

The Maqāṣid and Their Naqā'id: A Hierarchical Ordering of the Objectives of the Sharī'a and Their Anti-Values

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Abstract

Scholarship on maqāṣid al-sharī'a has produced multiple systems of categorization: by level of necessity, by scope of application, by the polarity of benefit and harm, and by the identification of core ethical principles the Sharī'a embodies. Treating values such as justice as standalone objectives alongside the five necessities leaves the relationships among different types of objectives unclear, and the tradition's account of what the law prevents has never received the systematic naming its account of what the law protects received in the ḥifẓ formulae. This article proposes a Three-Layer Maqāṣid Framework that organizes established principles into a hierarchy ordered by abstraction and ethical function. Layer 1 comprises the universal aims of procuring benefit and repelling harm; Layer 2 comprises the five necessities as inductively derived protections; Layer 3 comprises textually explicit Value/Anti-Value dyads, among them 'adl and ḡlūm, which operate as the evaluative criterion presupposed by al-Shāṭibī's inductive method. Drawing on al-Raysūnī's distinction between kulliyāt naṣṣiyya and kulliyāt istiqrā'iyya and on Toshihiko Izutsu's semantic analysis of Qur'anic ethical concepts, the article introduces the term Anti-Maqāṣid (naqā'id al-sharī'a) to enunciate the counter-objectives that classical jurisprudence derived and reasoned with without assembling into a named stratum. The framework proposes no new objectives of the Sharī'a; it clarifies the function of established ones, the order of their derivation, and supplies the anti-value pole that the received taxonomy leaves undeveloped.

Keywords: Maqāṣid al-Sharī'a; Naqā'id al-Sharī'a; al-Shāṭibī; istiqrā'; 'adl and ḡlūm

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Introduction

Scholars have proposed various *maqāṣid* categorizations over the centuries, and the challenge is reconciling these diverse perspectives into a cohesive system aligned with Islam's ultimate aims of *tawhīd* and *ʿibāda*. Modern *maqāṣid* discourse has identified values such as justice, freedom, and order as central to the Sharīʿa's vision, in some cases proposing them as standalone *maqāṣid* in their own right.

This article proposes a Three-Layer Maqāṣid Framework that orders the established objectives by their mode of derivation and the function each performs, and it introduces the companion category of Anti-Maqāṣid (*naqāʾid al-sharīʿa*) for the counter-objectives that the same inductive logic yields when applied to prohibitions. The framework adds nothing to the Sharīʿa's inventory of objectives; it clarifies the order of their derivation and supplies the anti-value pole the received taxonomy leaves undeveloped.

Problem Statement

Scholarship on *maqāṣid al-sharīʿa* has produced several systems of categorization that operate at different levels of abstraction. Jurists have advanced various interpretations in the classification of the objectives along the dimensions of the level of necessity, the scope of the ruling, the people included, and the level of universality (Baharuddin et al., 2019). The objectives have been ordered by level of necessity (al-Juwaynī, 1997; al-Ghazālī, 1993), raised to higher objectives above the classical five (Ibn ʿĀshūr, 2001; al-ʿAlwānī, 2001), advanced as values such as justice, freedom, and order in their own right (al-Fāsī, 1993; al-Qaraḍāwī, 2006), and treated as multidimensional in a systems approach (Auda, 2008). The coherence of the result has itself drawn criticism, whether as over-subjectivity in the derivation of the objectives (Auda, 2008) or as a drift of the objectives away from their source texts (al-Kīlānī, 2000). These systems are not ordered by the mode through which each is derived or by the function each performs, an aspect of what Bagby describes as the “underdeveloped and unsystematized state of the theory of *maslahah*”

(Bagby, 1986, p. 46), so a value such as *'adl* comes to sit on the same plane as *ḥifẓ al-māl*, and the taxonomy cannot state which category evaluates an act, which delimits the domain of harm, and which fixes the ultimate aim. A second gap accompanies the first. The tradition named what the law protects through the *ḥifẓ* formulae but gave no parallel names to what the law prevents, and the imbalance did not go unregistered: Ibn Taymiyya objected that restricting the objectives to the five necessities captures only one of the law's two movements, "what they mentioned of repelling harms from these five matters is only one of two divisions" (Ibn Taymiyya, n.d., 11[343]). The counter-objectives the tradition reasoned with were never assembled into a named category, so its account of what the Sharī'a prevents stayed dispersed across particular rulings. The two gaps connect, since the criterion that would rank the categories is the same criterion that identifies the harms the law works to repel.

Research Objectives and Questions

The study pursues two objectives. The first is to order the established categorizations of the *maqāṣid* into a single hierarchy determined by level of abstraction and by the function each category performs in legal reasoning. The second is to name and situate the Sharī'a's counter-objectives, the *naqā'id al-sharī'a*, as a category parallel to the received account of what the law protects. Three questions follow. The first asks how the various categorizations of the *maqāṣid* can be ordered into one coherent structure without discarding any of them. The second asks what evaluative criterion al-Shāṭibī's inductive derivation of the objectives presupposes, and at what level of the structure that criterion operates. The third asks whether the inductive procedure that yields the *maqāṣid* from divine commands, applied instead to prohibitions, yields a corresponding account of the anti-objectives.

