

Maqāṣidī Exegesis: A Path for Promoting Gender Equality in Contemporary Islamic Discourse

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Keywords: gender equality, Islamic jurisprudence, <i>maqāṣidī</i> exegesis.	Abstract This research explores the potential of <i>maqāṣidī</i> exegesis as a framework for interpreting the Qur'an that can promote gender equality in contemporary Islamic discourse. Starting from the reality that classical exegesis often reflects patriarchal social constructs, this study offers an alternative approach that emphasizes the main objectives of Islamic law (<i>maqāṣid al-sharī'ah</i>), such as justice, welfare, and the protection of human dignity. Using qualitative content analysis, comparative analysis, and a hermeneutic approach, this study examines several key verses related to gender—including polygamy, inheritance, testimony, and <i>qiwāmah</i> —through the lens of <i>maqāṣidī</i> . The research findings indicate that this approach not only reconstructs the understanding of gender relations in Islam in a more just and equitable manner but also challenges the patriarchal interpretative legacy that has been entrenched in the tradition of exegesis. The novelty of this study lies in the systematic application of <i>maqāṣidī</i> exegesis to gender issues comprehensively, not merely through a feminist approach, but by asserting that the values of gender justice are inherent in <i>maqāṣid al-sharī'ah</i> itself. These findings provide a conceptual contribution to the development of value-based and ethical Islamic exegesis. They are relevant for reforming Islamic law to be more responsive to contemporary social dynamics.
Kata Kunci : kesetaraan gender, hukum Islam, tafsir <i>maqāṣidī</i> .	Abstrak Penelitian ini mengeksplorasi potensi tafsir <i>maqāṣidī</i> sebagai kerangka penafsiran al-Qur'an yang mampu mempromosikan kesetaraan gender dalam diskursus Islam kontemporer. Berangkat dari realitas bahwa tafsir klasik sering kali merefleksikan konstruksi sosial patriarkal, studi ini menawarkan pendekatan alternatif yang menitikberatkan pada tujuan utama syariat Islam (<i>maqāṣid al-sharī'ah</i>), seperti keadilan, kesejahteraan, dan perlindungan martabat manusia. Dengan menggunakan metode analisis isi kualitatif, analisis komparatif, dan pendekatan hermeneutik, penelitian ini menelaah sejumlah ayat kunci yang berkaitan dengan gender—termasuk poligami, warisan, kesaksian, dan <i>qiwāmah</i> —melalui lensa <i>maqāṣidī</i> . Hasil penelitian menunjukkan bahwa pendekatan ini tidak hanya mampu merekonstruksi pemahaman terhadap relasi gender dalam Islam secara lebih adil dan setara, tetapi juga menantang warisan interpretatif patriarkal yang telah mengakar dalam tradisi tafsir. Kebaruan studi ini terletak pada penerapan sistematis tafsir <i>maqāṣidī</i> untuk isu-isu gender secara menyeluruh, bukan semata melalui pendekatan feminis, melainkan dengan menegaskan bahwa nilai-nilai keadilan gender inheren dalam <i>maqāṣid al-sharī'ah</i> itu sendiri. Temuan ini memberikan kontribusi konseptual bagi pengembangan tafsir berbasis nilai dan etika Islam serta relevan bagi reformasi hukum Islam yang lebih responsif terhadap dinamika sosial kontemporer.
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Introduction

The *maqāṣidī* exegesis (purposive exegesis) represents a contemporary interpretative framework that seeks to align the understanding of Qur'anic texts with the overarching objectives (*maqāṣid*) of Islamic law (*shariah*). This approach emphasizes the

promotion of core values such as justice, welfare, and human dignity, which are essential for addressing the complexities of modern society. By moving away from rigid and literalist readings, *maqāṣidī* exegesis allows for a more nuanced understanding of the Qur'an, recognizing that its literal prescriptions must be contextualized within their specific historical and cultural environments. This contextualization is crucial for deriving rulings that are relevant to contemporary issues, thereby ensuring that Islamic teachings remain applicable and beneficial in today's world.¹

One of the central tenets of *maqāṣidī* exegesis is the belief that the Qur'an contains timeless principles aimed at promoting human well-being. This perspective is rooted in the classical scholarship of figures like Imam al-Shatibi (d. 1388), who articulated that the primary objectives of Islamic law are to protect faith, life, intellect, lineage, and property.² Such foundational principles serve as guiding tenets in modern interpretations of the Qur'an, particularly in addressing pressing social issues such as gender equality. By applying *maqāṣid al-sharī'ah*, scholars can align Islamic teachings with universal human rights standards, thus fostering gender justice and equity within the framework of Islamic law.³

Furthermore, the development of *maqāṣidī* exegesis has been significantly influenced by the evolving methodologies in Qur'anic studies. Scholars have increasingly recognized the importance of integrating traditional and modern approaches to *Tafseer* (exegesis), which allows for a richer understanding of the Qur'an's ethical imperatives.⁴ This integration not only enhances the interpretative process but also ensures that contemporary issues are addressed in a manner that is consistent with the moral and ethical goals of Islam. For instance, the contextualization of Islamic law has been explored in various cultural settings, demonstrating its adaptability and relevance in addressing local needs while remaining faithful to the Qur'anic spirit.⁵

Several studies have highlighted the relevance of *maqāṣid al-sharī'ah* in supporting gender equality, but the systematic application of this approach in gender analysis in the Qur'an is still lacking. Jasser Auda in his research states that *maqāṣid* can be used as a tool to bridge the gap between text and context, which is vital in the reform of Islamic law to

¹ Andri N AN, "Methods of Qur'an Research and Quran Tafseer Research Its Implications for Contemporary Islamic Thought," *Bir* 2, no. 1 (2024): 33–42, <https://doi.org/10.69526/bir.v2i1.34>; None Muhammadong, "The Contextualization of the Teachings of Islamic Law in the Legal World in Indonesia," *The Easta Journal Law and Human Rights* 1, no. 03 (2023): 93–98, <https://doi.org/10.58812/eslhr.v1i03.85>.

² Aḥmad Raysūnī, "Imam Al-Shatibi's Theory of the Higher Objectives and Intents of Islamic Law" (London: International Institute of Islamic Thought, 2005), <https://doi.org/LK> - <https://worldcat.org/title/1229803920>; Muhammadong, "The Contextualization of the Teachings of Islamic Law in the Legal World in Indonesia."

³ Joseph Abraham Levi, "Sharī'a Law and LGBTQIA+ People: More Than Faith vs. Human Rights," 2023, <https://doi.org/10.5772/intechopen.1002219>; Mohd M Ali, "The Transformation of Islamic Studies: An Ethical and Methodological Analysis," *Ijrcs* 6, no. 2 (2024): 120–38, <https://doi.org/10.31436/ijrcs.v6i2.297>.

⁴ AN, "Methods of Qur'an Research and Quran Tafseer Research Its Implications for Contemporary Islamic Thought"; Najib A Kadir et al., "The Rules of Interpretation: Review on Asbab Al-Nuzul in Tafsir Al-Mishbah," *International Journal of Academic Research in Business and Social Sciences* 12, no. 6 (2022), <https://doi.org/10.6007/ijarbss/v12-i6/13322>.

