

Mohamed El-Tahir El-Mesawi, *Regrounding Maqāṣid al-Sharī'a, the Quranic Semantics and Foundation of Human Common Good*. Kuala Lumpur: Islamic Book Trust, 2022, 233 pp.

Each year, a vast amount of literature is published on *maqāṣid al-Sharī'a*. However, only a few of these works stand out as serious and thought-provoking. One such work is the book we are reviewing: *Regrounding Maqāṣid al-Sharī'a, the Quranic Semantics and Foundation of Human Common Good*, authored by Mohamed El-Tahir El-Mesawi with Waleed Fekry Faris and Dawood A. Yahya al-Hidabi. The book's main body spans 208 pages and is divided into three main chapters preceded by an introduction and followed by a conclusion. The first chapter examines the preservation of religion (*ḥifẓ al-dīn*) and progeny (*ḥifẓ al-nasl*), the second focuses on the preservation of life (*ḥifẓ al-nafs*), and the third explores the preservation of the mind (*ḥifẓ al-'aql*) and wealth (*ḥifẓ al-māl*). This book can be situated within the ongoing debate on the ambiguity surrounding the interpretation of *maqāṣid* in modern times and its occasional (mis)use to justify contradictory positions within the framework of Sharī'a. It takes an important step toward re-establishing a connection between *maqāṣid* and Qur'ānic terminology by conducting a semantic analysis of the Qur'ān to (re)define *maqāṣid*. The authors argue that early scholars have largely overlooked this critical link, making their efforts both timely and essential. The central question posed by the book is: What might the five *maqāṣid* mean if interpreted through the conceptual framework of the Qur'ān?

The first chapter of the book delves into the concept of *ḥifẓ al-dīn*. It begins with a linguistic analysis, focusing on the semantic meaning of the word *dīn* as found in Arabic dictionaries. The authors then examine definitions by early scholars such as al-Ḥakīm al-Tirmidhī (d. ca. 298/910) and al-Rāghib al-Iṣfahānī (d. ca. 502/1108), establishing a foundation for understanding the concept of *dīn* within the Islamic tradition. Then, the chapter transitions to modern interpretations, referencing intellectuals like Abū al-A'la Mawdūdī (d. 1979) and Syed Naquib al-Attas (b. 1931). The authors illustrate how al-Mawdūdī views the concept of *dīn* as closely tied to issues such as sovereignty, obedience, systems of law, judgment, and loyalty. On the other hand, the authors highlight al-Attas' emphasis on the semantic meaning of *dīn* as indebtedness, demonstrating how humans are under an obligation, naturally involving judgment (*daynūna*) and conviction (*idāna*). It is emphasized how al-Attas also connects *dīn* to the word *madīna*, which requires a judge or ruler to govern,

underscoring that religion is not just a spiritual belief but an actual conscious return to God, with Islam providing a social order that encompasses all aspects of human life – both worldly and spiritual.

By examining the meaning of *dīn* in the Qurʾān, the authors affirm the above conclusion that *dīn* is an all-encompassing term that goes beyond mere theological or spiritual interpretations. It embraces every aspect of life – spiritual and moral, emotional and intellectual, material and physical, personal and societal, private and collective, economic and political. The authors assert that religiosity is rooted in the human's innate disposition, or *fiṭra*, which represents the God-given nature inherent in every individual. The Qurʾānic worldview, according to them, inherently integrates all aspects of human life, operating in harmony with the cosmic order of the universe. Drawing on this conceptual analysis, the authors conclude that *ḥifẓ al-dīn* means obeying the teaching of Islam in all domains of human life, not only in the matters of rituals as early scholars believed.

The authors move on to examine the preservation of life (*ḥifẓ al-nafs*) in the second chapter, where they expand on the Qurʾānic conception of human dignity. Analyzing the Qurʾānic usage, they demonstrate that the term *nafs* is predominantly used interchangeably with the word *insān* (human) in the Qurʾān, with no significant distinction in their meanings. The Qurʾān highlights that Allāh has dignified (*karrām*) humans with inherent worth and innate dispositions, granting them preference (*tafḍīl*) over all other creatures. This dignity is exemplified by humans' unique ability to know "the names" (*asmāʾ*), as mentioned in the *sūra* of al-Baqara (Q 2:31). The authors interpret "knowing the names" as the human capacity for speech, thought, and reasoning, distinguishing humans both in kind and degree from other beings. However, they emphasize that the Islamic perspective underscores this distinction does not stem from natural human superiority but arises from humanity's special relationship with Allāh, who has chosen to elevate them above other creatures.

The preservation of *nafs* (life) begins in the womb, with care for the physical, psychological, and mental well-being of the infant and the mother. After birth, this preservation continues through careful parenting until the child reaches puberty. The Qurʾān views the killing of a single human as equivalent to the killing of all humanity. This contrasts with modern secular legal thought, which defines crimes against humanity as systematic acts causing widespread suffering or death. Moreover, the Qurʾān extends human protection beyond physical well-being to include emotional, moral, and spiritual dimensions, as evidenced by verses prohibiting slander, defamation, and ridicule. Hence, the authors argue that the concept of preservation should not be limited to the physical dimension, but it should be contextualized in this modern time,

incorporating educational programs, social policies, and legal frameworks to protect and promote human life systematically. Finally, the authors emphasize that Islam advocates for proactive measures to prevent harm rather than merely responding to it after the fact. In alignment with this perception, *ḥifẓ al-naḥs* can be achieved through adequate teaching and proper socialization, fostering a deep sense of the sanctity (*ḥurma*) and inviolability (*ʿiṣma*) of human life and the human soul.