Methodology

The study is a qualitative analysis of the primary *maqāṣid* literature. Its object is the internal logic by which the tradition derives and orders its

objectives, so the evidence is textual and doctrinal. The method is analytical and synthetic. It reads the principal formulations of al-'Izz ibn 'Abd al-Salām, al-Shāṭibī, and Ibn 'Āshūr against one another to determine the level of abstraction and the derivational operation each represents, and it joins to that reading two analytical instruments. The first is al-Raysūnī's distinction between *kullīyyāt naṣṣiyya*, universals stated directly in the source texts, and *kullīyyāt istiqrā'iyya*, universals reached by induction (*istiqrā'*) from particular rulings (al-Raysūnī, 1992), which fixes the mode of derivation for each category. The second is Toshihiko Izutsu's semantic analysis of the Qur'an's ethico-religious vocabulary (Izutsu, 2002a), which identifies the value and anti-value pairings the framework locates nearest the *furū'*. Applying the first instrument establishes where the law's evaluative criterion resides and thereby fixes the place of each category within the hierarchy, the matter of the first two questions. The same inductive logic, applied to the prohibitions rather than the commands, yields the counter-objectives that the third question concerns.

Approaches to Categorization in Maqāṣid Scholarship

The scholarly literature on *maqāṣid al-sharī'a* reveals diverse approaches to categorization: hierarchically by level of necessity (*ḍarūriyyāt*, *ḥājiyyāt*, *taḥsīniyyāt*), with early formulations in al-Juwaynī's *al-Burhān* and al-Ghazālī's *al-Mustasfā* applying the hierarchy to five protected values (al-Juwaynī, 1997; al-Ghazālī, 1993); by scope of application, general versus specific (al-Qarāfī, n.d., 1|212); by the aim of achieving benefit (*maṣlaḥa*) and avoiding harm (*mafsada*) (Ibn 'Abd al-Salām, 1991, 2|93); or by identifying the core ethical principles the Sharī'a embodies (Ibn Qayyim al-Jawziyya, 2002, 4|336; al-Badawī, 2000, pp. 251 ff., 430).

Subsequent reformulations have elevated the level of abstraction. Ibn 'Āshūr proposed *maqāṣid 'āliya* (higher objectives) above the classical five, identifying the preservation of the order of the community and the sustaining of its wellbeing as the overarching purpose (Ibn 'Āshūr, 2001, p. 273), and al-'Alwānī advanced further to *al-maqāṣid al-'ulyā al-ḥākima*,

the highest governing objectives (al-ʿAlwānī, 2001, pp. 136–137). More recent scholarship proposes multi-dimensional approaches, viewing *maqāṣid* as objectives classified along several axes simultaneously. Auda's systems approach exemplifies this trend, treating multidimensionality as a fundamental feature that shapes how all components of the law interact (Auda, 2008, p. 211).

Alongside these structural proposals, modern discourse has advanced values such as justice, freedom, and order as *maqāṣid* in themselves (al-Fāsī, 1993, p. 225; Ibn ʿĀshūr, 2001, p. 83; al-Qaradāwī, 2006, p. 123). The corrective impulse behind these proposals is sound, yet its execution produces the flat classification described above: once justice, the five necessities, and the benefit/harm calculus all occupy the same rank, the taxonomy itself cannot state which category judges, which delimits the domain of harm, and which sets the ultimate aim. The framework developed below assigns each type of objective to the level at which it functions.

The Three-Layer Framework

The categorizations surveyed above conflict only when read as rival answers to a single question. Each is the product of a derivational operation performed at a determinate level of abstraction: al-ʿIzz's benefit/harm calculus names the terminus of abstraction, the point past which no further generalization is possible; the five necessities schema names the first generalization that induction from the *furūʿ* yields; the modern value-proposals name universals stated directly in the source texts. Two variables therefore order these approaches without discarding any of them: the mode of derivation, for which al-Raysūnī supplies the governing distinction between *kulliyyāt naṣṣiyya*, universals derived from explicit source texts, and *kulliyyāt istiqrāʾiyya*, universals derived through induction from rulings (al-Raysūnī, 1992, p. 342); and the function each category performs in legal reasoning, whether it evaluates acts, specifies the domain of harm, or orients toward the ultimate aim. A hierarchy built on these two variables

assigns each surveyed approach its level, yielding a three-layer framework that allows the surveyed categorizations to work together.