⁵ Muhammadong, "The Contextualization of the Teachings of Islamic Law in the Legal World in Indonesia."

promote values of justice, including gender.⁶ Amina Wadud also highlights the importance of conducting feminist readings of the Qur'anic texts, although she emphasizes a hermeneutic approach that encompasses women's experiences.⁷ However, a research gap is evident in the lack of synthesis that combines classical exegesis with the *maqāṣidī* approach in the context of gender, particularly on verses such as QS al-Nisā'[4]:3, QS al-Nisā'[4]:11, QS al-Baqarah [2]:282, and QS al-Nisā' [4]:34. This indicates a need for more integrated studies that can combine different perspectives into a coherent narrative and support gender justice.

This article responds to the need for an interpretive model that transcends literalist and patriarchal readings of the Qur'an, which have historically limited women's roles and reinforced gender inequalities. It critiques the dominant paradigms in classical tafsir while maintaining fidelity to the internal epistemology of Islam. By highlighting *maqāṣidī* exegesis as an internal reformist methodology, the article avoids framing gender justice as an external or Western imposition, thus ensuring greater theological legitimacy and acceptance among Muslim audiences.

Despite its promise, the application of *maqāṣidī* exegesis to gender justice is not without challenges. The very concept of justice in *maqāṣid* theory is often abstract and underdefined in terms of gender. In order to understand its transformative potential, it is necessary to clarify whether justice in this context is meant to enact structural changes that dismantle gender hierarchies, or simply offer context-specific adaptations that preserve traditional norms in modern dress. This study seeks to sharpen the definition of justice by asking: Does the *maqāṣidī* notion of justice truly promote structural gender equality, or does it merely adjust inherited norms to contemporary sensibilities without disrupting deep-rooted patriarchal assumptions? Furthermore, the article incorporates classical sources—such as Tafsīr al-Ṭabarī, al-Qurṭubī, and Ibn Kathīr—and compares their rulings, which often legitimize male dominance and fixed gender roles, with contemporary gender-sensitive interpretations that emphasize ethical justice, mutuality, and adaptability within *maqāṣidī* frameworks on gender-related verses with contemporary *maqāṣidī* interpretations.

This study adopts a qualitative content analysis method combined with a hermeneutic and comparative framework. Primary sources include the Qur'an, classical tafsīr, and legal commentaries, alongside contemporary works by Jasser Auda, Tariq Ramadan, and Amina Wadud. Verses such as QS al-Nisā'[4]:3 (polygamy), QS al-Nisā'[4]:11 (inheritance), QS al-Baqarah [2]:282 (testimony), and QS al-Nisā' [4]:34 (*qiwāmah*) are selected for close reading and reinterpretation through *maqāṣid* principles. Special attention is paid to how justice and welfare—core *maqāṣid* concepts—are interpreted in both classical jurisprudence and contemporary gender-sensitive approaches.

⁶ Jasser Auda, *Maqasid Al-Shariah* (International Institute of Islamic Thought, 2008), <https://doi.org/10.2307/j.ctvkc67c6>.

⁷ Muhammad F Noor, "A Feminist Interpretation of Qur'anic Texts by Amina Wadud and Zaitunah Subhan," *Intiha* 1, no. 3 (2024): 144–56, <https://doi.org/10.58988/intiha.v1i3.311>.

***Maqāṣidī* Exegesis and Its Hermeneutical Distinction**

The theoretical framework of *maqāṣidī* exegesis is profoundly rooted in the concept of *maqāṣid al-sharī'ah*, which designates the higher objectives of Islamic law. Notably articulated by scholars such as al-Ghazālī and al-Shāṭhibī, these objectives include the preservation of religion (*dīn*), life (*nafs*), intellect (*'aql*), lineage (*nasl*), and property (*māl*).⁸ Modern interpretations have expanded this framework to also promote justice, human rights, and social ethics, particularly in the works of contemporary scholars such as Jasser Auda and Ibn Āshūr.⁹ This evolution highlights the flexible and dynamic nature of *maqāṣidī* interpretation, allowing it to respond adeptly to contemporary challenges and societal needs.

The distinct methodology employed in *maqāṣidī* exegesis diverges sharply from three established interpretive models: the legalistic-traditional, which strictly adheres to classical juristic consensus and legal rulings; the contextualist, which emphasizes historical and socio-political contexts; and the feminist-hermeneutic approach, which prioritizes women's experiences.¹⁰ In contrast, *maqāṣidī* exegesis is not merely about translating Qur'anic text but revolves around interpreting it through an ethical lens that reflects the divine intents revealed in the Qur'an, aligning with broader societal objectives and needs.¹¹ Thus, it employs internal Islamic legal tools to reinterpret meanings, ensuring adherence to the Qur'an's ethical guidelines while addressing modern societal realities.

Recent studies underscore the richness of *maqāṣidī* interpretation, which integrates different approaches in its application, ranging from textual analysis to moral ideals and spiritual engagement.¹² For instance, a *maqāṣidī* reading of gender-related verses can reframe restrictively interpreted texts by focusing on fundamental *maqāṣid* values such as justice and dignity, promoting a gender-just hermeneutic.¹³ This reinterpretation addresses conventional portrayals that often marginalize women's contributions and experiences. Furthermore, the *maqāṣidī* approach sheds light on issues like environmental protection and social justice, demonstrating its relevance across various dimensions of contemporary discourse.

In the field of exegetical studies, *maqāṣidī* tafsir emerges as a robust framework that harmonizes traditional interpretations with modern exigencies. It asserts that

⁸ Aksin Wijaya dan Shofiyullah Muzammil, "Maqāṣidī Tafsir: Uncovering and Presenting Maqāṣid Ilāhī-Qur'anī Into Contemporary Context," *Al-Jāmi'ah Journal of Islamic Studies* 59, no. 2 (2021): 449–78, <https://doi.org/10.14421/ajis.2021.592.449-478>.

⁹ Dayu Aqraminas, "Kontribusi Jasser Auda Dalam Kajian Al-Qur'an: Interpretasi Berbasis Sistem," *Ushuluna Jurnal Ilmu Ushuluddin* 1, no. 2 (2020): 125–44, <https://doi.org/10.15408/ushuluna.v1i2.15293>; Fatmah T Hidayat, "Pemikiran Ibn Āsyūr Tentang Qawai'd Al-Maqāṣid Al-Lughawiyah Serta Implikasinya Dalam Menafsirkan Al-Qur'an," *An-Nida* 45, no. 1 (2021): 115, <https://doi.org/10.24014/an-nida.v45i1.19275>.

¹⁰ Sarwanih, "Reinterpreting Female Sexuality in Islam: A Maqāṣidī Exegesis of QS Āli 'Imrān:14 Toward Gender-Just Hermeneutics," *Al Furqan: JIAT* 8, no. 1 (2025), <https://doi.org/10.58518/alfurqon.v8i1.3586>.

