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**OBJECTIVES OF ISLAMIC SHARĪ'ĀH AND THEIR ROLE IN
PROTECTING SOCIETY FROM EXCESSIVE TAKFĪR AND ATHEISM**

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ABSTRACT

In this paper, the researcher attempts to define the terms 'excessive takfīr' and 'atheism' and to find out the causes of these phenomena, the consequences of their spread and the measures to prevent and treat them. The paper explores the efforts of classical and modern scholars in this regard to make use of and build on them. The researcher seeks to achieve several goals, most important of which are: Defining the terms 'excessive takfīr' and 'atheism', going beyond the mere prohibition and condemnation of these phenomena to investigation of their causes and reaching practical solutions to prevent and treat both phenomena. The researcher uses the descriptive inductive method to describe the problem under study. Next, the scientific method has been applied in terms of collecting and critiquing the study materials and in reaching conclusions inferred from their premises. The problem of this research revolves around examining the issues of excessive takfīr and atheism, highlighting their causes and attempting to find practical solutions that can prevent and treat them. This paper clarifies the role of al-

Maqāṣid al-Kulliyah (universal objectives) in protecting the society from the two maladies. It is divided as follows: Introduction part includes the reasons for selecting the topic, the research problem, questions, goals and methods. Section one: It discusses the definition of Maqāṣid and their activation; the excessive takfīr's dangers, causes and consequences and the dangers and causes of the spread of atheism. Section two: The role of the universal Maqāṣid in the protection from takfīr's dangers. Section three: The role of the universal Maqāṣid in protecting the society from the danger of atheism. Conclusion: It includes the findings and recommendations.

Keywords: Sharī'ah Objectives, Maqāṣid al-Sharī'ah, Excessive takfīr, atheism.

I. Definition of Maqāṣid; the excessive takfīr's dangers, the dangers of atheism spread and its causes

Maqāṣid's linguistic and technical definitions and activating them in the Sharī'ah rulings: Linguistically, the term maqāṣid means to intend, to do something on purpose, to aim at, to pursue a certain goal or a thing and to move towards it¹.

Technically, Maqāṣid are "the meanings and wisdoms considered by the Lawgiver in all or most aspects of legislation; so, they are not limited to a specific type of the Sharī'ah rulings. This includes the Sharī'ah characteristics and universal purposes. It also includes certain wisdoms that are considered in many, though not all, types of ruling" (Ibn 'Ashūr 2006: 49; see also al-Fasi 1993 and al-Raysuni 1997).

Excessive takfīr and its dangers on the individual and society: By 'excessive takfīr' we mean labelling people as unbelievers without proper evidence. In fact, to declare someone whose disbelief is unanimously agreed on an unbeliever is not a problem if it is issued by those qualified to do so. The real problem occurs when people who are not specialized in fiqh and fatwa practice takfīr and overuse it to the extent of judging the whole society or all their opponents to be unbelievers.

The concept of atheism and its dangers on the individual and society: Atheism is a nihilist philosophical doctrine that is based on the denial of the existence of God, the Creator. Atheists claim that the world existed without a Creator and that

matter has no beginning or end. Matter, according to them, is the creator and the created at the same time.

Undoubtedly, many of the world's countries, in the East and the West, suffer from an overwhelming atheist trend exemplified by the collapsed communism and deceptive secularism (Ibn 'Ashūr 2006: 2/805).

II. The universal Maqāṣid's preventive role against the danger of takfīr

At the beginning of this paper, I defined the objectives of Sharī'ah and mentioned that there is a necessary and effective role that Maqāṣid can play in prevention and treatment of the excessive takfīr.

This section discusses the five universal Maqāṣid that the Sharī'ah came to preserve, namely the protection of faith, soul, progeny, intellect and wealth; it shows how deep and sound understanding of these Maqāṣid is essential in any effort to prevent the risks of the takfīr and to treat it when it occurs.

III. The universal Maqāṣid's preventive role against the danger of atheism

This section discusses the highly effective role of the five universal Maqāṣid in prevention and treatment of the atheism danger.

3.1 Protection of faith

This objective is the first and foremost strategy to achieve such prevention because the main cause behind this alien, despicable phenomenon is the spread of ignorance of religion and the lack of interest in it within the family and the educational and social institutions which makes the youth an easy prey to any imposter, no matter how weak and unfounded his arguments are.