A similar approach is adopted in the third chapter of the book discussing the preservation of mind (*ḥifẓ al-ʿaql*) and wealth (*al-māl*). In the section on *ḥifẓ al-ʿaql*, the authors begin by analyzing the meaning of *ʿaql* in early lexical sources like *Kitāb al-ʿAyn* (“The Book of [the Letter] ‘Ayn”) attributed to al-Khalīl ibn Aḥmad al-Farāhīdī (d. ca. 170/787). Then, through an examination of Qurʾānic verses, the chapter highlights the extensive meaning of *ʿaql*, arguing that a holistic understanding of *ʿaql* involves perceptual experience, conceptual thinking, and moral judgment. The chapter suggests that *ḥifẓ al-ʿaql* necessitates prohibiting actions that contradict the protection of the intellect, such as the consumption of intoxicants, which obscure or impair mental faculties. However, the prohibition is not solely due to the physical effects on the intellect but also because these substances are considered sources of evil, as mentioned in the *Ḥadīth*. They suggest that this prohibition intertwines with moral and religious dimensions, which is why the prohibition of alcohol is mentioned in the Qurʾān alongside gambling, idol worship, and divination. Thus, drawing on its conceptual analysis in the Qurʾān and integrating the physical, moral, and religious aspects, the authors argue that the concept of *ḥifẓ al-ʿaql* extends beyond the preservation of mental faculties to also include addressing social deviation, rectifying detrimental cultural practices, and eliminating other forms of intellectual corruption or misuse. Similarly, the section on *ḥifẓ al-māl* examines how the word *amwāl* is used in the Qurʾān in connection with other concepts like *rizq* (sustenance by Allāh) and *taskhīr* (to make things subservient to humans). The authors suggest that the concept of *māl* is grounded in a cosmological view of *rizq* and is deeply connected to *taskhīr*, implying that humans do not have full ownership of wealth; rather, it is entrusted to them by Allāh. In this context, *māl* acquires philosophical, spiritual, and ethical dimensions, representing both a gift and trust from Allāh. Building on this analysis, the authors propose an interpretation of *ḥifẓ al-māl* that challenges the capitalist notion that accumulating wealth is an end in itself. Instead, the authors advocate for a more egalitarian perspective that prioritizes justice, equity, fair distribution, and transparency.

By reconnecting *maqāṣid* to the semantic and conceptual usage of the Qurʾān, the authors aim to curb the liquidity of *maqāṣid* in contemporary

times. However, at the same time, by employing a thematic and conceptual analysis, the book illustrates how the concepts of *maqāṣid* lead to a more holistic approach, which can be described as both methodological and philosophical. This approach allows for a broader understanding of *maqāṣid* characterized by wholeness and integralism, where concepts are addressed in their full multidimensionality, interconnectedness, and complementarity. The authors appear to align with several aspects of Ṭāhā ‘Abd al-Raḥmān’s (b. 1944) intellectual work. For instance, similar to Ṭāhā, this book advocates for integrating Sharī‘a, *fiqh*, theology, and ethics through concepts such as *amāna* and *mīthāq*. Additionally, the book critiques the legal centrality of *maqāṣid* and challenges the *maṣlaḥa* approach to understanding it. However, this does not, in fact, diminish its originality and its significant contribution.

Nevertheless, while the book presents an innovative approach by drawing on the semantic and conceptual analysis of *maqāṣid*, it is important to note that this method is not entirely novel. The authors seem aware of a potential issue: the terms themselves, such as *ḥifẓ al-dīn* or *ḥifẓ al-naḥs*, are not divinely named. It is known that the ‘*ulamā*’ have occasionally used for instance terms like *ḥifẓ al-muhja*, *ḥifẓ al-rūḥ*, and *ḥifẓ al-ḥayāt* interchangeably with *ḥifẓ al-naḥs*; a matter that extends to the other terms as well. Probably, recognizing this, the authors explore the Qur’ānic usage of various related concepts, which sometimes results in a slippage from conceptual analysis to thematic discussions. For instance, in the section of *ḥifẓ al-māl*, the authors transcend the concept of *māl* in Qur’ān to delve into verses that discuss concepts like *rizq*, *taskhīr*, and *zakāt*. While this approach is reasonable, it ultimately aligns closely with the traditional *istiqrā’* (induction) method employed by traditional jurists.

Moreover, the conceptual approach taken by the book overlooks the technical usage and taxonomy developed by the ‘*ulamā*’ regarding *maqāṣid*. For instance, the authors argue that *ḥifẓ al-dīn*, when *dīn* is interpreted as a comprehensive concept, involves safeguarding aspects that extend beyond the religious realm to include social, psychological, economic, and political dimensions. Consequently, they include the prohibition of killing under *ḥifẓ al-dīn* when interpreting certain verses. However, within the *maqāṣid* discourse, the term *dīn* is often more narrowly defined. In the tradition of Islamic law, there are distinct technical categories such as *diyāna* and *qaḍā’*, *dīn* and *dunyā*, and *mu‘āmalāt* and *‘ibādāt*, each of which is clearly defined within the Islamic framework and remains unrelated to secularity. Expanding the meaning of *ḥifẓ al-dīn* risks overlapping and destabilizing these taxonomies. For example, while avoiding adultery is undoubtedly part of *dīn*, it is not primarily categorized under *ḥifẓ al-dīn* but rather under *ḥifẓ al-nasl*, as *dīn* in this context

is used by the *'ulamā'* to denote a more worship and theology-oriented meaning. The book's broad interpretation could blur these established distinctions.

Eventually, I would indeed recommend the book to anyone interested in Islamic law and *maqāṣid al-Sharī'a*. It provides a very intriguing approach to reviving the connection of *maqāṣid* with the textual sources of Islam.

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