¹¹ Faridah Zomorod, "The Fundamentals (Usul) of Maqāṣidī Tafsir," *Journal of Contemporary Maqasid Studies* 2, no. 1 (2023): 1–34, <https://doi.org/10.52100/jcms.v2i1.94>.

¹² Wijaya dan Muzammil, "Maqāṣidī Tafsir: Uncovering and Presenting Maqāṣid Ilāhī-Qur'anī Into Contemporary Context"; Farid Chokri, "Maqasid-Based Tafsir of the Holy Qur'an Between Activation and Disruption," *Journal of Contemporary Maqasid Studies* 2, no. 1 (2023): 35–60, <https://doi.org/10.52100/jcms.v2i1.95>.

¹³ Sarwanih, "Reinterpreting Female Sexuality in Islam: A Maqāṣidī Exegesis of QS Āli 'Imrān:14 Toward Gender-Just Hermeneutics."

understanding the sacred text must also consider the greater public good and moral imperatives present within the Qur'an.¹⁴ Such an approach not only enriches the interpretive process but also reaffirms the role of Islamic law as a living and evolving system that can adequately address contemporary dilemmas while staying rooted in its foundational texts.¹⁵ This synthesis of the *maqāṣidī* framework into exegesis thus underscores a commitment to creating interpretive practices that honor both tradition and modernity, thereby enhancing the relevancy of Islamic scholarship in contemporary society.

Application of *Maqāṣidī* Principles to Key Qur'anic Verses on Gender

The *maqāṣidī* exegesis approach allows scholars to re-evaluate these gendered rulings by focusing on the *maqāṣid* or purposes behind the Qur'anic verses. Rather than taking a literalist view, which can result in perpetuating historical inequalities, *maqāṣidī* exegesis seeks to apply Qur'anic teachings in ways that fulfill Islam's commitment to justice and human dignity in contemporary contexts.

a. Polygamy in QS al-Nisā'[4]:3

The subject of polygamy in Islam, primarily based on QS al-Nisā'[4]: 3, has been widely debated by scholars, both classical and contemporary. QS al-Nisā'[4]: 3 states,

وَأِنْ خِفْتُمْ أَلَّا تُقْسِطُوا فِي الْيَتَامَىٰ فَانكِحُوا مَا طَابَ لَكُمْ مِنَ النِّسَاءِ مَثَلَىٰ وَثَلَاثَ
وَرُبُعٍ ۖ فَإِنْ خِفْتُمْ أَلَّا تَعْدِلُوا فَوَاحِدَةً أَوْ مَا مَلَكَتْ أَيْمَانُكُمْ ۚ ذَٰلِكَ أَدْنَىٰ أَلَّا تَعُولُوا ۗ ٣

"If you fear that you will not deal justly with the orphans, then marry those that please you of [other] women, two, three, or four. But if you fear that you will not be just, then [marry only] one..." (QS al-Nisā'[4]: 3).

This verse is often interpreted as permitting men to marry up to four women, provided they treat all wives with fairness and justice. The verse explicitly emphasizes justice, which has led to varying interpretations about whether polygamy is truly permissible under all circumstances. These interpretations are split into two broad schools: traditional exegesis and *maqāṣidī* (objective-oriented) exegesis.

In classical interpretations of QS al-Nisā'[4]: 3, scholars such as Ibn Kathīr and Al-Qurṭubī regard the verse as an explicit legal provision for the permissibility of polygamy. Ibn Kathīr, in his *Tafseer*, emphasizes that the verse addresses men who fear being unjust to orphaned girls under their care and suggests that they marry other women instead.¹⁶ Thereby framing polygamy as a socially responsible choice in certain circumstances.¹⁷ He further notes that while the Qur'an permits men to marry multiple wives, the ideal

¹⁴ Muhammad A Aziz, "Wasatīyyah in the Thought of Maqāṣidī Tafsīr by Yūsuf Al-Qaraḍāwī: The Issue of Religious Pluralism," *Journal of Comparative Study of Religions* 3, no. 02 (2024): 1–29, <https://doi.org/10.21111/jcsr.v3i02.10411>; Sutrisno Sutrisno, "Paradigma Tafsīr Maqasidī," *Rausyan Fikr Jurnal Studi Ilmu Ushuluddin Dan Filsafat* 13, no. 2 (2018): 321–57, <https://doi.org/10.24239/rsy.v13i2.269>.

¹⁵ Ahmad Kamaludin dan Saefudin Saefudin, "Pola Implementasi Tafsīr Maqāṣidī," *Mumtaz Jurnal Studi Al-Quran Dan Keislaman* 5, no. 02 (2022): 181–200, <https://doi.org/10.36671/mumtaz.v5i02.211>.

¹⁶ Ism'īl ibn 'Umar Ibn Kathīr, *Tafsīr Ibn Kathīr* (Riyadh: Darussalam, 2003), 2/182.

¹⁷ Farooq-e-Azam et al., "Polygamy in Islam: Cultural Pressures and Religious Justifications in Pakistan," *Journal of Islamic Thought and Civilization* 11, no. 2 (2021), <https://doi.org/10.32350/jitc.112.13>.

remains monogamy, as achieving absolute justice among multiple wives is inherently challenging.¹⁸

Al-Qurṭubī's interpretation reinforces this understanding, asserting that polygamy is legally permissible but conditional on equitable treatment among wives, which includes providing equal financial and emotional support. He highlights that the requirement of justice is a severe limitation, implying a cautious approach to polygamy due to the inherent difficulties in administering justice, particularly in emotional matters.¹⁹ This perspective reflects the patriarchal norms of their time, where polygamy was often seen as a practical solution to social issues such as the protection of widows or addressing gender imbalances in society.²⁰ Other classical scholars such as al-Rāzī and al-Shawkānī also endorse this understanding, presenting polygamy as a solution to social problems such as the protection of widows or managing societal gender imbalances.²¹ These interpretations reflect the patriarchal norms of their time, where polygamy was seen as a practical and sometimes necessary arrangement within the broader framework of Islamic law.

In contrast, the *maqāṣid al-shariah* (objectives of Islamic law) perspective takes a different approach, focusing on the higher ethical objectives underlying the law rather than a literalist reading of the text. *maqāṣid* analysis centers the verse's qualifying clause on fairness (*fa'in khiftum alla ta'dilū fa wāḥidah*), arguing that the near-impossibility of emotional equity renders monogamy the ethical ideal. The *maqāṣid* of *'adl* (justice) and *karāmah* (dignity) thus prioritize emotional and material well-being over legal permissibility. Modern scholars like Jasser Auda and Tariq Ramadan interpret Qur'an 4:3 through the lens of *maqāṣid* to emphasize justice, equality, and the well-being of society. According to this approach, polygamy is not viewed as an unrestricted right but as a regulated practice meant to achieve specific social goals, such as justice and the protection of vulnerable individuals.