Layer 1 acknowledges al-'Izz ibn 'Abd al-Salām's dualistic approach as the ultimate irreducible objective of Islamic law: procuring benefit (*jalb al-maṣlaḥa*) and repelling harm (*daf' al-maṣṣada*) (Ibn 'Abd al-Salām, 1991, 2|93). In defining the universal aim of *maṣlaḥa*, al-Raysūnī clarifies that it encompasses, beyond the attainment of pleasure, "that which returns to the establishment of human life, the completion of livelihood, and the attainment of what emotional and rational qualities require" (al-Raysūnī, 1992, p. 249). This fundamental polarity echoes the Qur'anic worldview, which, as semantic analyses such as Izutsu's reveal, structures its ethico-religious concepts around core positive values and their distinct negative counterparts, *khayr* against *sharr* being the paradigm case (Izutsu, 2002a, pp. 217–221).

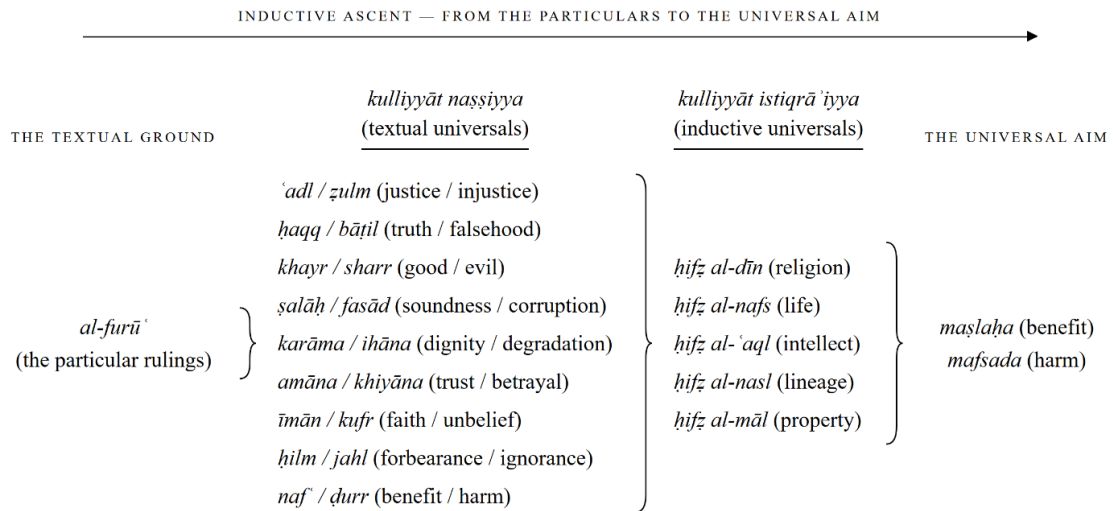
The inductive process for identifying *maqāṣid* begins with the *furū' al-fiqh*. Al-Shāṭibī's *istiqrā'* moves upward from detailed rulings to discern the objectives those rulings collectively protect, and the first generalized stratum his induction yields is the five necessities (al-Raysūnī, 1992, p. 125). This inductive account describes what the *maqāṣid* are when viewed from below: the outputs of cumulative juristic observation. The present framework addresses a prior question, namely, what normative criterion makes the inductive recognition of those patterns possible in the first place. Before a jurist can observe that a cluster of rulings protects property, something must do the evaluative work of identifying which rulings belong to that cluster and why. That evaluative criterion is dyadic judgment: the assignment of an act to the negative or positive pole of a textually given pairing. Which pairing performs the work varies with the matter at hand, and its operation runs through every step of the inductive ascent without appearing as a named stratum in al-Shāṭibī's schema.

Ibn 'Āshūr confirms this prior availability in two ways. He identifies love of justice (*ḥubb al-'adl*) and aversion to wrongdoing (*karāhiyyat al-zulm*) as dispositions of the *fiṭra*, natural to human souls prior to any legislative derivation, noting that without them "the order of

the world would collapse” (Ibn ‘Āshūr, 2015, 2|747). Elsewhere, he describes ‘*adl*’ as “the foundation of civilization, by which the earth is sustained, and states endure” (Ibn ‘Āshūr, 2008, p. 64). These characterizations place the ‘*adl/zulm*’ dyad at a level of normative priority that precedes inductive derivation. The first of the two ordering variables supplies the epistemic basis for this priority: the prohibition of *zulm* and the command of ‘*adl*’ are *kulliyyāt naṣṣiyya*, available prior to and independently of any inductive process, whereas the five necessities are *kulliyyāt istiqrā’iyya*. The same textual status holds for the other dyads: *amāna* and *ḥaqq*, with their opposites, are given in the Qur’anic vocabulary directly, as Izutsu’s survey traces (Izutsu, 2002a, chs. II, V, XI), requiring no extraction from the *furū’*.

