result is rulings that are not only ethically reductive but epistemically inadequate in the face of evolving scientific knowledge. Nonetheless, Ramadan does not dismantle the hierarchy that places traditional Ulama at the top of the interpretive pyramid. His proposal remains one of epistemic complementarity, not epistemic parity. The Ulama remain gatekeepers of legitimacy, even as the gate is made wider.

I analyze and build on these critiques by proposing a move from epistemic complementarity to epistemic unity. In Ramadan’s model, scientific and social knowledge serve the ethical reasoning of the Ulama. In the model I suggest, all disciplines engaged in realizing the *maqāṣid al-sharī‘ah* are equal pillars of normativity. Authority is not simply broadened, but horizontally redistributed. In this model, a medical ethicist, a legal anthropologist, or an urban planner has as much interpretive legitimacy as a jurist when deliberating on matters within their epistemic domain.

This reorientation also demands a redefinition of the term *‘ālim* itself—not as someone who masters only the scriptural sciences, but as any individual whose knowledge meaningfully contributes to realizing God’s purposes in the world. Crucially, this framework does not reject the legacy of the jurists.¹⁴⁴ Rather, it decenters them, situating their voice as one among many in a larger and more inclusive ethical conversation. Only by making this shift—from interpretive monopoly to interpretive mutuality—where Ramadan’s vision of ethical reform fully delivers on its promise. Otherwise, the call for reform remains paradoxically confined within the very hierarchies it aspires to transcend.¹⁴⁵

¹⁴² Muhammad Khalid Masud David S. Powers, *Islamic Legal Interpretation: Muftis and Their Fatwas*, 1st Edition, vol. 1, Islamic Law (Cambridge, MA: Harvard University Press, 1996), 3–27. The term *fatāwā* is from the plural of *fatwā* refers to non-binding legal opinions in Islamic law issued by a recognized jurist (*muftī*) in response to a question or problem. While a *fatwā* does not carry binding authority or serve as legal guidance, it is not obligatory. In contrast, a law (*ḥukm*) constitutes a binding judgment and must be implemented.

¹⁴³ Ramadan, *Radical Reform*, 116–118.

¹⁴⁴ Wael B. Hallaq, *A History of Islamic Legal Theories: An Introduction to Sunnī “Uṣūl al-Fiqh,”* 1. paperback ed., 5. print (Cambridge Univ. Press, 2007), 210–15.

¹⁴⁵ Zaman, *The Ulama in Contemporary Islam*, 79–81.

3.6 Chapter Conclusion

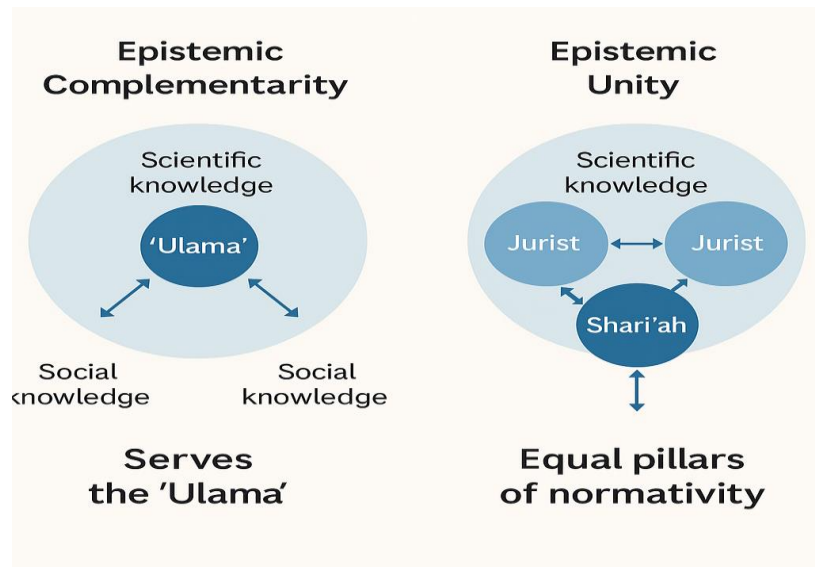
This chapter has explored the shifting conception of how the idea of Sharia's comprehensiveness is being rethought in today's world, especially in response to growing ethical, social, and epistemological complexities. Through the lens of Ramadan's reformist vision, we see a clear departure from the classical notion of Sharia as an all-encompassing legal system. Instead, he proposes an understanding in ethical values grounded in the realities of human experience. At the same time, however, his model stops short of fully transforming the authority structures that govern Islamic legal reasoning. Despite calling for interdisciplinary collaboration, Ramadan still places final interpretive power in the hands of traditionally trained jurists.¹⁴⁶

Recognizing this limitation, I have proposed a more radical shift—one that moves beyond complementarity to embrace epistemic unity. In this model, authority is not simply shared with experts from outside the traditional religious sciences; it is redistributed. The goal is not to replace the Ulama, but to reimagine them—expanding the definition of who can speak meaningfully for Sharia to include all those, regardless of background, whose knowledge serves the ethical aims of Islam.¹⁴⁷

Furthermore, what this chapter ultimately reveals is that the biggest challenges facing Sharia today are not about theology or belief, but about structures: who has the authority to interpret, and how that authority is exercised. The question is no longer whether Sharia should be comprehensive, but how it can be ethically, inclusively, and in a way that speaks to the real conditions of modern life. This means going beyond minor reform and instead rethinking the very frameworks through which Islamic normativity is imagined and practiced.

¹⁴⁶ Ramadan, *Radical Reform*, Chapter 5 & 9.

¹⁴⁷ Khaled Abou El Fadl, *Reasoning with God: Reclaiming Shari'ah in the Modern Age*, 1:328.



CHAPTER IV

**RETHINKING THE COMPREHENSIVENESS AND THE
LIMITS OF SHARIA: A COMPARATIVE ANALYSIS OF TARIQ
RAMADAN, ISMAIL RAJI AL-FARUQI, AND SHERMAN A.
JACKSON**

4.1 Chapter Introduction

This chapter explores a crucial question in Islamic legal thought: Is Sharia comprehensive and sufficient in regulating all aspects of human life? While the claim of Sharia's comprehensiveness is widely affirmed in classical jurisprudence and reiterated in modern Islamic discourse, the meaning, function, and scope remain deeply contested. Some scholars maintain that the Sharia provides a total system encompassing legal, ethical, social, and civilizational guidance. Others, however, argue for a more restricted or differentiated understanding, emphasizing the ethical foundations of Sharia or its contextual constraints in light of modern complexities.

Moreover, this part comparatively analyzes the views of three major contemporary Muslim intellectuals: (d. 1986),¹⁴⁸ Sherman A. Jackson (b. 1956),¹⁴⁹ and Tariq Ramadan. These intellectuals offer distinct methodological frameworks for engaging with the limits and comprehensiveness of Sharia. Their contributions reflect evolving responses to the epistemic, political, and institutional challenges faced by Muslims in the post-colonial and post-secular age.

The choice to focus on contemporary scholars, rather than classical authorities, is both methodological and thematic. Classical scholars operated within epistemic and socio-political structures fundamentally different from those of today. Their legal methodologies emerged in contexts where Islamic law functioned as the central public order, unchallenged by secular legal systems or modern nation-states. As such, the classical discourse on comprehensiveness must be understood within pre-modern assumptions of unity between revelation, law, and governance.

¹⁴⁸ "Dr. Ismail al-Faruqi," *IIIT*, n.d., accessed June 2, 2025, <https://iiit.org/en/dr-ismail-al-faruqi/>.

¹⁴⁹ "BAYAN FACULTY | Bayan," accessed June 2, 2025, <https://www.bayanonline.org/faculty/dr-sherman-jackson>.