Jasser Auda argues that the concept of justice mentioned in the verse is not limited to financial or material equity but extends to emotional and psychological fairness, which is inherently challenging to maintain with multiple spouses. Auda emphasizes that the overarching objective (*maqāṣid*) of the law is to establish justice and harmony in family life. Thus, he suggests that the practice of polygamy may not align with these objectives in modern contexts, where the equitable treatment of multiple wives is challenging to achieve.²²

¹⁸ Samira Alfayumi-Zeadna et al., "Barriers to Postpartum Depression Treatment Among Indigenous Bedouin Women in Israel: A Focus Group Study," *Health & Social Care in the Community* 27, no. 3 (2018): 757–66, <https://doi.org/10.1111/hsc.12693>.

¹⁹ Abū 'Abd Allāh Muḥammad ibn Aḥmad al-Anṣārī Al-Qurṭubī, *al-Jāmi' li Ahkām al-Qur'an* (Cairo: Dār al-Kutub, 1997), 5/11.

²⁰ Saifuddin Herlambang, "Hamka, Social Criticism and the Practices of Polygamy in Minangkabau," *Al-Albab* 9, no. 1 (2020): 69–86, <https://doi.org/10.24260/alalbab.v9i1.1593>.

²¹ Muḥammad ibn 'Alī ibn Muḥammad Al-Shawkānī, *Fatḥ al-Qadīr: al-jāmi' bayna fannay al-riwāyah wa-al-dirāyah min 'ilm al-tafsīr*, al-Ṭab'ah (Beirut: Dār al-Ma'arif, 2002), <https://doi.org/LK> - <https://worldcat.org/title/28517150>.

²² According to Jasser Auda, six features must be considered: **Cognition** (religious thought is the result of human ijtihād), **Openness**, **Wholeness**, **Multidimensionality** (involving multiple dimensions), **Interrelated Hierarchy** (the interconnectedness between hierarchical elements), and **Purposefulness** (main objectives).

Tariq Ramadan also advocates for a contextualized reading of the verse, suggesting that the allowance for polygamy was specific to the socio-economic conditions of early Muslim society, where women, especially widows and orphans, were often left without protection or means of support. Ramadan contends that while the verse does permit polygamy, the underlying *maqāṣid* principle of justice makes it clear that monogamy should be the norm, as true justice is nearly impossible to achieve in a polygamous marriage. He said: “Polygamy was allowed in the historical context of social justice, not as a rule to be perpetuated. Today, in the name of justice, it should be suspended.”²³

The application of a *maqāṣidī* interpretation to the issue of polygamy necessitates moving beyond a strictly textualist framework toward a more comprehensive analysis that integrates socio-economic realities and gender justice. At the same time, polygamy is legally permitted in the Qur'an (QS al-Nisā'[4]: 3), its permissibility is conditional—rooted in justice toward wives and orphans—and not a blanket endorsement. Traditional jurists emphasized the condition of *'adl* (equity), yet rarely interrogated how such justice could be measured or enforced in practice. In the modern context, where women's rights have significantly expanded across educational, economic, and political domains, and where the psychological, emotional, and financial complexities of polygamous relationships are more deeply understood, a *maqāṣidī* approach invites a re-evaluation of the institution itself in light of the higher objectives of the Sharī'ah—particularly *'adl* (justice), *ḥifẓ al-naḥs* (protection of the self), and *ḥifẓ al-'ird* (protection of dignity and honor).

Scholars such as Amina Wadud and Abdullah Saeed argue that *maqāṣid* can serve as a moral-legal compass for assessing whether polygamy, in a given society, undermines rather than fulfills these objectives.²⁴ Societies today consider not only formal legality but also lived experiences—mental health, gender equity, child welfare, and women's economic autonomy. As such, a *maqāṣidī* framework can offer a context-sensitive method for evaluating the ethical viability of polygamy, potentially leading to legal reform, tighter restrictions, or even moratoriums, not as a rejection of the text, but as a realization of its ultimate intent.

Furthermore, the *maqāṣid al-sharī'ah* perspective provides a transformative lens through which to understand polygamy, focusing on three key themes: justice and equity, social cohesion, and the re-evaluation of polygamy in contemporary contexts.

1. Justice (*'adl*) and dignity (*karāmah*): The *maqāṣid* perspective prioritizes justice and dignity, suggesting that any practice, including polygamy, must align with the

In the case of polygamy, the component of *wholeness* is essential, requiring a comprehensive study that links Qur'anic verses and the Prophet Muhammad's hadiths concerning marriage and family life. Then, the component of *interrelated hierarchy* necessitates consideration of public interest (*maṣlaḥah*) before practicing polygyny, by evaluating the aspects of *ḍarūriyyāt*, *ḥājiyyāt*, and *taḥsīniyyāt*. Furthermore, the component of *multidimensionality* means that the issue of polygyny must take into account various aspects, including historical, cultural, economic, geographical factors, and more. See Jasser Auda, *Maqasid Al-Shariah as Philosophy of Islamic Law: A Systems Approach* (London: The International Institute of Islamic Thought, 2010), 47–58.

²³ Tariq Ramadan, “Western Muslims and the Future of Islam” (Oxford: Oxford University Press, 2004), 105–7.

²⁴ Amina Wadud, *Qur'an and Woman: Rereading the Sacred Text from a Woman's Perspective* (New York: Oxford University Press, 1999), 111; Abdullah Saeed, *Reading the Qur'an in the Twenty-First Century: A Contextualist Approach* (London and New York: Routledge, 2014).

overarching goals of Islamic law, which include the welfare of individuals and the community.²⁵ This interpretation challenges the traditional view that polygamy is a blanket endorsement of male authority and instead frames it as a conditional practice that its social benefits must justify. From a *karāmah*-based perspective, the dignity of all parties involved—particularly women—must be safeguarded. In many contemporary cases, polygyny undermines a wife's psychological and emotional security, disrupts family harmony, and creates social stigma for the second or third wife and her children. By foregrounding *karāmah*, the *maqāṣidī* approach calls attention to the ethical harm inflicted when polygyny is practiced without consideration of the emotional equality, personal autonomy, and spiritual well-being of women. Thus, dignity is not merely a moral ideal but a concrete interpretive principle that challenges interpretations legitimizing structural subordination in the name of legal permissibility.

2. Social Cohesion: The emphasis on social cohesion and the protection of vulnerable individuals further complicates the traditional understanding of polygamy. Modern interpretations argue that the practice should not be a means of perpetuating gender inequality or social injustice but rather a tool for enhancing family stability and community welfare.²⁶ This perspective aligns with contemporary movements advocating for gender equality within Islamic contexts.
3. Re-evaluation of Polygamy: The *maqāṣid* approach calls for a re-evaluation of polygamy in light of modern societal dynamics, where women increasingly participate in the workforce and share financial responsibilities. This shift necessitates a critical examination of the justifications for polygamy and its implications for gender relations within families.²⁷ Scholars argue that the ethical objectives of Islamic law should guide interpretations of polygamy, promoting practices that foster equality and justice rather than perpetuating patriarchal norms.²⁸

b. Inheritance in QS al-Nisā' [4]:11

Traditional interpretations of inheritance law have often justified the unequal distribution of wealth between men and women, with men receiving twice the share of women. This ruling was based on the assumption that men were financially responsible for their families, while women had limited economic roles. A *maqāṣidī* perspective, however, suggests that the primary purpose of inheritance laws was to ensure family cohesion and financial stability. In modern contexts, where women participate equally in the workforce

²⁵ Danial Danial, "Polygamy in Perspective of Islamic Law Hermeneutics," *Al-Istinbath Jurnal Hukum Islam* 8, no. 1 May (2023): 53, <https://doi.org/10.29240/jhi.v8i1.5139>.