The proposed ordering is therefore a further specification of al-Shāṭibī’s induction rather than a revision of it. While his schema identifies what the induction produces, this framework identifies what the induction presupposes. The *furū’* form the generative base. Layer 3, the Value/Anti-Value dyads, constitutes the evaluative criterion operative within and immediately above the *furū’* as *kulliyyāt naṣṣiyya*. Layer 2, the five necessities (*ḥifẓ al-dīn*, *al-naḥs*, *al-aql*, *al-nasl*, *al-māl*), constitutes the first generalized output of the inductive movement those dyadic evaluations make possible, as *kulliyyāt istiqrā’iyya*, derived from and reflecting the concerns embedded in the particulars of the law. Layer 1, *maṣlaḥa/mafsada*, constitutes the ultimate aim that the necessity-classifications serve. The relationship between these is shown in figure 1 below.

Figure 1. Current Categories of Maqāṣid placed hierarchically



Layer 3, the evaluative stratum closest to the *furūʿ*, comprises the core ethico-religious dyads: broad ethical principles that stand between the *furūʿ* and the domain-specific protections of Layer 2. Even enumerations that place *ʿadl* on the same plane as the five necessities register the difference. The dyads are distinguished from the five necessities by their epistemic status as *kullīyyāt naṣṣīyya*.

Constructing Layer 3 requires identifying Value/Anti-Value dyads within the texts. Because an exhaustive survey of these dyads exceeds the scope of a single study, the present analysis draws upon the methodology and list of terms identified by Izutsu in *Ethico-Religious Concepts in the Qurʾān*. His framework for isolating fundamental ethical pairings in the Qurʾān rests on four interconnected methodological criteria: identifying “key-terms” that serve as organizing principles delimiting distinct semantic fields (Izutsu, 2002b, pp. 18, 22; 2002a, p. 156); recognizing that opposition

lies at the heart of the Qur'anic structure, where fundamental dichotomies create what Izutsu describes as an "intense atmosphere of spiritual strain and tension" (Izutsu, 2002a, p. 105; 2002b, p. 75); distinguishing between "basic meaning" as a constant and "relational meaning" that acquires connotative associations in specific contexts; and conducting diachronic analysis to reveal how familiar terms undergo what he calls a "profound inner semantic transformation" when absorbed into the Qur'an's theocentric system (Izutsu, 2002a, p. 74; 2002b, pp. 39–41). Dyads central to Layer 3 include *īmān/kufr*, which Izutsu treats as the most fundamental pairing; *ẓulm/ʿadl*; *bāṭil/ḥaqq*; *khayr/sharr*; and *jahl/ḥilm*. Beyond the pairings found in Izutsu, additional dyads emerge from further study of Qur'anic ethical discourse, among them *fasād/ṣalāh*, *ihāna/karāma*, *ḍurr/naḥ*, and *khiyāna/amāna*. The negative poles of these pairings constitute the counter-values termed here Anti-Maqāṣid.

Layer 3 dyads are marked by three characteristics. They appear frequently and prominently throughout the Qur'an as organizing ethical concepts and constitute *kulliyyāt naṣṣiyya*. They operate at a level of abstraction between the inductively derived necessity-domains of Layer 2 and the specific *furū'* from which those necessities are derived. They structure broad domains of moral evaluation rather than designating particular acts or objects. Jughaym's assessment that al-Shāṭibī's induction traces *maqāṣid* within the scope of individual rulings rather than within the scope of general and universal *maqāṣid* (Jughaym, 2014, p. 17) clarifies why the dyads do not appear as a named stratum: the five objectives are the outputs of induction rather than its operative normative criterion, and *kulliyyāt naṣṣiyya*, because they are stated explicitly in the texts, are read from the sources rather than built up from the rulings.

Layer 2, the five necessities, is the intermediate stratum that connects Layer 1's ultimate objectives to Layer 3's ethical dyads. This layer consists of domain-specifying protections that are more concrete than the pure benefit/harm calculus of Layer 1 yet more general than the specific *furū'* from which they are inductively derived. The five necessities translate the dyadic verdict into a determination of which protected domain of human

life a given violation affects, thereby grounding the ruling within a determinate sphere of harm. Ibn 'Āshūr describes this level as *kullīyyāt qarība* (near universals), distinguishing them from the *kullīyyāt 'āliya* (high universals) that encompass *maṣlaḥa* and *mafsada* (Ibn 'Āshūr, 2001, p. 256; 2004, 2|150). Ibn 'Āshūr's binary names the strata that stand above the *furū'* at two removes; between the *furū'* and the near universals the present framework locates a stratum his binary does not name, the dyadic evaluation of Layer 3. The dyadic structure operative here extends to the necessities themselves: each domain has a corresponding privation, *kufīr* against *dīn*, *halāk* against *naḥs*, *safah* against *'aql*, *'uqm* against *nasl*, *faqr* against *māl*, corresponding to al-Raysūnī's distinction between preservation from the aspect of existence and preservation from the aspect of absence (al-Raysūnī, 1992, p. 140). A preliminary survey of the classical lexica confirms these terms as privations of their domains: *safah* is defined through lightness and deficiency of *'aql*, "al-safīh khafīf al-'aql" (Ibn Manẓūr, 1414H, 13|497, 499; Ibn Fāris, 1979, 3|79); *'uqm* as the womb's incapacity to accept a child (Ibn Fāris, 1979, 4|75); *faqr* through the condition of one who possesses nothing (Ibn Manẓūr, 1414H, 5|60); and the root of *halāk* as falling and perishing, said of the dead (Ibn Fāris, 1979, 6|62). The lexica sometimes attach the formal antonym elsewhere, so the pairings here are functional rather than strictly lexical, leaving the door open for further study.