By contrast, contemporary Muslim thinkers grapple with the fragmentation of traditional Islamic authority, the pluralization of epistemology, and the secularization of state and society. They face a question not merely of what Sharia is, but what it can be in societies where its institutional enforcement is contested or absent. Their frameworks explicitly engage with modern knowledge regimes, scientific authority, and global ethical norms, where realities are largely absent from classical legal theory. Moreover, unlike classical scholars who rarely questioned the comprehensiveness of Sharia, thinkers like Jackson and Ramadan explicitly interrogate this identity. For instance, Jackson dismantles the totalizing legal supremacist model by arguing that Sharia is a bounded construct within Islam, not coextensive with it.¹⁵⁰ Ramadan similarly challenges legal literalism by invoking the two books—The book of revealed text (*kitābun maṣṭūr*) and the book of universe (*kitābun manẓūr*), insisting that ethics cannot be confined to Fiqh alone.¹⁵¹

Thus, this chapter situates discourse on Sharia comprehensiveness within the lived conditions of the modern Muslim subject. Rather than revisit debates within the self-contained logic of classical Fiqh, it explores how contemporary scholars reinterpret or reframe Sharia in light of modern conditions. Their approaches reflect a critical engagement not only with tradition but also with the challenges of modernity, making them more immediately relevant to the normative crisis and reformist aspirations that animate current Islamic legal thought. Additionally, it critically evaluates which of the three models, which are epistemic-ethical from Ramadan, normative-civilizational from Faruqi, or institutional-differentiated from Jackson, offers the most coherent and contextually sustainable framework for rethinking Sharia function, authority, and ethical reach in the contemporary world.

4.2 Tariq Ramadan: Sharia as Ethical Comprehensiveness

Tariq Ramadan's vision of Sharia marks a significant departure from the classical juristic paradigm rather than interpreting Sharia as a totalizing legal code that exhaustively regulates every aspect of life, Ramadan proposes that its

¹⁵⁰ Sherman A. Jackson, *The Islamic Secular*, 1st ed. (Oxford University Press New York, 2024), 11–13, <https://doi.org/10.1093/oso/9780197661789.001.0001>.

¹⁵¹ Ramadan, *Western Muslims and the Future of Islam*, 37–42.

comprehensiveness lies in its ethical, not juridical, scope. For Ramadan, Sharia is fundamentally a moral trajectory that aims at cultivating justice, dignity, and the common good through dynamic engagement with both the sacred texts and the realities.

At the heart of Ramadan's reformist methodology lies a dual epistemology. The first source of knowledge is the "Written Book" (*kitābun maṣṭūr*), referring to the Quran and Sunnah as the formal repositories of divine communication. The second is the "Unfolded book" (*kitābun manẓūr*), which denotes the universe and human experience. This dual framework obligates Muslims to read both books. Textual fidelity must be supplemented by rational observation of the world as the arena in which Islamic values are to be realized.

Based on this foundation, Ramadan calls for an epistemic shift in Islamic legal theory: the transition from juristic monopoly to collective ethical deliberation. He advocates a model of *Ijtihād jamā'ī*—but not in the well-known way. However, Ramadan reinterprets it as a model that integrates textual scholars (*'ulamā al-nuṣūṣ*) with experts in empirical and social sciences (*'ulamā al-wāqī'*),¹⁵² uniting their efforts in ethical reasoning. He insists that modern challenges—ranging from environmental degradation and medical ethics to gender justice and political accountability—require insights that go beyond the traditional toolkit of *uṣūl al-fiqh*.¹⁵³

Nevertheless, Ramadan recognizes the limitations of current juridical discourse. He argues that the over-reliance on inherited forms of *Ijtihād* has rendered much of Muslim legal reasoning defensive, apologetic, and ineffective. The interpretative tools that once supported dynamic legal culture are often used in ways that isolate tradition rather than activate its transformative potential. In particular, Ramadan is critical of fatwa councils and legal bodies that operate in isolation from contemporary knowledge production, reducing Sharia to a set of stagnant opinions

¹⁵² In standard Islamic legal discourse, *Ijtihād jamā'ī* or collective *Ijtihād* is widely understood as a meeting of jurists from different legal schools (*madhāhib*) to discuss and agree on new legal issues. It is mainly a process among legal scholars themselves, without involving experts from other fields.

¹⁵³ Ramadan, *Radical Reform*, 186–188.

disconnected from pressing moral dilemmas in his view.¹⁵⁴ However, while Ramadan expands the interpretive space by integrating ethical, scientific, and empirical perspectives, his model still maintains the foundational hierarchy of Islamic legal authority. Traditional jurists retain epistemic primacy as the theological admissibility, and thus scientists, ethicists, and other specialists are valued as contributors but not empowered as decision-makers. This means that interdisciplinary voices are consulted, yet the ultimate interpretive authority remains with jurists.¹⁵⁵

This structure has important implications for the scope of Sharia. On the one hand, it expands Sharia beyond law by situating its comprehensiveness within ethics and interdisciplinary reasoning. On the other hand, it limits the transformative capacity of *Ijtihād jamā'ī* by retaining juristic gatekeeping, which can constrain how far interdisciplinary insights shape normative outcomes. Moreover, his framework does not clearly outline mechanisms for resolving epistemic tensions when scientific evidence or contextual knowledge contradicts established jurisprudence. For instance, psychological research on gender identity, environmental studies on climate based on ethics, or economic models on poverty reduction may yield conclusions at odds with classical legal verdicts, but Ramadan leaves open how such conflicts should be resolved.¹⁵⁶

Additionally, a more subtle limitation is what might be termed the “burden of ethics.”¹⁵⁷ By shifting the locus of Sharia from law to ethics, Ramadan expands the moral responsibility of the individual believer while providing few institutional safeguards for collective accountability. Without a binding framework or a restructured authority mechanism, individuals are left to navigate complex moral terrains with insufficient guidance. This places enormous pressure on the moral

¹⁵⁴ Ramadan, *Western Muslims and the Future of Islam*, 138–144.

¹⁵⁵ Ramadan, *Radical Reform*, 192–194.

¹⁵⁶ Andrew J. Williams and Peter G. Mandaville, eds., *Meaning and International Relations*, Routledge Advances in International Relations and Global Politics 22 (Routledge, 2003), 298–301.

¹⁵⁷ Carl Rhodes and Richard Badham, “Ethical Irony and the Relational Leader: Grappling with the Infinity of Ethics and the Finitude of Practice,” *Business Ethics Quarterly* 28, no. 1 (2018): 80–90, <https://doi.org/10.1017/beq.2017.7>.

agency of ordinary Muslims, who may feel inspired but also overwhelmed by the demand to reconcile scriptural ideals with modern realities.¹⁵⁸

In summary, Ramadan's approach expands the scope of Sharia beyond a legal code into a comprehensive ethical framework that integrates revelation with empirical knowledge. Yet this expansion is limited by his retention of juristic authority structures and the absence of mechanisms to resolve epistemic tensions, thereby constraining how fully his model democratizes Sharia's interpretive processes.

4.3 Ismail Raji al-Faruqi: Sharia as A Civilizational Framework

Ismail Raji al-Faruqi (d. 1986) was a Palestinian-American philosopher, Islamic thinker, and one of the leading voices in 20th-century Muslim intellectual reform. His academic and institutional contributions were foundational in establishing critical discourse on the integration of Islamic values within contemporary knowledge systems. Faruqi's work focused on reorienting Muslim thought to address modern challenges while remaining grounded in the ethical and ontological principles of Islam.¹⁵⁹

Faruqi's academic and institutional contributions were foundational in establishing the International Institute of Islamic Thought (IIIT) in 1981.¹⁶⁰ His goal was not merely academic reform but the wholesale renewal of Muslim civilization by reorienting knowledge production to reflect Islamic values and norms. This required forming a successor of scholars trained in both classical Islamic sciences and modern disciplines who could serve as agents of this intellectual renaissance. Through his efforts, he significantly shaped curricula, discourse, and institutional orientations across the Muslim world, particularly among thinkers seeking to engage with modernity within an Islamic paradigm. For Faruqi, the decline of Muslim societies stemmed from the epistemological dislocation caused by Western secular

¹⁵⁸ Andrew F. March, *Islam and Liberal Citizenship: The Search for an Overlapping Consensus* (New York: Oxford University press, 2009), 142–145.

¹⁵⁹ Seyyed Vali Reza Nasr, "ISLAMIZATION OF KNOWLEDGE: A CRITICAL OVERVIEW," *Islamic Research Institute, International Islamic University, Islamabad* 30 (1991): 387–99, <https://www.jstor.org/stable/20840045>.