²⁶ Dri Santoso dan Muhamad Nasrudin, "Polygamy in Indonesia and Its Relevance to the Protection of Women and Children in the Perspective of Islamic Law Philosophy," *Akademika Jurnal Pemikiran Islam* 26, no. 1 (2021): 121, <https://doi.org/10.32332/akademika.v26i1.2406>.

²⁷ M Sholihin, "Marital Satisfaction of Second Wives Undergoing Siri Polygamy Among Orêng Kênêk," *Indigenous Jurnal Ilmiah Psikologi* 8, no. 3 (2023): 325–36, <https://doi.org/10.23917/indigenous.v8i3.2222>.

²⁸ Janan Izadi, "Women's Nature in the Qur'an: Hermeneutical Considerations on Traditional and Modern Exegeses," *Open Theology* 6, no. 1 (2020): 342–59, <https://doi.org/10.1515/opth-2020-0015>.

and share financial responsibilities, the principle of economic justice would require a reassessment of these rules to ensure fairness and equality in the distribution of wealth.

The Qur'anic verse on inheritance, found in QS al-Nisā'[4]:11, is a pivotal text that has been the subject of extensive scholarly discourse. QS al-Nisā'[4]:11 states:

يُوصِيكُمُ اللَّهُ فِي أَوْلَادِكُمْ لِلذَّكَرِ مِثْلُ حَظِّ الْأُنثَيَيْنِ ... ١١

"Allah instructs you concerning your children: for the male, what is equal to the share of two females..." (QS al-Nisā'[4]:11)

This verse outlines the specific shares that each heir is entitled to, with a clear distinction between the portions allocated to male and female heirs. While the literal interpretation of this verse may suggest an unequal distribution, a *maqāṣidī* approach encourages a deeper examination of the underlying objectives and principles.

One of the key *maqāṣidī* principles relevant to this discussion is the concept of justice and equity. The Qur'anic injunctions on inheritance aim to establish a system that promotes fairness and social harmony, taking into account the different roles and responsibilities of men and women within the family structure.²⁹ For instance, male heirs are often tasked with the financial responsibility of providing for their families, which justifies the larger share they receive.³⁰ This perspective suggests that the unequal distribution of inheritance is not merely a matter of numerical equality but rather a mechanism to ensure the overall well-being of the family unit.

Furthermore, the emphasis on maintaining familial ties and preserving social cohesion aligns with *maqāṣidī* objectives. The Qur'an's provisions on inheritance can be seen as a means to foster relationships among family members, ensuring that wealth is distributed in a way that supports the family structure and community stability.³¹ This understanding highlights that the distribution of inheritance is not solely about individual rights but also about the collective welfare of the family and society.

It is also important to recognize that the Qur'anic teachings on inheritance should be understood within the broader context of the Prophet's saw life and the societal conditions prevalent during that time. In the pre-Islamic era, women were often marginalized and deprived of inheritance rights. The Qur'anic injunctions, therefore, represented a significant step towards empowering women and elevating their status within the family and society.³²

²⁹ Mohammad Syifa Urrosyidin, Mohammad Syamsul Arifin, dan Devid Frastiawan Amir Sup, "Esensi Keadilan dalam Ilmu Waris Islam," *Ijtihad: Jurnal Hukum dan Ekonomi Islam* 15, no. 2 (2021), <https://doi.org/https://doi.org/10.21111/ijtihad.v15i2.6742>.

³⁰ Zainuddin Zainuddin, Salle Salle, dan Andi Risma, "Balanced Justice in Islamic Inheritance to Realize Unity and Sustainability of Collective Life," 2023, 66–70, https://doi.org/10.2991/978-2-494069-93-0_9.

³¹ Aam, "Islamic Inheritance," *Fara Id and Wealth Management* 1, no. 1 (2021), <https://doi.org/10.58968/fwm.v1i1.68>.

³² Norfaizah Othman, "Equity Financing and Islamic Bank Stability: Evidence From Malaysia and Indonesia," *International Journal of Islamic and Middle Eastern Finance and Management* 16, no. 6 (2023): 1248–68, <https://doi.org/10.1108/imefm-03-2022-0106>.

Moreover, the *maqāṣidī* approach encourages a consideration of the changing socio-economic realities and the need for contextual application of the Qur'anic principles. Some scholars, such as Munāwir Sjadzali, have argued for a more flexible interpretation of the inheritance verses, emphasizing the importance of adapting the rulings to the contemporary needs and circumstances, while still maintaining the underlying *maqāṣidī* objectives.³³ This adaptability is essential in addressing the evolving roles of women in society, particularly as they increasingly participate in the workforce and contribute to family finances.³⁴

The *maqāṣidī* interpretation of Islamic inheritance law—anchored in the objectives of justice (*‘adl*), welfare (*maṣlaḥah*), and social equity—offers a principled and adaptable framework for re-evaluating inheritance norms in light of women's expanded participation in modern economic life. Although classical Qur'anic shares (e.g., males receiving twice the share of females) corresponded to a socio-economic context in which men were the primary financial providers, the contemporary landscape sees women increasingly contributing as earners and breadwinners. Through *maqāṣid* methodology, Qur'anic mandates are not relegated to static formulas but are interpreted in terms of their higher objectives, allowing for legitimate legal adaptations grounded in *ijtihād*.³⁵

Empirical studies on the Indonesian legal discourse point to practical mechanisms—like strategic gifts (*hibāh*), bequests (*wasiyyah*), and contractually stipulated shares—that enhance women's inheritance rights while preserving textual fidelity.³⁶ In North Africa, Tunisia has witnessed vigorous activist campaigns pushing for equal inheritance, exemplified by mass mobilizations in 2018, though formal reform remains contested.³⁷ Morocco, meanwhile, has institutionalized significant family law reforms under *maqāṣid*-informed impetus—such as through the 2004 *Mudawana*—enabling legal gifting to women and increasing legal autonomy in property matters while still upholding Qur'anic inheritance shares.³⁸ These cases illustrate that the *maqāṣidī* approach transcends symbolic posturing; it provides a rigorous, context-responsive methodology capable of delivering substantive egalitarian reform in alignment with both Islamic legal tradition and evolving gendered economic realities.

³³ Ida Kurnia Shofa, "The Comparison of Maqāṣid Implimentation's Ibn 'Aṣūr And Munāwir Sjadzali's in QS. 4: 11," *At-Tibyan: Jurnal Ilmu Alqur'an dan Tafsir* 6, no. 1 (2021): 145–64, <https://doi.org/https://doi.org/10.32505/at-tibyan.v6i1.2597>; Muhammad Haque et al., "Women Rights to Inheritance in Muslim Family Law: An Analytical Study," *International Journal of Islamic Business & Management* 4, no. 1 (13 April 2020): 15–26, <https://doi.org/10.46281/ijibm.v4i1.543>.