The hierarchy thus assigns each surveyed categorization its place. Al-'Izz's benefit/harm calculus forms Layer 1. The classical necessity levels occupy Layer 2, with the *ḍarūrī*, *ḥājī*, and *taḥsīnī* ranks operating as an internal gradation of each domain rather than as a separate stratum. The values that modern discourse proposed as standalone objectives are absorbed into Layer 3 as textually grounded dyads: justice serves as a mediating pairing between the *furū'* and the necessity-domains, and concepts such as freedom (*ḥurriyya*) are cross-cutting conditions that enable the system to function rather than as ultimate aims. Scope of application is differentiated by the layers themselves, universal at Layer 1, domain-bound at Layer 2, trans-domain at Layer 3. The elevated

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reformulations of section 2 are placed by the same two variables: Ibn 'Āshūr's higher objectives restate the Layer 1 terminus in substantive form, the stratum his kulliyyāt 'āliya name, while al-'Alwānī's stand above the stratification as its orienting frame, the function section 5 assigns to the polarity of tawḥīd and shirk. Nothing surveyed in section 2 is discarded; each approach is retained at the level where its mode of derivation and its function place it.

Anti-Maqāṣid (Naqā'id al-Sharī'a)

The theoretical move underpinning Layer 3 is the recognition that the Sharī'a's purpose is twofold: it promotes positive objectives and it actively identifies, condemns, and works to dismantle specific forces of corruption and harm. Traditional *maqāṣid* scholarship has concentrated on what the Sharī'a aims to achieve, while systematic analysis of what it aims to prevent has remained underdeveloped. Existing terms such as *mafsada* operate at too general a level, while specific prohibitions remain atomized without a unifying conceptual apparatus. The gap is one of enunciation. The received discourse performed the same abstractive operation on both sides of the law and named its result on one side only.

The tradition itself registered this one-sidedness, in two complementary directions. Ibn Taymiyya objected that restricting the *maqāṣid* to the five necessities captures only one dimension of legal purpose: "what they mentioned of repelling harms from these five matters is only one of two divisions," the procurement of benefits remaining unaccounted for (Ibn Taymiyya, n.d., 11|343). His complaint is functional, that the discourse accounts for only one of the law's two movements. The observation advanced here is terminological and runs in the complementary direction: even the movement the discourse does cover, the repelling of harms, was not given named negative universals. The necessities are stated from their positive pole, *ḥifẓ* joined to each domain, without a juxtaposed opposite, so that a vocabulary wholly positive in form serves the repelling

function his objection isolated. Protection is named; assault and forfeiture are not.

The asymmetry is visible in the derivation of the five necessities itself. Each *ḥifẓ* formula was abstracted from prohibitions: the prohibition of killing yields *ḥifẓ al-nafs*, the prohibition of theft and usurpation yields *ḥifẓ al-māl*. Al-Ghazālī's canonical exposition defines each protection by the prohibition and deterrent (*zajr*) that guards it, the punishment of the misleading unbeliever for *dīn*, *qiṣāṣ* for *nafs*, the *ḥadd* for drinking for *'aql*, the *ḥadd* for *zinā* for *nasl*, and the deterrence of usurpers and thieves for *māl*, observing that no revealed law has differed in prohibiting *kufr*, killing, *zinā*, theft, and intoxicants (al-Ghazālī, 1993, 1|174). His summary sentence contains both operators in parallel: whatever secures the preservation (*ḥifẓ*) of these five foundations is *maṣlaḥa*, and whatever forfeits them (*yufawwituḥā*) is *mafsada*. The positive operator became a named category, *ḥifẓ* joined to each domain; while the negative operator, *tafwīt*, was not assembled it into a parallel stratum.