¹⁶⁰ "Dr. Ismail al-Faruqi," *IIIT*, n.d., accessed June 2, 2025, <https://iiit.org/en/dr-ismail-al-faruqi/>.

thought and the compartmentalization of modern disciplines. The remedy was not superficial Islamization, but a reconstruction of all knowledge upon the foundation of divine unity and moral purpose.

Central to Faruqi's thought is the conviction that Sharia is not merely a set of legal injunctions but constitutes the ethical and ontological foundation of the Islamic worldview.¹⁶¹ It is the civilizational spine of Islam, giving shape not just to law, but to art, economics, politics, education, and even aesthetics. In his work, he said that:

“Tawḥīd,¹⁶² is that which gives Islamic civilization its identity, which binds all its constituents together and thus makes of an integral, organic body which we call civilization.”¹⁶³

This expansive vision positions Sharia not as a closed juridical corpus (Fiqh) but as the manifestation of God's will in every aspect of human life. In contrast to more narrowly legalistic definitions of Sharia, Faruqi presents it as a civilizational ethos, a unifying principle that organizes Muslim existence across space and time. As such, it is the institutional and intellectual foundation upon which Islamic civilization must be built and renewed.

Unlike Ramadan's moral-ethical paradigm or Jackson's socio-legal realism, Jackson also problematizes Sharia authority under secular constitutionalism. It is different from Faruqi's positions, which see Sharia as the axiological foundation of Islamic civilization, where a total worldview is anchored in the Unity of God. His

¹⁶¹ ISMA'IL R. AL FĀRŪQĪ, *Al-Tawḥīd: Its Implications for Thought and Life*, 4th ed., vol. 4, Islamic Theology 4 (Herndon, Virginia, USA: The International Inst. of Islamic Thought, 1998).

¹⁶² Tawḥīd (Arabic: تَوْحِيد) comes from the root word waḥḥada (وَحَّدَ), meaning to unify or to declare as one. In Islamic theology, it signifies the absolute oneness and uniqueness of God. Tawḥīd is the foundation of Islam creed, expressing the belief that there is no deity worthy of worship except Allah. It rejects polytheism (*shirk*) and affirms God's unity in essence, attributes, and actions. Tawḥīd as the foundation of the Islamic worldview where Faruqi defines as the central axis of Islamic thought. Tawḥīd is the essence of Islam. It is the first and the last, the form and the content, the beginning and the end of the Islamic message. ISMA'IL R. AL FĀRŪQĪ, *Al-Tawḥīd: Its Implications For Thought and Life*, 4:3. Faruqi expands Tawḥīd into five key implications that form the structure of an Islamic civilizational paradigm: Unity of Truth, Unity of Humanity, Unity of Life, Unity of Being, and Unity of Purpose. Then, Tawḥīd as the heart of Islamic theology, functions not only as a doctrinal statement but as a comprehensive worldview. In the thought of Faruqi, Tawḥīd is intellectual and civilizational axis around which the entirety of Islamic life revolves. It informs not just belief, but ethics, law, politics, and epistemology. Thorough Tawḥīd, Faruqi envisions a revitalization of Muslim civilization grounded in unity, justice, and divine purpose.

¹⁶³ ISMA'IL R. AL FĀRŪQĪ, “The Essence of Islamic Civilization,” *The International Institute of Islamic Thought* 2 (2013): 1–39.

approach is distinct because it locates Sharia within a broader philosophical and cultural narrative that seeks to unify the Ummah's intellectual, moral, and institutional life. He doesn't confine the Sharia to law but expands it as a normative force guiding culture, art, economics, education, and politics.

Faruqi goes further, calling for a new scholarly class equally grounded in religious sciences and modern fields of inquiry. This class must work collaboratively to reconstruct knowledge systems "from within" Islam's epistemic paradigm:

"The Ummah can never regain the vitality of its civilization without re-Islamizing the sciences... The methodology of Islamization is not rejection, but integration based on divine unity."¹⁶⁴

Thus, Sharia becomes more than prescriptive norms- it becomes an epistemic and civilizational engine. The Islamization project, in this sense, is an applied manifestation of Sharia, which seeks to align all domains of inquiry with the higher goal of divine revelation, which is *maqāṣid*.

Faruqi's understanding of Sharia transcends its common reduction to legal rulings (*aḥkām*), positioning it instead as a comprehensive framework that integrates divine revelation, ethical reasoning, and the totality of human life under the sovereignty of *Tawḥīd*. On the other hand, drawing upon the metaphysical foundation of *Tawḥīd*, Faruqi's argument is that the Islamic worldview necessitates the unity of values, truth, and action under divine guidance. Therefore, Sharia is the practical means by which this unity is instantiated in the world. As he writes:

"The Sharia is the methodology of excellence for implementing Islam as a total system."¹⁶⁵

¹⁶⁴ 'Abdul Ḥamīd Abū Sulaymān and International Institute of Islamic Thought, eds., *Islamization of Knowledge: General Principles and Work Plan*, 2. ed., rev. expanded, Islamization of Knowledge Series, 1 [i.e.] 2 (Herndon, Va., USA: International Institute of Islamic Thought, 1989), 3–4.

¹⁶⁵ 'Abdul Ḥamīd Abū Sulaymān and International Institute of Islamic Thought, eds., *Islamization of Knowledge: General Principles and Work Plan*, 2. ed., rev. expanded, Islamization of Knowledge Series, 1 [i.e.] 2 (Herndon, Va., USA: International Institute of Islamic Thought, 1989), 20.

It is his totality, which is not confined to Fiqh, that makes Sharia the civilizational blueprint for Islam. It is meant not only to regulate transactions or rituals but to give form to a society in harmony with divine justice and mercy.

Faruqi reimagined Sharia in a manner that diverges from the traditional, law-centered interpretations often associated with Islamic thought. For him, Sharia is not just a set of legal rules, but it is the living expression of *Tawhīd*, the idea of divine unity, unfolding across the full landscape of human life. It serves as the ethical and spiritual backbone of Islamic civilization, shaping not only how Muslims govern or trade, but also how they learn, create, and live together. This vision comes to life in his “Islamization of Knowledge” project. This expansive vision leads Faruqi to advocate for the “Islamization of knowledge”, a project aimed at realigning the entire intellectual and academic tradition of Muslims with the epistemic principles of Islam.¹⁶⁶ According to him, modern disciplines such as sociology, economics, and politics must be restructured following Islamic norms, for secular paradigms rooted in alien metaphysics inevitably produce fragmented and spiritually empty knowledge. This extension of Sharia into epistemology is not accidental but grounded in his assertion that all knowledge must serve the purpose of worship (*‘ibādah*) and reflect vicegerency (*khilāfah*) on earth, since the very role of humanity, is to act as God’s trustee on Earth. The Islamization of knowledge then becomes an applied manifestation of Sharia, extending beyond legal injunctions into epistemology, education, and cultural production. This extension is deeply rooted in Faruqi’s understanding of Sharia as the civilization method of Islam, which must guide the moral, spiritual, and intellectual development of the Ummah.¹⁶⁷

For instance, Faruqi’s reflection on Islamic art offers a concrete and familiar illustration of how he extends the meaning of Sharia beyond legal injunctions into the aesthetic realm. In his work *The Art of Islamic Civilization*, Faruqi argues that what makes Islamic art “Islamic” is not simply its historical development in Muslim societies or its formal characteristics, like geometric designs and arabesques, is

¹⁶⁶ AbūSulaymān and International Institute of Islamic Thought, *Islamization of Knowledge*, 2. ed., rev.expanded (International Institute of Islamic Thought, 1989), 17.

¹⁶⁷ ISMA‘ĪL R. AL FĀRŪQĪ, *Al-Tawhīd: Its Implications For Thought and Life* 165-171.

rather its deeply intentional expression from *Tawhīd* itself.¹⁶⁸ For him, Islamic artistic tradition is not merely obeying a rule that says “don’t draw living beings” or “permanent methodology”, but expressing something more profound: that God cannot be illustrated, compared, or contained. Any attempt to do so would violate the Quranic declaration:

“There is nothing like unto Him...” (42:11).