³⁴ Waqar H Hashmi et al., "Islamic Equity Indices: A Focus Group Discussion," *Journal of Islamic Accounting and Business Research* 13, no. 6 (2022): 881–901, <https://doi.org/10.1108/jiabr-09-2021-0241>.

³⁵ Auda, *Maqasid Al-Shariah as Philosophy of Islamic Law: A Systems Approach*; Mohammad Hashim Kamali, *Shari'ah Law: An Introduction* (London, England: Oneworld Publications, 2011).

³⁶ A Rozi, "Keadilan Gender dalam Hukum Waris Islam: Studi Komparatif antara Hukum Waris Faraid dan Prinsip Kesetaraan Gender di Era Modern," *ASASI: Journal of Islamic Family Law* 5 (15 Oktober 2024): 64–79, <https://doi.org/10.36420/asasi.v5i1.702>.

³⁷ Tharwa Boulifi, "Feminist Activists in Tunisia Organized a Women's March | Teen Vogue," 19 Maret 2018, <https://www.teenvogue.com/story/feminist-activists-tunisia-womens-march>.

³⁸ N. Moudawana Guessous, "The reform of the family law in Morocco: History, aims and procedures," in *Gender and Equality in Muslim Family Law: Justice and Ethics in the Islamic Legal Tradition*, ed. by Z. Mir-Hosseini et al. (New York: I.B. Tauris, 2010), 99–112.

c. Testimony in QS al-Baqarah [2]:282

The Qur'anic principles of *maqāṣid al-sharī'ah*, or the higher objectives of Islamic law, have been a subject of significant scholarly discourse in recent years. These principles, which emphasize the preservation of life, intellect, religion, lineage, and property, have implications for the interpretation and application of various Qur'anic verses, including those about gender. One such verse that has been the subject of extensive discussion is the "verse of testimony" in QS al-Baqarah [2]: 282, which addresses the issue of gender-based testimony in financial transactions.

The verse states:

...وَأَسْتَشْهِدُوا شَهِيدَيْنِ مِنْ رَجَالِكُمْ فَإِنْ لَمْ يَكُونَا رَجُلَيْنِ فَرَجُلٌ وَامْرَأَتْنِ مِمَّنْ تَرْضَوْنَ مِنَ الشُّهَدَاءِ أَنْ تَضِلَّ إِحْدَاهُمَا فَتُذَكِّرَ إِحْدَاهُمَا الْأُخْرَى... ٢٨٢

"And bring to witness two witnesses from among your men. Moreover, if there are not two men [available], then a man and two women from those whom you accept as witnesses - so that if one of the women errs, the other can remind her.

"QS al-Baqarah [2]: 282.

Some scholars have interpreted this verse as establishing a gender-based distinction in the weight of testimony, with the testimony of two women being equivalent to that of one man.³⁹ However, a *maqāṣidī* approach to understanding this verse suggests a more nuanced interpretation that considers the broader context and the underlying principles of Islamic law.

One of the key principles of *maqāṣid al-sharī'ah* is the preservation of intellect (*hifẓ al-'aql*), which is understood to encompass the protection and development of human cognitive capacities. From this perspective, the verse of testimony can be seen as a practical measure to ensure the reliability and accuracy of financial transactions, particularly in a historical context where women may have had less exposure to commercial activities. The requirement for two female witnesses, rather than a strict gender-based hierarchy, can be understood as a means of safeguarding the integrity of the transaction by providing a system of mutual corroboration and support.⁴⁰ This interpretation aligns with the *maqāṣidī* objective of safeguarding human well-being and ensuring that financial dealings are conducted with utmost reliability.

Furthermore, the *maqāṣidī* approach emphasizes the principle of justice and equality, which is a fundamental tenet of Islamic teachings. The Qur'an explicitly states that "the believing men and believing women are allies of one another" (QS al-Tawbah [9]:71), suggesting a fundamental equality between the genders.⁴¹ A *maqāṣidī* interpretation of the verse of testimony would seek to reconcile this principle of equality with the specific

³⁹ Huseyin Halil, "The Testimony of Women in the Qur'an," *Al-Bayan: Journal of Qur'an and Hadith Studies* 14, no. 1 (2016): 18–29, <https://doi.org/10.1163/22321969-12340029>.

⁴⁰ Auda, *Maqasid Al-Shariah as Philosophy of Islamic Law: A Systems Approach*; Rahim K Zaman et al., "Model of Recovery Approaches for Obsessive-Compulsive Disorder From the Quranic Verses," *Malaysian Journal of Medicine and Health Sciences* 18, no. s19 (2022): 99–104, <https://doi.org/10.47836/mjmhs.18.s19.16>.

⁴¹ Mohammad Hashim Kamali, "Maqāṣid al-Sharī'ah, Ijtihād and Civilisational Renewal," in *Maqasid Al-Sharī'ah, Ijtihād and Civilisational Renewal* (International Institute of Islamic Thought, 2012), 1–46, <https://doi.org/10.2307/j.ctvkc6797.4>; Salman Faris, "Exploring the Divine Message: Quranic Studies in the Context of Islamic Scholarship," *DRS* 1, no. 2 (2023): 111–25, <https://doi.org/10.59373/drs.v1i2.16>.

requirements of the verse, potentially through a more contextual understanding that considers the socio-economic realities of the time, the need to ensure the reliability of financial transactions, and the broader principles of Islamic jurisprudence.

In the modern context, where women's participation in economic and financial activities has significantly increased, a *maqāṣidī* approach may call for a re-evaluation of the practical application of this verse. Some scholars have argued that the underlying rationale for the verse, namely the preservation of intellect and the reliability of transactions, can be achieved through alternative means, such as educating and empowering both men and women in financial matters, rather than maintaining a strict gender-based distinction in testimony.⁴² Ultimately, the application of *maqāṣidī* principles to the Qur'anic verses on gender requires a nuanced and contextual understanding that balances the specific requirements of the text with the broader principles of justice, equality, and the preservation of human wellbeing. By engaging in this type of analysis, we can gain a deeper appreciation for the complexity and dynamism of Islamic jurisprudence, and work towards interpretations that are aligned with the higher objectives of the Shari'ah and the fundamental values of the Qur'anic message.

d. *Qiwāmah* in QS al-Nisā'[4]: 34

In Islamic legal theory, *qiwāmah* is a term often invoked to describe the concept of male guardianship or authority over women, specifically in the context of family leadership. Derived from the Quranic verse in QS al-Nisā': 34, this notion has sparked extensive discourse among scholars across various schools of Islamic jurisprudence. While traditional exegetes often emphasized a hierarchical interpretation of *qiwāmah*, modern scholars have increasingly analyzed it through the lens of *maqāṣid al-shariah*—the objectives of Islamic law—offering a more holistic and equitable approach.

