

The Maqasid rules of Imam Rajraji al-Maliki

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ABSTRACT: This study and analysis dealt with the Maqasid rules of Imam Rajraji, one of the Maliki scholars who combined in their approach between adherence to the legal texts on the one hand, and taking into account the overall objectives of the Sharia on the other hand, in an attempt to achieve a balance between the letter of the text and its spirit. The research aims to shed light on how Imam Rajraji employed this approach in addressing the jurisprudential issues that arose in his time. This study focuses in particular on Imam Rajraji's practical applications of Maqasidic rules, by reviewing samples of his jurisprudence on a number of issues, analyzing them in terms of the fundamentalist structure and the Maqasidic premise, and showing the extent of their consistency with the principles of the Maliki madhhab. It also seeks to highlight the characteristics of this approach, its limits, controls, and applied areas, thus making a scientific contribution to understanding Rajraji's approach and employing it in the development of Maliki jurisprudence and expanding the areas of disciplined ijihad in emerging issues.

Keywords: Al-Maqasidiya rules, Imam Rajraji Al-Maliki, Nawazul Al-Mujadid.

Introduction :

Maqasid rules are considered one of the most important tools of innovation in Islamic jurisprudence, as they represent a bridge between the principles of the Sharia and its applied provisions, and contribute to establishing a deep understanding of the wisdom and higher goals of the legislation. The Maliki school has been interested in this area since early on, as the school's jurists considered that looking at the overall objectives of the Shari'ah is the basis for rational ijihad, especially in emerging issues.

In this context, the efforts of Imam Muhammad bin Ahmad al-Rajraji al-Maliki (d. 14th century AH) stood out as one of the scholars who played a pivotal role in establishing and operationalizing the Maqasid rules in Maliki jurisprudence. Through his books and opinions,

he sought to emphasize the centrality of maqasid in understanding texts and downloading rulings, while adhering to a methodological discipline that does not overlook the partial texts and does not compromise the spirit of the legislation.

This research seeks to uncover Imam Rajraji's efforts in establishing maqasid rules and employing them in jurisprudential reasoning, by analyzing his methodology, tracking his sources, and showing his impact on the development of Maliki thought. It also seeks to highlight Rajaraji's excellence in combining fundamentalist investigation and jurisprudential realism, making his maqasidic project a model worthy of study and reflection, especially in light of the contemporary need to renew the mechanisms of ijihad within established methodological frameworks.

This research will deal with several themes, including: The definition of Maqasidic rules and their characteristics, a presentation of Imam Rajraji's life and scientific status, an analysis of the most prominent rules that he decided or adopted, with jurisprudential applications that illustrate the impact of these rules in Maliki jurisprudence, and an evaluation of his approach in the light of modern Maqasidic studies.

First requirement: Hardship brings ease:

The rule of "hardship brings ease" is one of the major jurisprudential rules on which all the licenses and easements of the Sharia are based, and one of the most famous words of the rule is "hardship brings ease," including "if something is narrow, it is wide."

As for Imam Rajraji, may Allah have mercy on him, he did not declare any of the words of the rule in his book *Manhaj al-Tahsil*, and the only thing found in his words are provisions related to easing some branches of jurisprudence, justified by the existence of hardship in those matters.

Section I: The meaning of the rule:

This rule states that the hardship that the taxpayer finds in complying with legal commands is a valid legal reason to facilitate and alleviate him, and this alleviation may be either omission, substitution, advancement, delay, or other types of legal alleviation.

Second branch: Evidence of the rule:

First: From the Holy Quran:

A. In several verses in Surat al-Hajj

B. In several verses in Surat al-Baqarah

These two noble verses establish a great principle of Shari'ah, which is that Allah Almighty has charged the servants to perform worship in

The limits of their ability, and when it is difficult, the wise Shari'ah has made a way out for them.

C. The Holy Qur'an also contains verses that indicate that hardship is a reason to bring relief in some sections of jurisprudence: In Surat al-Baqarah, the ease in the verse is interpreted as breaking the fast in traveling, which is a type of ease, saying:

Several verses from Surat al-Nisa, the mitigation in the verse is interpreted as permitting the marriage of a woman when necessary, for those who fear infertility and cannot afford to marry a free woman.