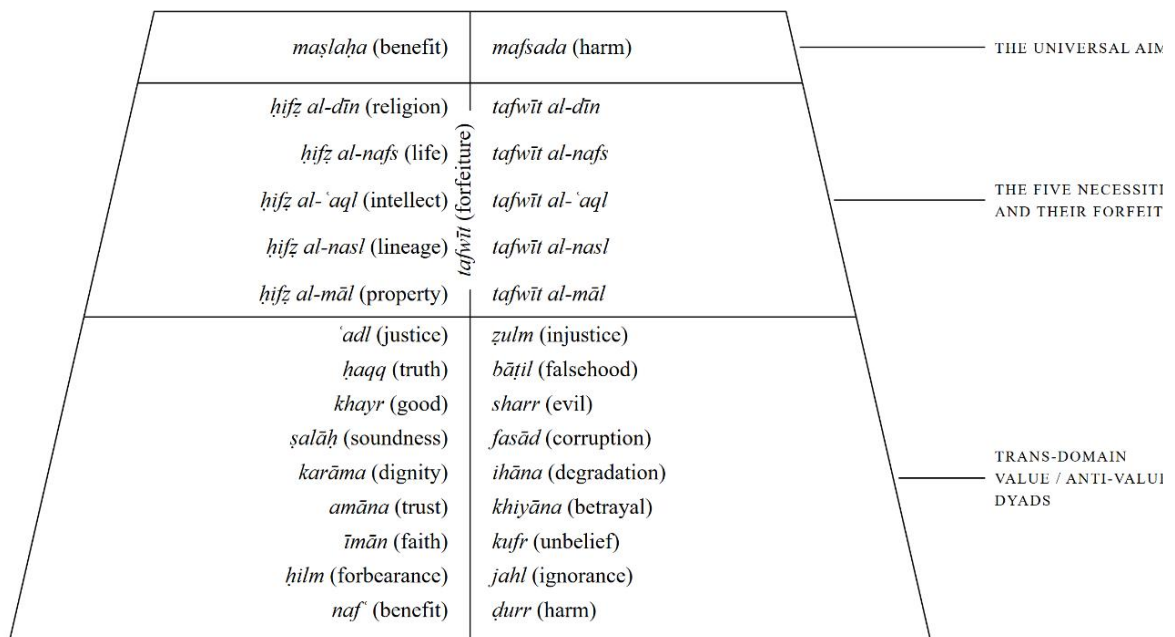
Maqāṣid discourse nevertheless reasons through domain-level negation without naming it as a category: the breach of each preservation-universal functions as the operative concept, worldly *fasād* resulting from the breach of the protections of life, intellect, wealth, and lineage, and otherworldly *fasād* from the breach of the protection of *dīn* (Jughaym, 2014, p. 28), and the Companions' extension of the *ḥadd* for *qadhf* to the wine-drinker rested on drink's standing as *maẓinnat al-qadhf*, an inference from the harm the act portends (Jughaym, 2014, p. 168). A specific prohibited act such as *qatl* is therefore neither the dyad-partner of *ḥifẓ al-nafs* nor its mere illustration: it is the inductive base from which both the positive abstraction and its unnamed negative counterpart were drawn, standing to *tafwīt al-nafs* as the *qiṣāṣ* rulings stand to *ḥifẓ al-nafs*.

The term Anti-Maqāṣid, in Arabic *naqā'id al-sharī'a* (singular *naqīda*), enunciates this unnamed category. Just as the *maqāṣid* are derived through *istiqrā'* of divine commands, their opposites are derivable inductively from prohibitions, by a parallel process of rigorous textual analysis. The coinage invents nothing; it names a category the jurists

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already derived and reasoned with, giving the *tafwīt* side of al-Ghazālī's sentence the same systematic standing its *ḥifẓ* side has long held. The *naqā'id al-sharī'a* denote fundamental negations representing distinct threats to the realization of *maṣlaḥa* and the preservation of the core necessities, the concerns of Layers 1 and 2 respectively. Were we to name the *naqā'id* as the *ḥifẓ* formulae were named, the parallel stratum writes itself: *tafwīt al-dīn*, *tafwīt al-nafs*, *tafwīt al-'aql*, *tafwīt al-nasl*, and *tafwīt al-māl*.

Figure 2. Proposed Dyadic Structure of Maqāṣid and Naqā'id



These anti-values possess their own characteristic manifestations and effects. They delineate distinct dimensions of corruption with a complex inner structure of their own, and they call for active identification and resistance rather than the passive cultivation of virtue alone. Izutsu

demonstrates through his semantic analysis that negative ethical concepts in the Qur'an, such as *kufr* and *ẓulm*, possess coherent internal structures rather than functioning as simple negations of positive values (Izutsu, 2002a, pp. 119, 164–171). Al-Ghazālī likewise recognizes that *ẓulm* encompasses multiple substantive forms of harm and deprivation (al-Ghazālī, 1986, pp. 83, 224). Just as *'adl* is a cardinal value, the Qur'an presents *ẓulm* as a cardinal anti-value, a distinct negative principle depicted as fundamentally opposing its core ideals. Ibn Taymiyya affirms this parity: "Knowing instances of evil is not less important than knowing instances of good... one must know what opposes them to guard against them, for evils are known by their opposites" (Ibn Taymiyya, 2001, p. 102).