So, instead of painting saints or prophets as in Christian traditions, Islamic artists throughout history turned their creativity toward what could express the divine without claiming to capture it: rhythm, repetition, symmetry, and especially calligraphy. For Faruqi, Quranic calligraphy is not just beautiful writing, which is theology made visible. When a verse of the Quran is rendered in elegant script, adorning a mosque wall or manuscript page, it does more than please the eye; it invites the viewer into direct contact with revelation.¹⁶⁹ The visual becomes devotional. Even everyday spaces become sanctified through this art, reminding Muslims that divine speech is never far. Prophet Muhammad PBUH said:

“Indeed, God is beautiful and loves beauty.”

Carved into stone or written on parchment, it becomes not only a statement about God but an embodiment of that beauty itself.

Moreover, Faruqi’s insight also speaks to a deeper contemporary need: in an age of hyper-visual culture, where meaning is often lost in images that entertain but don’t elevate, Islamic art, by offering a counter-aesthetic. It whispers that beauty is sacred, that form should reflect truth, and what we create reveals what we ultimately believe. In this sense, Faruqi’s treatment of Islamic art is not only about art history, but also a philosophy of presence, reminding us that Sharia, as a civilizational ethos, can infuse even color and line with spiritual purpose.¹⁷⁰

¹⁶⁸ Ismā‘īl Rājī al-Fārūqī, *The Arts of Islamic Civilization*, 1st Edition, vol. 1, Occasional Paper Series 4 (IIIT, 1985).

¹⁶⁹ Idhām Muḥammad Ḥanash, *The Theory of Islamic Art: Aesthetic Concept and Epistemic Structure*, trans. Nancy N. Roberts (International Institute of Islamic Thought, 2017).

¹⁷⁰ Ismā‘īl Rājī al-Fārūqī, “Islam and Art,” *Brill* 37 (1973): 81–109.

What's powerful in Faruqi's view is that when Sharia is understood properly, it does not suppress creativity. Islamic art is not just permitted within Sharia. It is one of the clearest demonstrations of how the divine law guides not only what Muslims do, but how they perceive the world, how they create, and what they value, even beyond the legal obligations and prohibitions. This vision challenges the common assumption that Sharia is restrictive or purely juridical. Instead, Faruqi invites us to see it as a source of inspiration, shaping not just norms but culture, civilization, science, aesthetics, and imagination.

4.4 Sherman A. Jackson: Sharia and The Islamic Secular

This chapter examines Jackson's conceptual framework, particularly his argument that Sharia's jurisdiction is intentionally limited, not that Islamic ethics replace law. His central concern is to define the boundaries of Sharia, demonstrating that Islamic law was never intended as an exhaustive system regulating every aspect of life. Rather, by recognizing these jurisdictional limits, Muslims can understand how law and broader moral agency coexist within Islamic tradition.

Sherman Jackson: Tradition, Identity, and The Reconfiguration of Islamic Thought

Jackson emerges as one of the most original and influential Muslim intellectuals in the contemporary West. His work navigates the tense crossroads between classical Islamic legal tradition and the socio-political realities of Muslims living as minorities, particularly in the United States. Trained in both Islamic sciences and Western critical theory, Jackson brings to his scholarship a rare

combination of Islamic heritage (*turāth*)¹⁷¹ and modern sensibilities,¹⁷² allowing him to address deeply rooted theological concerns while speaking directly to the lived experiences of 21st-century Muslims.

Jackson received his Ph.D. from the University of Pennsylvania in Oriental Studies with a specialization in Islamic law. He has held appointments into academic positions at several universities, including Wayne State University, Indiana University, the University of Texas at Austin, the University of Michigan, and currently the University of Southern California, where he serves as the King Faisal Chair in Islamic Thought and Culture. From 1987 to 1989, he served as executive director of the Center of Arabic Study Abroad in Cairo, Egypt.¹⁷³ These positions reflect not only his scholarly credentials but also his role as a public intellectual who speaks to issues of race, religion, power, and ethics in a globalized world.

His early work, *Islamic Law and The State: The Constitutional Jurisprudence of Shihāb al-Dīn al-Qarāfī*, is a rigorous textual and historical study of the *Mālikī* jurist *al-Qarāfī* (d. 684), a figure often overshadowed by more prominent classical

¹⁷¹ Muḥammad ‘Ābid al-Jābirī, *Naḥnu wa al-Turāth: Qirā’ah Mu‘āṣirah fī Turāthinā al-Fikrī*, vol. 1, Philosophy, Arab (Markaz Dirāsāt al-Waḥdah al-‘Arabiyyah, 1980). The term *turāth* (تراث) is derived from the Arabic root w-r-th, which denotes inheritance or legacy. In classical Arabic, *turāth* refers to that which is inherited from previous generations, encompassing material, intellectual, spiritual, and cultural components. In modern usage, particularly in Arab-Islamic philosophy and Islamic intellectual discourse, *turāth* refers to the inherited corpus of Islamic knowledge, tradition, and culture, including the religious texts, jurisprudence, theology, philosophy, literature, and arts. In its classical form, *turāth* was not used as a distinct technical term; rather, scholars referred more specifically to particular sciences or disciplines: *tafsīr*, *ḥadīth*, *fiqh*, *kalām*, etc. However, the modern invocation of *turāth* as a totalizing concept emerged prominently in the 19th and 20th centuries, especially as Muslim societies began grappling with colonialism and modernity. Actually, the notion of *turāth* took on new significance in the 20th century, particularly as part of Islamic intellectual resistance to Western hegemony. It became a central theme in the writings of many Arab and Muslim thinkers who sought to reconstruct Muslim identity by reclaiming and reinterpreting the Islamic intellectual legacy.

¹⁷² This word refers to an intellectual orientation that is attuned to the ethical, philosophical, and socio-political currents that define modern life. This includes an awareness of and engagement with concepts such as individual autonomy, historical self-consciousness, moral subjectivity, and the pluralistic nature of contemporary societies. It reflects a disposition that takes seriously the legitimacy of modern struggles for justice, dignity, freedom, and critical inquiry, while also grappling with the secularization of public life and the institutional structures that mediate it, such as liberal democracy, constitutional law, and human rights discourse. Especially in Jackson’s case here, this sensibility does not entail an uncritical acceptance of modernity, but rather a selective and dialogical engagement: one that seeks to preserve the theological integrity of Islam while responding meaningfully to the real ethical and political challenges facing Muslims today.

¹⁷³ “Sherman Jackson,” University Conference - Islam, accessed June 19, 2025, <https://islamconf.byu.edu/directory/sherman-jackson>.

scholars. Jackson brings *al-Qarāfi*'s political and legal theories into conversation with contemporary debates about the role of Sharia in the modern nation-state. He challenges the simplistic dichotomies of "Secular Vs Islamic" and instead highlights the nuanced constitutional thought embedded in the Islamic tradition. Through *al-Qarāfi*, Jackson attempts to demonstrate that premodern Islamic law possessed internal mechanisms for negotiating between religious authority, state governance, and public interest, mechanisms that have largely been forgotten or overlooked in modern discourses.

Yet Jackson's most widely recognized contributions emerge from his interventions in the discourse on race and Islam in America. In *Islam and the Blackamerican: Looking Toward the Third Resurrection*, he offers both a theological and cultural critique of how Islam has been mediated in the American context. Jackson distinguishes between three phases in the history of Black American Islam which from early proto-Islamic movements such as the Nation of Islam, to the adoption of normative Sunni Islam, and toward what he calls the "Third Resurrection": a moment of cultural and intellectual self-determination that draws from, but is not beholden to, either immigrant paradigms or Eurocentric liberalism. For Jackson, the authenticity of Black American Islam does not lie in mimicry of Arab or South Asian norms, nor a wholesale adoption of American secularism, but in a rooted engagement with the Islamic tradition that speaks to Black history, pain, dignity, and moral agency.

The common thread running through Jackson's thought is his redefinition of Sharia. Rather than viewing it as a totalitarian divine code or an abstract moral utopia, Jackson emphasizes the distinction between Sharia as a divine ideal and Fiqh as a form of law produced by humans,¹⁷⁴ which I will discuss in this session later. In another major contribution, Jackson addresses questions of spirituality and Sufism. Is Sufism for Non-Sufis? He defends the legitimacy of classical Sufism as expressed by figures such as *Ibn 'Atā Allāh al-Sakandarī* (d. 709), who wrote the Sufi book phenomenal, *Ḥikam* (Aphorisms).¹⁷⁵ continues to shape spiritual discourse

¹⁷⁴ Jackson, *The Islamic Secular*, 61–75.