II: From the Sunnah:

On the authority of Abu Huraira, the Prophet (peace and blessings of Allah be upon him) said: "The religion is easy, and no one will oppose the religion but will overcome it, so be steadfast, be close, be optimistic, and take help with the journey and the journey and a little bit of dulja.

This hadith indicates that Allah's law is based on ease and ease

On the authority of 'Umaran ibn Husayn (may Allah be pleased with him), he said: "I had a woeful condition, so I asked the Prophet (peace and blessings of Allah be upon him) about prayer, and he said: "Pray standing up, and if you cannot stand, then sit down, and if you cannot stand, then on your side.

The significance of the hadith is that the extreme hardship was a reason to make it easier for the worshipper.

Ibn Battal, may Allah have mercy on him, said: "The scholars are unanimous that he prays as he is able, until he ends up nodding on his back or on his side, however he is able to do so."

Third: Consensus:

Imam al-Shatibi (may Allah have mercy on him) quoted the consensus that it does not occur in the mandate, which indicates that the law does not intend it, and if it did, the Shari'ah would be contradictory.

Section III: Applications of the rule:

It is permissible for teachers and learners to leave the recitation prostrations:

Imam Rajraji (may Allah have mercy on him) said: " ... He who sits down to read the Qur'an and people sit with him, this person who sits with him is not exempt from three aspects: One: He sits for the purpose of teaching, and the second: One: He sits with the intention of teaching, the second: He sits with the intention of listening for reward, and the third: He sits with the intention of prostration: If he sits for the purpose of teaching, such as a teacher and a learner: There is no dispute in the madhhab that it is not obligatory for them to prostrate whenever they pass by a prostration, because this would cause embarrassment and hardship."

It is obligatory to shorten the prayer due to the likelihood of hardship:

Imam Rajraji, may Allah have mercy on him, said: "And the answer to the third chapter: On the limit of the distance at which qasr is obligatory, and Allah Almighty says: Several verses from Surat al-Nisa, and beating in the land: Traveling in it, from which the taking of loan money was called speculation by some scholars; because in the Jahiliyah, if one of them took loan money, he went to the Sham or to other countries to buy or sell there, then this travel must be restricted to a limit and an end below which the traveler does not shorten; because travel in the place of language applies to little and much, so the scholars differ greatly in it; some of them say: Al-Shafi'i and others held that the prayer is shortened in four hailstones, and Abu Hanifa held that the least that the prayer is shortened is a three-day journey, and the reason for the disagreement: The reason for the disagreement is the opposition of the reasonable meaning of the word; this is because the reasonable meaning of the effect of the shortening of the prayer in travel is that since the hardship that exists in it is similar to that of fasting, and if this is the case, it is obligatory to shorten the prayer where there is hardship or what is the potential for hardship, and the word is clear that the ruling is attached to it, whether or not its requirement is the potential for hardship.

Second requirement: Damage is removed :

Section I: The meaning of the rule:

The meaning of the rule is that harm must be removed without causing other equal or greater harm. In this rule, there is an infinite amount of jurisprudence, and perhaps it includes half of it, because rulings are either to bring benefits or to pay harms, including the payment of the five essentials, which are the preservation of religion, soul, lineage, money and honor, and they refer to the attainment and establishment of the purposes by paying or mitigating evils.

Second branch: Evidence of the rule:

I: From the Qur'an:

Saying the Almighty: Several verses from Surat al-Baqarah

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Saying the Almighty: Several verses from Surat al-Baqarah

The first verse states that it is forbidden to cause harm to another person unjustly. The first verse states that it is forbidden to cause harm in the return, because a man used to divorce his wife and then take her back when he had no need for her and did not want to keep her, in order to prolong the waiting period for her and harm her.

As for the second verse, it indicates the prohibition of harm in the matter of breastfeeding, so the mother may not push her son away from her in order to harm his father by raising him, but she may not push him if she gives birth to him until she gives him milk, which he often does not live without eating, and then after that she may push him away from her if she wishes, but if she is harmful to his father, it is not right for her to do so, just as it is not right for him to take him away from her just to harm her, and that is why he said: As for the third verse, the verse indicates that it is forbidden to harm her in the matter of testifying about the debt, so the clerk should not write what is not dictated to him, nor should the witness add to his testimony or subtract from it.

II: From the Sunnah:

The Prophet said: "No harm, no foul.