In traditional exegesis, *qiwāmah* was primarily understood as a divine mandate conferring a form of leadership to men based on their physical and financial responsibilities. According to Ibn Kathīr, *qiwāmah* refers to men's responsibility for women due to both their "superiority" (*tafḍīl*) in specific roles and their financial obligations, particularly in providing dowries (*mahr*) and maintenance (*nafaqah*).⁴³ He emphasizes the link between male authority and the duty of financial support, framing leadership as a function of provision rather than inherent superiority. This view has its foundation in patriarchal norms prevalent in pre-modern Islamic societies, where family structures were deeply hierarchical.

Similarly, al-Ṭabarī, in his *Jāmi' al-Bayān*, interprets *qiwāmah* as a duty arising from the man's obligation to maintain and protect women, owing to their role in providing for the family. He references early companions and successors such as Ibn 'Abbās to support the interpretation that *qawwāmūn* implies authority conditioned upon responsibility and service, not absolute dominance.⁴⁴ Al-Qurṭubī, in *al-Jāmi' li-Aḥkām al-Qur'ān*, provides a legalistic reading, connecting *qiwāmah* to the principle of male authority in governance

⁴² Halil, "The Testimony of Women in the Qur'an."

⁴³ Ibn Kathīr, *Tafsīr Ibn Kathīr*, ii/256.

⁴⁴ Muhammad ibn Jarīr al-Ṭabarī, *Jāmi' al-Bayān fī Ta'wīl Āy al-Qur'ān* (Muassasah al-Risalah, 2000), 8/190.

over the household, which includes disciplinary measures (within Islamic limits) in case of serious marital discord. However, he also stresses that this authority is not to be abused and is always tied to fulfilling obligations such as financial support and justice within the family.⁴⁵

Across all three exegetes, *qiwāmah* is consistently understood as a structure of responsibility based on roles defined by financial and social duties, rather than innate male superiority. The interpretations reflect a socio-historical context in which men were the primary economic providers, which shaped the logic of male authority within the domestic sphere. This traditional understanding, however, has often been critiqued for its emphasis on male superiority and the lack of emphasis on reciprocal rights and duties within the marital relationship. Critics argue that this interpretation limits the role of women in family leadership and reduces the concept of *qiwāmah* to a form of male dominance.⁴⁶

Contrary to the rigid interpretations of traditional exegesis, modern scholars who engage with *maqāṣid al-shariah* argue that *qiwāmah* should be understood within the broader objectives of Islamic law, which seek justice, mercy, and equality. The maqāṣid perspective offers a critical re-evaluation of *qiwāmah*, proposing that its true intent may be to establish a framework of partnership characterized by shared responsibilities. This view asserts that leadership within the family context does not equate to authority over women but emphasizes a model of compassion (*rahmah*) and dignity (*karāmah*), fostering mutual respect and collaboration. Research highlights the significance of empathy as a core component of effective leadership and advocates for leadership practices that embody both *rahmah* and personal dignity.⁴⁷

Notably, the interpretation of *qiwāmah* can be informed by contemporary leadership models prioritizing collaboration. The work of Amina Wadud and Zainab al-Ghazali, two prominent feminist scholars in Islam, challenges traditional views by suggesting that *qiwāmah* entails leadership based on capability rather than gender. This reframing aligns with the concept of *karāmah*, underscoring the inherent dignity of all individuals.⁴⁸ Such perspectives reveal how *Qiwāmah* can be understood as facilitating a partnership where both men and women share familial leadership responsibilities based on their qualities and competencies. In this case, Jasser Auda and Tariq Ramadan emphasize that *qiwāmah* must not be seen as a rigid form of male authority but rather as a flexible construct that evolves with changing social norms. They argue that *qiwāmah* is not about male superiority but about responsible leadership, which can also be exercised by

⁴⁵ Al-Qurṭubī, *al-Jāmi' li Ahkām al-Qur'ān*, v/168.

⁴⁶ Ziba Mir-Hosseini, "Islam and Gender: The Religious Debate in Contemporary Iran," Princeton Studies in Muslim Politics (London: I.B. Tauris, 2000), <https://muse.jhu.edu/book/83486/>.

⁴⁷ Sharfizie M Sharip et al., "Rahmah Among Muslim Leaders: The Case of Waqf Institutions," *Journal of Islamic Thought and Civilization* 13, no. 2 (2023): 242–57, <https://doi.org/10.32350/jitc.132.16>; Yaprak Anadol dan Mohamed Behery, "Humanistic Leadership in the UAE Context," *Cross Cultural & Strategic Management* 27, no. 4 (2020): 645–64, <https://doi.org/10.1108/ccsm-01-2020-0023>.

⁴⁸ Arawan Nawawee dan Mek W Mahmud, "Marital Guardianship (Qiwāmah) Among the Muslims of Bangkok: Concept, Problems and Solutions in Light of Islamic Law," *International Journal of Fiqh and Usul Al-Fiqh Studies* 4, no. 1 (2020): 43–57, <https://doi.org/10.31436/ijfus.v4i1.169>; Aqidatul Islamiyah, Ali Mubin, dan Zubeir M N Sholeh, "Concept of Qiwāmah in the Perspective of Feminist Activists Amina Wadud and Zainab Al-Ghazali," *Aijqh* 2, no. 1 (2024): 1–16, <https://doi.org/10.62032/aijqh.v1i1.31>.

women when they are more suited for the role, based on their skills or circumstances.⁴⁹ This approach shifts the focus from a literal reading of the text to a consideration of the underlying ethical principles that promote fairness, mutual respect, and cooperation between genders.⁵⁰

Furthermore, the *maqāsidī* perspective aligns *qiwāmah* with the broader Qur'anic ethos of mutual consultation (*shura*) and partnership within the family, which is essential for maintaining a balanced and harmonious household. This re-interpretation resonates with modern Muslim societies that emphasize gender equality and the rights of women in both private and public spheres.⁵¹ The implementation of *qiwāmah* as a principle of reciprocal partnership is echoed in sociological studies affirming that successful familial relationships depend on mutual support and equitable distribution of leadership roles rather than an authoritarian model.⁵² Thus, reshaping the narrative around *qiwāmah* through *maqāsid* goals aligns with intrinsic Islamic values of justice and respect and promotes gender equity within family structures.

The concept of *qiwāmah*, when interpreted through traditional exegesis, tends to emphasize male authority and financial responsibility, reflecting the patriarchal structures of historical Islamic societies. However, a *maqāsidī* reading emphasizes that the primary objective of *qiwāmah* is to ensure the well-being and protection of the family, rather than to confer unlimited authority on men. The verse can thus be interpreted to mean that men have a responsibility to support and care for their families, but this does not imply women's inferiority. The ethical goal of mutual care and respect between spouses is central to the Qur'an's teachings on family life, promoting a partnership that transcends traditional gender roles.⁵³

Toward a *Maqāsidī* Methodology of Gender Equality

The foregoing analysis illustrates that *maqāsidī* exegesis presents itself as a critical and ethically grounded framework for reinterpreting gender-related verses within the Islamic tradition, particularly in addressing the complexities of gender hierarchies that perpetuate conservative interpretations. Unlike feminist or contextualist approaches, which often position themselves outside the conventional bounds of Islamic scholarship, *maqāsidī* perspectives derive their authority from the very foundations of Islamic epistemology. This paradigm reinforces values of justice (*'adl*), dignity (*karāmah*), and compassion (*maḥabbah*), while addressing the normative intricacies found within the Qur'an.⁵⁴ This synthesis is critical for addressing the challenge posed by conservative

⁴⁹ Tariq Ramadan, *Radical Reform : Islamic Ethics and Liberation*, TA - TT - (Oxford SE - ix, 372 pages ; 24 cm: Oxford University Press, 2009).