¹⁷⁵ Aḥmad ibn Muḥammad Ibn 'Atā' Allāh al-Iskandarī, *al-Ḥikam: The Book of Wisdoms*, Bilingual Edition, vol. 1 (Diwan Press, 2005).

throughout the Muslim world. Far from viewing Sufism as marginal or anti-intellectual, Jackson presents it as a core component of Sunni orthodoxy by addressing the internal dimensions of the soul, ethical cultivation, and closeness to God. His aim is not merely to rehabilitate Sufism for a modern audience, but to reclaim it as an inseparable part of what it means to live Islam with depth and sincerity.¹⁷⁶

Jackson's scholarship is animated by a critical fidelity to the Islamic tradition which is a commitment to its depth, diversity, and dynamism, while also being sharply attuned to the fractures, exclusions, and challenges of modernity. Whether engaging the racialization of Muslims, the abuse of Islamic legal categories, or the limits of liberal secularism, Jackson's work resists easy binaries. His insistence on complexity and historical consciousness makes him a necessary interlocutor for any serious reflection on Islam in the modern world. Ultimately, Jackson's contributions extend well beyond the American Muslim context. By recovering lost categories within Islamic thought, rearticulating the relationship between ethics and law, and offering a culturally grounded yet theologically rigorous mode of being Muslim, then he speaks to broader global debates about the future of Islam, authority, and pluralism in an age of fragmentation and transition.

Reimagining The Meaning of Sharia and Secular Banishment

Jackson's core argument is that Sharia is not totalizing but bounded, with limits set not by secular forces but by Sharia's design and classical juristic recognition.¹⁷⁷ Rather than framing ethics as superior to law, he shows that Sharia's legal scope does not and was never meant to cover every human action. His concept of the "Islamic Secular" emerges from these limits, referring to a domain beyond Sharia's legal jurisdiction.¹⁷⁸

¹⁷⁶ Sherman A. Jackson, *Sufism for Non-Sufis? Ibn 'Atā' Allāh al-Sakandarī, Sufistic Theology, and the Problem of Islamic Authenticity*, vol. 1, Sufism, Islam 1 (Oxford University Press, 2012).

¹⁷⁷ Sherman A. Jackson, "The Islamic Secular," *International Institute of Islamic Thought (IIIT)*, Not part of a formal series, Article / Essay (2017): 4–7.

¹⁷⁸ Sherman A. Jackson, "The Islamic Secular," 5–10.

In the evolving discourse on Islam and modernity, Sherman A. Jackson offers a layered and sophisticated response to what he identifies as a false binary: the absolute legalism of traditionalist Sharia paradigms and the sweeping secularity of Western liberalism. Rather than submitting to either pole, Jackson proposes a third pathway as “Islamic Secular” is not an alternative ethical theory or neutral secularism, but a space where Sharia yields to human moral deliberation without abandoning religious accountability.¹⁷⁹ For Jackson, legal silence does not imply religious irrelevance. Instead, it reaffirms that the law’s authority. Jackson’s central contribution lies in articulating a sacredly inspired but non-juridical sphere in which Muslims can act morally in the public realm. This is not a space of neutrality or theological abandonment, but one shaped by Islamic memory (*dhikr*), ethical intentionality (*niyyah*), and moral imagination (*Taqwā*), where legal silence does not equate to religious irrelevance. Thus, Jackson breaks new ground in allowing for both deference to the Sharia sanctity and recognition of its practical limits.¹⁸⁰

Jackson begins by redefining Sharia not as an exhaustive legal code but as a bounded normative project. It is rooted in divine revelation yet mediated through the historically contingent processes of human interpretation. Jackson critiques both modern secularists who evacuate Sharia of legal force and Islamists who inflate it into a comprehensive socio-political regime

“Sharia is not totalizing; it is bounded, both in subject matter and in interpretive reach.”

However, Jackson does not present the Islamic Secular as a moral or ethical sphere in which Muslims creatively deliberate ethical decisions. His concern is jurisdictional, showing that Sharia was never meant to cover every possible human action. As he emphasizes, the absence of a legal ruling does not transform these areas into a zone of religious ethics; it simply acknowledges that God did not impose a specific ruling, leaving decisions to human management without elevating them to divine law.¹⁸¹

¹⁷⁹ Jackson, *The Islamic Secular*, 18–28.

¹⁸⁰ Sherman A. Jackson, *On the Boundaries of Theological Tolerance in Islam : Abū Ḥāmid al-Ghāzālī’s Fayṣal al-Tafrīqa Bayna al-Islam Wa al-Zandaqa*, vol. 1, Islamic Philosophy (Oxford University Press, 2002).

¹⁸¹ Sherman A. Jackson, “The Islamic Secular,” 15–20.

This flexibility is grounded not in relativism but in the classical Islamic awareness of contextualization (*waqā'i*), discretion (*taqyīd*), and ethical purpose (*Maqāṣid al-sharī'ah*). Jackson's model draws inspiration from juristic principles, the juridical preference (*Istihsān*) and public interest (*maslahah mursalah*), not to re-engineer the law, but to illustrate that its moral underpinnings have always been dynamic and adaptable.¹⁸² In reviving these tools, Jackson provides a framework through which Muslims can navigate the ethical tensions of modern pluralistic societies while remaining anchored in sacred tradition.¹⁸³

Such a view posits that Sharia was never meant to be an exhaustive blueprint for every circumstance, but a discursive tradition grounded in virtue, communal negotiation, and responsiveness to human needs.¹⁸⁴ This architecture allows for a conceptual distinction between the zones where law formally speaks and where ethical agency must respond independently. The Islamic secular thus becomes not a negation of Sharia, but a vital space where its spirit can animate decisions in novel domains without compromising its juridical sanctity.¹⁸⁵

Thus, contrary to interpretations that present the Islamic Secular as equipping Muslims with ethical agency in pluralist societies, Jackson's main point is that Sharia has self-imposed limits. These limits define a realm outside of direct compulsion, but not outside religious consciousness. The Islamic Secular is therefore about delimiting Sharia's jurisdiction, not constructing a new ethical framework beyond it.

The Emergence of The Islamic Secular

Jackson introduces the "Islamic Secular" to describe areas of life that fall outside the formal jurisdiction of Sharia. In these domains, Muslims act without

¹⁸² Jackson, *The Islamic Secular*, 58–63.

¹⁸³ Sherman A. Jackson, *Islam and The Problem of Black Suffering, Race Relations, Black Theology, Islam, History*, (Oxford University Press, 2014), 11–14; Jackson, *The Islamic Secular*, 73–76.

¹⁸⁴ Brown, *Misquoting Muhammad*.

¹⁸⁵ Ebrahim Moosa, "The Dilemma of Islamic Rights Schemes," *Journal of Law and Religion* 15, no. 1/2 (2000): 185, <https://doi.org/10.2307/1051518>.

direct legal obligation, yet remain mindful of God's presence. Importantly, this is not "Secularism" in the Western sense, which implies removing religion from public life. Rather, it refers to practical matters that Sharia does not regulate directly. For instance, Jackson mentions everyday areas such as construction codes, traffic regulations, or immigration policies where there are no specific rulings derived from scripture or classical legal tools.

"The Islamic Secular is not a flight from Sharia. It is a return to its spirit."