Al-Shatibi (may Allah have mercy on him) said: "The prohibition of harm and damage is widespread throughout the Shari'ah, in both partial facts and total rules, such as what

Almighty Allah says in several verses of Al-Baqarah: Several verses of Surat al-Baqarah, several verses of Surat al-Talaq, and several verses of Surat al-Baqarah

Third: Consensus:

Imam Ibn al-Arabi, may Allah have mercy on him, said: "Harm is not permissible by consensus, and by the text:" "There is no harm or damage".

Section III: Applications of the rule:

It is permissible for a traveler to gather at the beginning of the zawal due to harm and hardship:

Imam Rajraji, may Allah have mercy on him, said: "... As for combining prayers due to illness, the sick person is not without one of two things: Either he fears that he will lose his mind or not. If he fears that he will lose his mind, does he combine the two prayers at the beginning of the time of the first of them, such as Zawal or sunset, or does he delay?

It is permissible to miss Friday for those who are lepers or have leprosy.

Imam Rajraji (may Allah have mercy on him) said: "The excuses for missing Friday are divided into three sections:

A section that allows him to be absent by agreement, such as illness, being busy with the funeral of a dead person if he fears that it will change, and there is no one to provide for him, and he is busy covering the dead person while he is helping himself, and a section in which there is a difference in whether it is an excuse or not, such as lepers, lepers, because people are harmed by mixing with them in mosques, and brides are also different, but as for their difference in rain, this is due to the condition of the rain, and not a difference in jurisprudence."

Conclusion:

This research shows that Imam Rajraji al-Maliki was not a mere transmitter or commentator of the Maliki jurisprudential heritage, but was one of those scholars who were characterized by an original Ijtihadist soul, who is good at linking between partial texts and overall objectives, within a framework of commitment and methodological discipline. His efforts in the field of maqasid rules confirm that the Maliki doctrine possesses the flexibility and depth

that enable it to keep pace with emerging issues, without departing from the fundamentals or compromising the constants.

Imam Rajaji's consideration of the Maqasid al-Sharia was not just a theoretical orientation, but a clear methodological feature in his derivation of rulings and adaptation of issues. He relied on the maqasid not as a substitute for the text, but as a complement and guide for understanding and application, in light of preserving necessities, providing interests, and removing embarrassment for the taxpayers, which reflects a deep awareness of the function and higher goals of the Shari'ah.

On the other hand, Imam Rajaji's fundamentalist breath, which is evident in his good use of evidence, his accurate recollection of reasons, and his definition of concepts, makes him among the ranks of mujtahids capable of issuing fatwas on the issues of their time, based on precise rules and solid scientific criteria. This same spirit was evident in his grasp of the major maqasid rules and their operationalization in addressing issues, while adhering to the rules of deduction stipulated in the science of the fundamentals of jurisprudence.

This research also confirms that the expansion of the maqasidic outlook among Maliki scholars was not an accidental phenomenon, but rather an extension of the spirit of the madhhab, which was founded on the consideration of the use of sent interest, istihsan, and custom, all of which are ijtiḥad tools with a maqasidic character. Imam Rajaji was one of those who maintained this path and participated in developing it in a way that combines interpretive jurisprudence with jurisprudential realism, making him an advanced model within the Maliki school.

In conclusion, the study of Imam Rajaji's maqasidic rules opens the door for more applied research that links the jurisprudential heritage with contemporary jurisprudence, and emphasizes the importance of recovering these models at a time when the need for a jurisprudence that balances the constants of the text and the variables of reality, and contributes to the formulation of a rational, disciplined, and effective sharia discourse.

List of references:

1-Al-Shatibi, Al-Mawafiqat, edited by : Mashhour Salman, Dar Ibn Affan, Saudi Arabia, first edition.

2-Nasir al-Din al-Baydawi, *Tahfat al-Abrar Sharh Masih al-Sunnah*, Ministry of Endowments and Islamic Affairs, Kuwait.

3-Ibn Battal, *Commentary on Sahih al-Bukhari*, edited by: Yasser bin Ibrahim, Al-Rushd Library, Riyadh, Saudi Arabia, second edition.

4-Baba al-Tanbakti, *Nil al-Ibhaj*, Dar al-Katib, Tripoli, Libya, second edition.