⁵⁰ Auda, *Maqasid Al-Shariah as Philosophy of Islamic Law : A Systems Approach*.

⁵¹ Ramadan, *Radical Reform : Islamic Ethics and Liberation*.

⁵² Siti Aisyah dan Ahdiyatul Hidayah, "The Concept of Qiwamah and Its Implications for Gender Justice in Islamic Family Law in Indonesia," *An-Nisa Jurnal Kajian Perempuan Dan Keislaman* 16, no. 2 (2023): 251–68, <https://doi.org/10.35719/annisa.v16i2.181>.

⁵³ Zaka F Aditya, Abdul B Fuadi, dan Rizkisyabana Yulistyaputri, "The Role of Islamic Law in Enriching the Decisions of the Indonesian Constitutional Court," *Frontiers in Law* 2 (2023): 24–29, <https://doi.org/10.6000/2817-2302.2023.02.04>.

⁵⁴ Muhammad A S Rozani et al., "Tinjauan Tematik Terhadap Skop Kajian Al-Tafsīr Al-Maqāsidī," *Al-Irsyad Journal of Islamic and Contemporary Issues* 7, no. 1 (2022): 767–80,

literalism, which continues to shape gender hierarchies in many Muslim societies. By demonstrating that egalitarian interpretations can be derived from within the tradition itself, *maqāṣid* exegesis not only counters patriarchal readings but does so with theological and legal legitimacy.

The *maqāṣidī* approach contributes meaningfully to contemporary tafsir studies by offering a systematic methodology for reinterpreting gender roles in light of ethical imperatives. It provides a bridge between classical jurisprudential discourse and contemporary human rights frameworks, demonstrating that Islamic teachings on gender are not incompatible with modern values of equality and social justice.⁵⁵ This alignment can foster greater legitimacy and resonance for reform-minded interpretations within Muslim communities, avoiding the pitfalls of perceived Western imposition or secular bias.

To visualize the approach, the following table summarizes how each verse maps onto relevant *maqāṣid* principles and contemporary implications:

Qur'anic Verse	Traditional Reading	Relevant Maqāṣid	Revised Ethical Outcome
QS al-Nisā' [4]: 3 (polygamy)	Legal allowance with justice condition	' <i>adl</i> , <i>karāmah</i>	Monogamy as ethical ideal
QS al-Nisā' [4]:11 (inheritance)	Male gets twice female share	' <i>adl</i> , <i>maḥsalah</i> , <i>silah al-raḥim</i>	Flexible, equity-based distribution
QS al-Baqarah [2]:282 (testimony)	2 women = 1 man in finance	' <i>aql</i> , ' <i>adl</i>	Equal testimony with legal safeguards
QS al-Nisā' [4]:34 (qiwāmah)	Male authority over wife	<i>rahmah</i> , <i>karāmah</i>	Mutual leadership in family

In addition, this *maqāṣidī* method fosters a comprehensive methodological vision by incorporating: *first*, “contextual hermeneutics” to interpret verses based on the socio-economic and cultural conditions at the time of revelation; *second*, “interdisciplinary analysis” involving gender studies, sociology, and Islamic legal theory to produce more grounded interpretations; *third*, “the ethical anchoring” that makes justice, dignity, and compassion the main goals of all interpretive efforts; and *fourth*, “jurisprudential involvement”, namely interacting with classical fiqh to trace the evolutionary trajectory of ethics without discarding scientific heritage.

Moreover, the *maqāṣidī* method facilitates the development of policy-relevant exegesis. In areas such as family law, inheritance reform, or women's leadership in religious and public institutions, this framework can guide jurists and legislators to align legal formulations with Islamic ethical goals. For example, Indonesia's debates over gender-sensitive fatwas or Tunisia's inheritance reforms show the urgent need for *maqāṣid*-based discourse that is both doctrinally legitimate and socially responsive.

<https://doi.org/10.53840/alirsyad.v7i1.269>; Mamat S Burhanuddin dan Noer D Kholida, “Ali Jum'ah Approach on Qur'anic Maqāṣidī Exegesis: A Study of Al-Nibrās Fī Tafsīr Al-Qur'ān,” *Mushaf Jurnal Tafsir Berwawasan Keindonesiaan* 1, no. 2 (2021): 1–21, <https://doi.org/10.33650/mushaf.v1i2.2043>.

⁵⁵ Sutrisno Sutrisno dan Agus Widarjono, “Maqasid Sharia Index, Banking Risk and Performance Cases in Indonesian Islamic Banks,” *Asian Economic and Financial Review* 8, no. 9 (2018): 1175–84, <https://doi.org/10.18488/journal.aefr.2018.89.1175.1184>.

Furthermore, *maqāṣidī* hermeneutics offers educational and pastoral benefits. By promoting Qur'anic interpretations that uphold compassion and fairness, religious educators can counter harmful gender stereotypes and foster critical, ethical engagement with scripture. It empowers Muslim women by providing them with the theological language to assert their rights without rejecting Islamic commitments. In sum, the *maqāṣidī* approach is not merely an interpretive tool but a moral project—one that seeks to reclaim the Qur'an's ethical core in service of gender justice and broader human flourishing.

Conclusion

Maqāṣidī exegesis offers a transformative pathway for addressing gender issues in Islamic discourse by anchoring reinterpretation within the ethical purposes of revelation. Through detailed engagement with key verses and their classical interpretations, this study demonstrates that the Qur'an's teachings on gender are not static legal formulas but dynamic principles intended to uphold justice, equity, and human dignity. Unlike feminist tafsir alone, the *maqāṣid* approach builds its claims from within Islamic jurisprudential traditions, allowing for critical reform without severing from orthodoxy. It provides both theoretical depth and practical flexibility to address the evolving realities of Muslim women's lives today.

However, this study has certain limitations. It primarily focuses on textual and theoretical analysis, with limited engagement in empirical or socio-legal case studies across diverse Muslim contexts. Further, the study concentrates on a select number of Qur'anic verses and interpreters, leaving space for broader exploration. Future research should further explore the operationalization of *maqāṣidī* exegesis by targeting specific areas such as national fatwa institutions, Islamic law faculties, curriculum development in religious seminaries, and judicial training programs, ensuring that its transformative principles influence both legal reasoning and educational frameworks in Islamic legal institutions and educational curricula, ensuring that its transformative potential translates into tangible reforms within Muslim societies. The operationalization of *maqāṣidī* exegesis is done by targeting specific areas such as national fatwa institutions, Islamic law faculties, curriculum development in religious seminaries, and judicial training programs, ensuring that its transformative principles influence both legal reasoning and educational frameworks in Islamic legal institutions and educational curricula, ensuring that its transformative potential translates into tangible reforms within Muslim societies.

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