This "spirit" reflects a longstanding sensibility in Islamic thought: that law alone cannot exhaust the moral demands of faith. The Islamic tradition has always contained an undercurrent of ethical deliberation beyond the limits of legalism. Jackson retrieves this strand to affirm that not all Islamic action requires juridical authorization, but all remains accountable to divine values. The believer thus becomes a moral agent, not merely a legal subject.¹⁸⁶

It is crucial to understand that Jackson does not present the Islamic Secular as an ethical sphere in the sense of a space for moral deliberation beyond law. Instead, his main concern is to show that Sharia itself has limits. These are areas where God has not provided a concrete legal ruling, and Muslims must rely on human discretion to organize their affairs.¹⁸⁷ As noted by Jackson which he frames these unregulated domains as *taṣarruḥāt* (discretionary decisions) rather than *aḥkām* (legal rulings), highlighting that his focus is on jurisdictional boundaries, not ethical theorizing.¹⁸⁸ Therefore, it would be misleading to say that Jackson's 'Islamic Secular' equips Muslims to act ethically in a pluralistic society. His aim is not to propose an alternative ethical system outside Sharia, but to emphasize that Islamic law itself does not claim to cover everything.¹⁸⁹ For Jackson, the absence of a legal ruling does not automatically transform into an ethical command; it simply means that Sharia has left that area open, and humans must act using their discretion, without elevating such decisions to the status of divine law

¹⁸⁶ Sherman A. Jackson, *Islam and The Problem of Black Suffering*, 85–90.

¹⁸⁷ Jackson, *The Islamic Secular*, 77–80.

¹⁸⁸ Almarāḳibī, "The Non-Regulated by Shari'a: Ethics and (Re)-Defining Shari'a Limits," 6–7.

¹⁸⁹ Jackson, *The Islamic Secular*, 15–20.

The Islamic secular, as articulated by Jackson, performs a jurisdictional—not strategic—function in the modern world. It does not serve as an ethical substitute for Sharia or a means of equipping Muslims to act morally in pluralistic settings. Rather, it marks the boundaries of Sharia’s legal reach, identifying those areas that, by divine design, are left unregulated by revealed law.¹⁹⁰ Jackson is explicit that legal silence in these domains does not constitute a call to ethical activism or conscientious presence in the sense of new religious obligations. Instead, he reframes legal silence as a site of divine trust, where Muslims operate with human discretion but without presuming to create new religious norms¹⁹¹. Therefore, Jackson preserves the sanctity of Sharia by limiting its jurisdiction and resisting its expansion into areas that revelation deliberately left open.

Moreover, the Islamic Secular becomes a space of deliberative piety, where Muslims mobilize memory, conscience, and lived experience to pursue the good. It valorizes the ethical imagination that operates within, alongside, and sometimes beyond the constraints of positive law as an imagination not tolerated, but required in the sacred economy of responsibility. Thus, the Islamic Secular becomes a modern articulation of Islam’s premodern wisdom: that law and ethics operate in tandem, and that the authority of Sharia lies not in its saturation of all life domains, but in its capacity to coexist with moral plurality while remaining a guiding force. It is not a secularism that severs the sacred from the public, but a space in which ethical agency flourishes without juridical compulsion. In this framework, Muslims are not merely passive recipients of law, but ethical agents tasked with enacting God’s will in spaces where the law has spoken through its silence.

Limits of Sharia: Jurisdiction of Law

The way Sherman A. Jackson articulates a profound distinction within Islamic legal thought is important: that Sharia, so far from being a totalizing or exhaustive moral code, operates within an intentionally bounded framework. These

¹⁹⁰ Jackson, *The Islamic Secular*, 77–80.

¹⁹¹ Almarākibī, “The Non-Regulated by Sharī‘a: Ethics and (Re)-Defining Sharī‘a Limits,” 7–8.

limits are not imposed by modernity or secularism, nor are they symptoms of decline. Rather, they are embedded within the classical Islamic legal tradition itself, which acknowledges, according to Jackson's view, that law, as a formal structure of rules and sanctions, cannot account for the full breadth of moral and religious life. By drawing especially on the *Mālikī* jurist *Shihāb al-Dīn al-Qarāfī* (d. 683/1285), Jackson distinguishes between the jurisdiction of law—where scriptural revelation and legal reasoning establish normative rules—and the jurisdiction of fact, where empirical reality, human context, and moral discernment must intervene to apply or even supplement those rules.¹⁹²

This branch yields an important implication by knowing the law is not the same as knowing what to do. Legal rules are abstract; real life is messy. To live ethically thus requires not only juridical knowledge but also conscience (*ḍamīr*), remembrance (*dhikr*), God consciousness (*taqwā*), and a sincere consideration of *maṣlaḥah*. This space between law and action—between the written rule and human situation to which it applies—is what Jackson terms the Islamic Secular. But far from being a departure from religion, it is a return to a deeper, more comprehensive mode of moral engagement—one that aligns with the classical Islamic sensibilities rather than modern secularist dichotomies.¹⁹³

This insight is sharpened through Jackson's recovery of *al-Qarāfī*'s distinction between the law's recognition of a cause (*mashrū' iyyat al-sabab*) and its actual occurrence in reality (*wuqū' al-sabab*). For example, while the Sharia may legislate that sunset marks the time for Maghrib prayer, it cannot determine whether the sun has set. That task belongs to human observation, not legal derivation. This insight becomes foundational for Jackson's broader theory: juridical authority is not coextensive with epistemic sovereignty. Knowing what the law commands is not always sufficient for faithful action; the believer must still confront real-world circumstances with intelligence and ethical discretion. On the other hand, this model is extended in *Islam and The Problem of Black Suffering*, where Jackson turns from legal theory to existential theology. In the face of racial oppression and moral

¹⁹² Jackson, *The Islamic Secular*, 43–46.

¹⁹³ Jackson, *The Islamic Secular*, 51.

catastrophe, Jackson resists reducing Islam to a system of legal commands. Law, he argues, often falls silent in moments of systemic suffering. Yet silence is not absence. Here, he invokes the classical category of *al-maskūt* ‘*anhu* not as a zone of moral abdication, but as a call to ethical responsibility. In such cases, divine expectation is not withdrawn but redirected into the believer’s moral subjectivity: their *niyyah*, *taqwā*, and *dzikr* as a contemplation, and their sense of being morally accountable even when juridical instruction is lacking.¹⁹⁴

In *The Islamic Secular*, Jackson offers his most systematic account of Sharia limits, which is not a failure but a divine design. Law is limited because it was never meant to exhaust divine moral guidance. As many classical jurists acknowledged, only a fraction of the Quran deals directly with law. Beyond that lies a moral terrain that must be cultivated not through legal machinery but through juristic reasoning where there is no text (*Ijtihād fī mā lā naṣṣa fīh*), ethical imagination, and institutional structures like *ḥisbah* or *siyāsah shar‘iyyah*, which administered morality without necessarily producing new legal rules.

Additionally, the law does not die when it is silent; it merely passes the baton to human agency. That agency is not unmoored or secular in the modernist sense; it is deeply Islamic, grounded in a tradition that has always acknowledged the limits of law and the indispensability of virtue. Jackson does not call for less religion; he calls for a richer religion that refuses to conflate faith with legalism and reclaims ethical subjectivity as part of divine trust. Thus, Sharia “Limits” are neither weaknesses nor concessions to modernity. They are theological affirmations that law needs ethics, that revelation assumes reason, and that the moral life requires more than compliance.

4.5 Comparative Assessment: Comprehensiveness and Limits of Sharia

4.5.1. Comprehensiveness Concept: Ethics, Civilization, and Jurisdiction

Ramadan’s Ethical Comprehensiveness

Tariq Ramadan reframes Sharia not as a totalizing legal code but as an ethical project. His notion of comprehensiveness is grounded in the dual epistemology of

¹⁹⁴ Sherman A. Jackson, *Islam and The Problem of Black Suffering*, 102–110.

the “Written Book” (*kitābun maṣṭūr*), representing the revealed texts, and the “Unfolded Book” (*kitābun manẓūr*), encompassing the universe, human experience, and empirical reality¹⁹⁵ By requiring Muslims to read both books, Ramadan positions ethics, rather than jurisprudence, at the center of Sharia function.¹⁹⁶

This model challenges the stagnation of traditional juristic discourse by advocating *Ijtihād Jamāʿī*, a form of collective reasoning that integrates textual scholars with scientists, economists, ethicists, and social theorists. Ramadan argues that only through such interdisciplinary engagement can Muslims respond meaningfully to modern ethical challenges such as environmental crisis, technological dilemmas, and global injustices.¹⁹⁷

Among scholars, the discussions of “what is Islamic” remain nuanced. Shahab Ahmed is challenging the way scholars and laypeople alike simplistically define “Islamic. Islam is not a singular or static entity, but a vast, complex, contradictory, and dynamic phenomenon. Islamic itself, rather than signifying one of the coherent things, it must be understood as designating a plurality of meanings, practices, and interpretations arising from human engagement with the idea of Divine Communication through Muhammad. Thus, Islam cannot merely be identified by reference to prescriptive theological norms, but must encompass what Muslims across time and space have done, believed, created, and lived, even when these practices contradict the formal norms.¹⁹⁸ On the other hand, Peter Adamson, in his work “*A History of Philosophy Without Any Gaps*,” explained the reason by using the work Philosophy in the Islamic World, rather than Islamic Philosophy or Arabic Philosophy. Saying “Islamic Philosophy” is such an exclusive field and excludes the Christians and Jews, who will be important in this part of the work.¹⁹⁹ Therefore, Peter prefers an “Islamic” meaning that cultural, linguistic, and historical context are the defining factors.