At Layer 2, the *naqā'id* take a two-register form corresponding to al-Raysūnī's distinction between preservation from the aspect of existence and from the aspect of absence. On the side of absence stand the privation states listed in section 3, the conditions into which each domain collapses when forfeited. On the side of assault stand the paradigm violations al-Ghazālī's exposition attaches to each domain, *kufr*, *qatl*, *iskār*, *zinā*, and *sariqa* with *ghaṣb*, each marked in the law by the *ḥadd* or *zajr* that answers it. The operator joining the two registers is *tafwīt*: the assault is the act that forfeits the domain, and the privation state is the condition that forfeiture produces. The Layer 2 *naqā'id* are therefore domain-specific, and this distinguishes them from the trans-domain dyads of Layer 3: *ẓulm* can be realized in any domain, whereas *zinā* names the assault on one.

The relations among the *naqā'id* are themselves structured. They may be conceptual, where the meaning of one overlaps with another; causal, where the presence of one tends to precipitate another; or mutually reinforcing, where two sustain each other in cycles. The typology rests on the same variable that orders the strata in section 3, the mode of derivation: conceptual relations are established semantically, by overlap of the terms' fields, the register of the *kulliyyāt naṣṣiyya*, while causal and reinforcing relations are established inductively, by *istiqrā'* over rulings and recorded history. The framework accordingly orders the strata and types the relations; it does not rank the dyads themselves, since a fixed ranking would

require a criterion the texts do not supply. The relationship between *fasād* and *ẓulm* exhibits the reciprocal form: systemic corruption can breed injustice, while unchecked injustice erodes societal order, producing further corruption, a reciprocity documented across the classical literature (Ibn Khaldūn, 1988, 1|50; Ibn Taymiyya, n.d., 18|165; al-Shāṭibī, 1997, 1|368). These recurring patterns of connection carry practical weight in both directions. Neglect cascades in the direction the sources record: a *naqīda* left to fester destabilizes the wider ethical order and enables the others. Remediation follows by inference: if corruption breeds injustice, as the cited passages attest, then measures that reduce *ẓulm* in the administration of justice withdraw what feeds the *fasād* and *ihāna* attached to it. Analysis of these interrelations yields a systemic view of societal harms, connecting what atomized treatment of individual prohibitions leaves separate.

The Framework in Operation

The Value/Anti-Value dyads of Layer 3 perform the evaluative function that connects the *furū'* to the necessity-domains of Layer 2 and ultimately to the universal aims of Layer 1. By identifying the specific normative category an act instantiates, Layer 3 enables determination of which protected domain of Layer 2 is at stake and whether its realization or violation produces *maṣlaḥa* or *mafsada* at Layer 1. Conceptualizing the *naqā'id* carries distinct analytical advantages. It allows for the precise identification of societal ills, moving beyond the general category of *mafsada* to name specific anti-*maqāṣid* such as *ẓulm*, *fasād*, or *jahl*, and this precision enables proactive legal procedures and social initiatives.

The directional logic of the three layers becomes evident in the debt collection case. When a creditor seeks to seize a debtor's sole means of livelihood to satisfy a debt, the ruling is first evaluated by the Layer 3 dyadic criterion of whether enforcement constitutes *ẓulm* against the debtor, thereby instantiating an anti-*maqṣad* rather than a *maqṣad*. That dyadic verdict then triggers Layer 2 domain specification: the harm falls within *ḥifẓ al-māl*, but its inversion into *ẓulm* means the necessity is realized in a

way that destroys rather than preserves the domain it purports to protect. Accordingly, Islamic jurisprudence limits debt collection, preventing the necessity's formal invocation from generating its own negation, a principle established across all four *madhāhib* (Ibn 'Ābidīn, 1995, 2|262, 377; al-Zarqānī, 2002, 2|174; al-Sharbīnī, 1994, 3|106; Ibn Qudāma, 1997, 3|222). Layer 1 confirms that such balancing is required because necessity-protection that enables exploitation serves *mafsada* rather than *maṣlaḥa*. [The dyadic structure sharpens the juristic weighing of benefits and harms (*muwāzanat al-maṣāliḥ wa-l-mafāsīd*), as in committing the lesser of two harms (*irtikāb akhaff al-ḍararayn*) or securing the greater of two benefits (*taḥṣīl a'lā al-maṣlaḥatayn*): defining both the *maqṣad* and its corresponding *naqīda* specifies what is being weighed on each side.] The sequence is consistent throughout: Layer 3 evaluates, Layer 2 specifies the domain of harm, and Layer 1 provides the ultimate criterion against which the necessity-level determination is assessed.