¹⁹⁵ Ramadan, *Western Muslims and the Future of Islam*, 33–35.

¹⁹⁶ Ramadan, *Radical Reform*, 54–55.

¹⁹⁷ Ramadan, *Radical Reform*, 95–97.

¹⁹⁸ Shahab Ahmed, *What Is Islam? The Importance of Being Islamic* (Princeton University Press, 2016), 27–30.

¹⁹⁹ Peter Adamson, *A History of Philosophy Without Any Gaps*, First (Oxford University Press, 2016), 3:27.

However, Ramadan's vision remains constrained by the very hierarchies it seeks to reform. Traditional jurists continue to retain epistemic primacy, limiting the transformative potential of interdisciplinary reasoning.²⁰⁰ Moreover, while Ramadan's approach shifts Sharia from law to ethics, it lacks institutional mechanisms to resolve epistemic conflicts, for example, when scientific findings contradict classical legal verdicts.²⁰¹ His framework thus risks burdening individuals with ethical responsibilities they may be ill-equipped to navigate without institutional and communal scaffolding. The moral agency he valorizes may empower, but it can also overwhelm, leaving believers inspired yet unsupported.²⁰²

Faruqi's Civilizational Comprehensiveness

In contrast, Faruqi situates Sharia within a grand civilizational project anchored in divine unity. For Faruqi, Sharia is not simply a collection of legal rulings but the ontological and axiological foundation of Islamic civilization itself.²⁰³ His Islamization of Knowledge project reflects an ambition to realign all disciplines with sciences, humanities, arts, economics, and politics within an Islamic worldview.

This vision transcends the legalistic reductionism of classical Fiqh by viewing Sharia as an integrated civilizational ethos shaping the moral, intellectual, modern aesthetic, and institutional life of the Ummah. It is a powerful corrective to modern secular fragmentation, offering Muslims a holistic moral map rooted in divine unity. On the other hand, his theory of Islamic art exemplifies how Sharia extends beyond law to shape aesthetics and cultural production. His argument on it, that Islamic art is not defined merely by its historical emergence in Muslim societies or by its formal characteristics, such as geometric patterns, arabesques, and calligraphy. Rather, its distinctiveness derives from its deep ontological and theological grounding in *Tawhīd*.²⁰⁴ For Faruqi, Islamic art expresses the unrepresentability of God. Thus, the avoidance of figural representation in Islamic art is not a superficial prohibition

²⁰⁰ Ramadan, *Radical Reform*, 98–100.

²⁰¹ Ramadan, *Radical Reform*, 110–12.

²⁰² Ramadan, *Radical Reform*, 115.

²⁰³ *Abū Sulaymān* and International Institute of Islamic Thought, *Islamization of Knowledge*, 1989, 15.

²⁰⁴ *Abū Sulaymān* and International Institute of Islamic Thought, *Islamization of Knowledge*, 2. ed., rev. expanded (International Institute of Islamic Thought, 1989), 50–51.

but a metaphysical assertion: God transcends all forms, and artistic creativity must reflect this transcendence.²⁰⁵ As a result, Muslim artists turned to geometry, rhythm, repetition, symmetry, and especially calligraphy to express divine beauty without attempting to capture or delimit it.

Far from being restrictive, this aesthetic philosophy liberates creativity within an ethical and theological framework. Quranic calligraphy, for instance, is not merely beautiful writing but theology made visible. When a verse is rendered in elegant script adorning a mosque or manuscript, it does more than please the eye; it invites viewers into direct remembrance of divine revelation. Therefore, Islamic art becomes a devotional act, transforming everyday spaces into sanctuaries of remembrance and sanctity. This aesthetic dimension demonstrates how Faruqi's conception of Sharia extends beyond legal injunctions into the realms of culture, beauty, and imagination. Islamic art, under this vision, is not merely permitted within Sharia but is a manifestation of its deepest spiritual and civilizational ethos. It reveals that Sharia's comprehensiveness, for Faruqi, includes the cultivation of beauty as an expression of divine perfection.²⁰⁶

Nevertheless, Faruqi's novelty lies precisely in this challenge. He compels a rethinking of Sharia not as a compartmentalized legal system or abstract ethics but as the very architecture of Muslim life and thought. In doing so, he reframes debates on comprehensiveness of Sharia; it is not merely a question of what Sharia governs, but how it grounds civilization itself in divine unity and moral purpose. This approach offers a radical epistemic alternative to modernity's secular-fragmented knowledge systems, calling Muslims to envision a world where knowing, creating, and governing are acts of worship anchored in revelation.

Jackson's Jurisdictional Comprehensiveness

Jackson offers a jurisdictionally bounded conception of Sharia. Drawing upon classical jurisprudence and critical theory. Jackson distinguishes between the

²⁰⁵ AbūSulaymān and International Institute of Islamic Thought, *Islamization of Knowledge*, 2. ed., rev.expanded (International Institute of Islamic Thought, 1989), 52.

²⁰⁶ Abū Sulaymān and International Institute of Islamic Thought, 64.

jurisdiction of law, where revealed texts and Fiqh establish normative rules, and the jurisdiction of fact where empirical realities and moral discretion determine application.²⁰⁷

His innovative concept of the “Islamic Secular” refers to domains beyond the reach of formal law, such as public administration policies, traffic regulations, or institutional governance. Crucially, this is not an ethical domain in the sense of moral deliberation beyond law, but a space where Sharia intentionally remains silent, leaving decisions to human discretion without conferring upon them the status of divine law. This approach reflects Jackson’s main argument that Sharia imposes limits on its jurisdiction by design, recognizing that law cannot and should not regulate every aspect of life.²⁰⁸ However, he carves out a domain where Muslims can act ethically in areas beyond the reach of formal law, guided by memory (*dhikr*), God-consciousness (*taqwā*), and moral intention (*niyyah*). This is not secularism in the Western sense of detachment from religion but an ethically saturated space where legal silence becomes a site of moral agency. Jackson’s model skillfully avoids both the totalizing tendencies of Faruqi’s civilizational vision and the ethical expansiveness of Ramadan’s approach. He neither overextends Sharia to cover all aspects of life nor reduces it to individual ethics alone. Instead, he frames its limits as an intrinsic feature of divine design, ensuring that law remains within its rightful sphere while leaving space for human management in areas unaddressed by revelation.²⁰⁹ Jackson distinguishes between the jurisdiction of law (*ḥukm sharʿī*)—where revealed texts and Fiqh establish normative rules—and the jurisdiction of fact, where empirical realities, social customs, and differentiated reasoning determine application. This law/fact distinction is central to his Islamic Secular thesis. The Islamic Secular is not secularism in the Western sense of detachment from religion but rather an ethically saturated space beyond positive law where Muslims act guided by *dhikr* (remembrance), *taqwā* (God-consciousness), and *niyyah* (intention).²¹⁰

²⁰⁷ Sherman A. Jackson, *Islam and The Problem of Black Suffering*, 144–148.

²⁰⁸ Jackson, *The Islamic Secular*, 77–80.

²⁰⁹ Sherman A. Jackson, 150–161.

²¹⁰ Jackson, *The Islamic Secular*, 139–79.

However, Jackson's approach also has limitations. While it clarifies jurisdictional boundaries, it lacks an institutional blueprint for operationalizing this ethical domain collectively. How might Muslim communities build structures that empower deliberative ethics without collapsing into individualism or losing coherence? This remains an open question in his framework.