Certain vital analytical dimensions are deliberately excluded from the hierarchy itself. Aspects such as the scope of beneficiaries (individual, family, society, humanity), the specific legal domain (family, commercial, or devotional law), and the overarching spiritual dimension (the polarity of *tawḥīd* and *shirk*) function as cross-cutting lenses applicable across all three layers. The classical gradation of *darūriyyāt*, *ḥājiyyāt*, and *taḥsīniyyāt* operates in the same manner, grading the intensity of both *maṣlaḥa* and its *naqīda* within each domain: from the forfeiture of the domain itself, to the *ḥaraj* and *mashaqqa* that al-Shāṭibī specifies as the consequence of neglecting the *ḥājiyyāt* while falling short of the *fasād* attending breach of the general interests, to the contravention of the *maḥāsin al-ādāt* and *makārim al-akhlāq* that define the *taḥsīniyyāt* (al-Shāṭibī, 1997, 2|21–22). The spiritual dimension, the affirmation of *tawḥīd* and the negation of *shirk*, serves as the ultimate grounding and teleological purpose that encompasses and orients the entire framework, the register in which al-'Alwānī's al-maqāṣid al-'ulyā al-ḥākima operate.

The Framework within Contemporary Maqāṣid Scholarship

The distinction from Auda's approach is methodological. Auda is concerned with how and why the *maqāṣid* function, whereas the Three-Layer Framework concerns what functions and when. Where his systems approach treats multiple dimensions as equally basic, the present framework fixes a vertical hierarchy and relegates scope and domain to cross-cutting analytical lenses. Both recognize interconnection, but this framework prioritizes hierarchical structure for analytical clarity. The ordering also answers a question that multidimensional approaches leave open, namely how the *maqāṣid* are actualized in legal reasoning: universal aims are made operative through mediating ethical principles that translate into specific protections, with the whole structure oriented by *tawhīd*. Al-Shāṭibī grounds this orientation: "The foundations of acts of worship go back to the preservation of religion from the aspect of existence, such as faith" (al-Shāṭibī, 1997, 2|17, 300).

The hierarchy also answers two critiques current in the scholarship. By grounding Layer 3's ethico-religious dyads firmly in textual semantic analysis, the framework meets the charge of over-subjectivity (Auda, 2008, pp. 228–233) and the charge that objectives become unmoored from the source texts (al-Kīlānī, 2000, pp. 119–122). The explicit textual derivation of Layer 3 and the established character of Layer 2's requirements provide clear anchors, while the mediating layers give Layer 1's universality its determinate content.

Al-Shāṭibī's formulation contains both poles, preservation from the aspect of existence and from the aspect of absence (al-Raysūnī, 1992, p. 140). Subsequent *maqāṣid* discourse nevertheless developed a vocabulary for what the Sharī'a protects without systematically theorizing its opposite, and the taxonomy hardened into a classification. The *naqā'id* vocabulary developed in section 4 restores the anti-value pole that the received taxonomy names only in passing, and the layered ordering restores the dyadic criterion to the position it occupies in practice: at the point where

rulings are first evaluated, prior to the inductive ascent whose outputs the classical schema records.

Conclusion and Recommendation

This study set out from two connected gaps in the *maqāṣid* literature. The received categorizations place values such as 'adl on the same plane as the five necessities, which leaves the taxonomy unable to say which category evaluates an act, which fixes its domain, and which sets the ultimate aim; and the tradition named what the law protects through the *ḥifẓ* formulae without giving parallel names to what the law prevents. The objective was to order the established categorizations into a hierarchy determined by abstraction and function, and to enunciate the Sharī'a's counter-objectives as a named category. The analysis read the classical *maqāṣid* literature through al-Raysūnī's distinction between textual and inductive universals and Izutsu's semantic analysis of the Qur'an's ethical vocabulary. Three findings follow. The categorizations reconcile once each is assigned the level at which its derivation and function place it: *maṣlaḥa* and *maṣṣada* as the universal aim, the five necessities as the first inductive output, and the textually given Value/Anti-Value dyads as the evaluative stratum nearest the *furū'*. The criterion that al-Shāṭibī's induction presupposes is dyadic judgment, the assignment of an act to the positive or negative pole of a textually given pairing, which operates within and immediately above the *furū'*. The inductive procedure that yields the *maqāṣid* from divine commands yields, applied to prohibitions, the *naqā'id al-sharī'a*, so that the account of what the law prevents acquires the systematic standing long held by the account of what it protects.

The framework proposes no new objectives of the Sharī'a; it orders established ones and supplies the anti-value pole the received taxonomy leaves undeveloped. Further study should proceed dyad by dyad, examining the lexical field, Qur'anic usage, and juristic reception of each candidate pairing beyond 'adl and *ẓulm*, and should apply the framework's directional sequence to bodies of *furū'* in commercial, family, and penal law.

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CONFLICT OF INTERESTS

The authors declare no competing interests, such as financial or personal relationships, regarding the writing of this article.

AUTHORS' CONTRIBUTIONS

Joe Bradford designed the study, developed the framework, gathered and analysed the literature, and wrote the article. Mohamed El-Tahir El-Mesawi supervised the study and critically revised the article. Saheed Abdullahi Busari contributed to the analysis and reviewed the article.

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