Overall, these three models illuminate the rich multidimensionality of Sharia comprehensiveness. For Ramadan, Sharia unfolds as an ethical compass, guiding moral reasoning beyond mere legal compliance. For Faruqi, it becomes a civilizational backbone, integrating law, knowledge, aesthetics, and culture under the unifying principle of *Tawhīd*. Meanwhile, Jackson reimagines Sharia as a jurisdictionally bounded legal and ethical framework, recognizing its limits not as shortcomings but as intentional spaces for moral agency and conscientious deliberation. Together, these perspectives reconfigure Sharia's function from a static code into a dynamic, living tradition that shapes how Muslims know, create, govern, and live meaningfully in the modern world.

4.5.2. Methodological and Epistemology Divergence

Scholar	Epistemology	Scope of Sharia	Methodological Innovation	Key Limitation
Tariq Ramadan	Dual epistemology (Scripture and Empirical reality)	Ethical comprehensiveness	Ijtihād integrating natural and social sciences	Retains juristic primacy; lacks a mechanism for epistemic conflict resolution
Ismail Raji al-Faruqi	<i>Tawhīd</i> as meta-epistemology	Civilizational methodology integrating law, knowledge, art, and culture	Islamization of knowledge: realigning all disciplines	Risks: epistemic homogenization; insufficient

			with divine unity	accommodation of secular pluralism.
Sherman A. Jackson	Classic-juristic and critical theory of synthesis	Jurisdictionally bounded: Sharia's self-imposed legal limits	Concept of the Islamic Secular as a jurisdictional domain beyond Sharia's rulings, clarifying the law's limits	Lacks institutional design for operationalizing discretionary domains collectively

4.5.3. Comparative Synthesis: Towards a Contextually Sustainable Framework

The comparative analysis suggests that Ramadan offers an ethical deconstruction, Faruqi provides a civilizational reconstruction, and Jackson proposes a jurisdictional reconfiguration of Sharia.²¹¹ Ramadan critiques the ossification of Fiqh-centric paradigms but does not fully dismantle hierarchical authority structures. Faruqi envisions a grand integration but risks overshadowing diversity with civilizational totalism. Jackson maintains clarifying jurisdictional limits, yet falls short in articulating institutional mechanisms for collective deliberation within the Islamic secular.

The novelty as a synthesis of these approaches may yield a more contextually sustainable framework for Islamic legal and ethical thought:

²¹¹ Ramadan, *Radical Reform*, 45–47; ISMA‘ĪL R. AL FĀRŪQĪ, *Al-Tawhīd: Its Implications for Thought and Life*, 4:32–34; Sherman A. Jackson, *Islam and The Problem of Black Suffering*, 144–45.

1. From Ramadan: Adopt the dual epistemology to integrate scriptural fidelity with empirical-scientific insights, ensuring Sharia remains responsive to modern realities without undermining textual authority.

2. From Faruqi: Retain the civilizational ambition to align all domains of human life with divine unity and ethics, but temper it with epistemic humility to accommodate pluralistic knowledge systems.

3. From Jackson: Embrace jurisdictional differentiation and recognition of Sharia's self-imposed limits to safeguard pluralism within an Islamic moral horizon while preserving Sharia's juridical coherence.

This composite framework envisions Sharia as an ethically grounded, epistemically plural, and jurisdictionally differentiated tradition. It preserves legal coherence while empowering interdisciplinary deliberation and building institutional structures that can navigate the moral challenges of our interconnected, complex world.

CHAPTER V

CONCLUSION

In this thesis, I have explored how Tariq Ramadan rethinks *Ijtihād* and Sharia by analyzing his ontological, epistemological, and ethical frameworks to understand how he reconstructs Islamic legal thought in response to modern complexities. As I reflect on each chapter, it has illuminated distinct yet interconnected dimensions of his project, revealing both its transformative vision and its inherent limitations.

At the beginning, his idea on the two books, treating both the *kitāb mastūr* (revealed text) and *kitāb manzūr* (the observed universe) as sources of divine guidance, reframes Sharia from a rigid legal system into what I argue is a dynamic moral path rooted in both scripture and the reality we live in. In examining the comprehensiveness and limits of Sharia within Ramadan's framework, I found that Ramadan shifts the idea of Sharia from being an all-encompassing legal code to an ethical project guiding every aspect of life, without needing to legislate every detail. By prioritizing *maqāṣid al-sharīʿah*, I see that he centers justice, dignity, and human flourishing as Sharia's true goals. This redefinition decentralizes the authority of traditional jurists and opens up space for interdisciplinary contributions, allowing scientists, ethicists, and social thinkers to enrich Islamic moral reasoning. However, while Ramadan calls for engaging scientists, economists, and social experts to ensure contextual relevance, I assume that his model ultimately keeps juristic authority at the center. His emphasis on ethical universality does not provide concrete institutional mechanisms to resolve epistemic conflicts when scientific or social knowledge challenges classical jurisprudence. Additionally, my analysis on shifting moral responsibility onto individuals without supportive structures risks overwhelming believers rather than empowering them.

Interestingly, when other scholars' opinions on Ramadan as secularist or liberalist, in this work, I assume that Ramadan's framework implies a semi-secularist position. By de-linking Islamic ethics from formally Islamic structures such as religious courts, state-run Islamic bodies, or other institutions—that historically serve as authoritative carriers of Islamic legal and instead attaching it to

the presence of ethical values in shared public spaces. In doing so, he embodies what I argue is a “hospitable secularism”. In this view, a secular institution that upholds justice and dignity can paradoxically embody Islamic ethics more fully than an Islamic institution that lacks such values—in many Western contexts, ethics is often understood as a system of values based on rational agreement, human rights, or social benefit, without necessarily referring to religious foundations. Ramadan’s approach engages this understanding by affirming universal ethical concerns, yet he grounds them in a theological and scriptural framework. I argue that the reframing challenges traditional notions of what counts as “Islamic” by prioritizing ethical outcomes over formal structures, fostering an understanding of Islam that is both rooted in revelation and open to shared human civilization. This reframing challenge conventional definitions of what counts as “Islamic”, privileging substantive ethical outcomes over formal religious identity.

In this work, I also compare Ramadan’s thought with that of Ismail Raji al-Faruqi and Sherman A. Jackson. Faruqi, with his Islamic civilization, envisions Sharia as a civilizational backbone integrating all knowledge under *Tawhīd*, risking epistemic homogenization. Jackson defines clear jurisdictional limits for Sharia while leaving an ethical space beyond law. I assume that Ramadan’s approach stands between these models by reimagining Sharia as an ethically comprehensive yet non-totalizing project, although it remains constrained by its reliance on traditional gatekeeping.

Overall, Ramadan’s greatest contribution lies in reconfiguring Sharia from legal totality to ethical universality and redefining Ijtihād as an interdisciplinary moral process. However, I do not claim that he fully theorizes collective Ijtihād as structurally egalitarian. Rather, I argue that his project remains limited by incomplete structural reforms and an underdeveloped institutional framework, leaving unanswered how interdisciplinary contributions can meaningfully shape normative outcomes without juristic finality.

Therefore, I propose that the future of Islamic legal and ethical reform requires not only epistemic openness but also structural reconfiguration. Moving beyond epistemic complementarity to epistemic unity where religious scholars,

scientists, and social experts are integrated as equal pillars of normativity, it may enable Sharia to remain a living moral force, faithful to its divine roots yet transformative within the complexities of the modern world.

However, I argue that rethinking Sharia is not about weakening its normative claims but about revitalizing its ethical spirit, enabling Muslims to live Islam as a holistic moral path where law serves ethics, reason complements revelation, and the quest for justice becomes an enduring act of worship. Despite its limitation, I assume that Ramadan's vision offers a powerful invitation to reimagine Islamic legal thought as a more dynamic, ethically grounded project that remains anchored in divine intentionality while being responsive to contemporary human life.²¹²

²¹² Ramadan, *Radical Reform*; Ramadan, *Western Muslims and the Future of Islam*; ISMA'ĪL R. AL FĀRŪQĪ, *Al-Tawhīd: Its Implications For Thought and Life*, vol. 4; Jackson, *The Islamic Secular*.

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