In this context, there are certain factors necessary to effectively combat atheism:

- i. A holistic understanding of the faith that encompasses all aspects of life; this includes life's social, economic and political

aspects; belief in God, His Oneness and His Glory; worship as well as morals.

- ii. Such understanding must be derived from the Quran and the Sunnah as they are the primary sources to use for inferring fiqh rulings; any opinion that contradicts with them has no weight as far as the Sharī'āh is concerned.
- iii. Reaching such sound understanding requires reference to reliable and trustworthy scholars who are scholarly qualified and whose honesty and ethics are established. Such traits will make the youth more receptive to their advice.
- iv. This understanding needs to be balanced, free of exaggeration and extremism. Such balance, in fact, is a great sign of the Sharī'āh's perfection.
- v. Consideration of priorities and weights of actions: every matter of the faith needs to be handled in proportion to its rank and importance. A small matter should not be magnified neither should a big matter be belittled.
- vi. Scholars specialized in Sharī'āh, Tawhid and ethics should work together on refuting misconceptions raised by atheists, using a scientific and convincing approach that is relevant to the youth culture and language. They must benefit from the great efforts made by sociologists and psychiatrists who combated this phenomenon and deeply studied its causes and consequences.

3.2 Protection of soul

The objective of soul protection plays an important role as well in the prevention and treatment of atheism. Islam applies two strategies to protect the human being:

- i. Physical protection through legislating whatever contributes to the physical wellbeing of the human and prohibiting anything that causes physical harm. When a human is physically well, he is more inclined to making choices and taking actions that are in line with the fiṭrah (natural disposition that God has instilled in all people). Iman and Tawhid are indeed in harmony with fiṭrah. On the other hand, atheism is a form of arrogance that contradicts the fiṭrah and goes against the covenant that God took from all mankind.
- ii. The other aspect of soul protection lies in tazkiyah (soul purification). This component received special care in Islam; in fact, it has been given precedence over knowledge and learning as we see in the verse: "Indeed, Allah has done the believers a

'great' favour by raising a messenger from among them—reciting to them His revelations, purifying them, and teaching them the Book and wisdom. For indeed they had previously been clearly astray." (Aal 'Imran 3:164)

3.3 Protection of progeny

This Sharī'ah objective is not only about increasing the number of Muslims, which is an important objective in itself, but the Sharī'ah is concerned, first and foremost, with providing the youth Islamic upbringing that is balanced and comprehensive. Quantity is not the only factor that matters; sometimes quantity becomes a burden rather than an asset for the Ummah.

The proper activation of this objective in terms of both quantity and quality is sufficient to repel all atheism attacks.

3.4 Protection of intellect

I previously cited the testimonies of reliable doctors that atheism is most likely a psychological disease; that is the opinion of unbiased, non-atheist doctors. The objective of intellect protection treats psychological diseases that cause deviation from the fiṭrah that God instilled in all humans through encouraging reflection on the universe and on the Quran as well as promoting knowledge and systematic learning founded on sound bases and premises that lead to correct results (Al-Najjar: 135-40).

3.5 Protection of wealth

The paramount importance that Islam attaches to wealth is shown in three dimensions:

- i. Protecting wealth through production. The Sharī'ah delineates the legal ways to gain money and opens the door wide for that. The established principle is that all financial transactions are lawful as long as no text or scholarly consensus prohibiting them exists and no harm on the individual or society is involved.
- ii. Investment and development. The Sharī'ah points out the legal ways to invest and grow wealth and warns against unlawful ways that destroy individuals and societies and block goodness and blessings like usury, deception, ignorance, theft, usurpation and monopoly.

- iii. justice in distribution. The Sharī‘āh prohibits the accumulation of wealth in a few hands while depriving the masses of life necessities. It secures decent life to people through providing both *ḍarūriat* (necessities) and *ḥajjiyāt* (needs) at minimum and *taḥsīniyyat* (luxuries) if lawful resources are available.

IV. Findings

- i. The above exposition, which is by no means comprehensive, shows the harmful effects of excessive takfir and atheism on the individual and society in the political, economic, social and cultural areas.
- ii. Excessive takfir and atheism are two sides of the same coin; each of them represents a type of extremism that is inconsistent with the middle path adopted by Islam that rejects all types of extremism.
- iii. Given the increase of excessive takfir and atheism, it is not befitting to lag behind in conducting specialized scientific studies that examine their causes and effects as well as the strategies of prevention and treatment.
- iv. Among the important causes of the two phenomena is the oppression that people in general and Muslim nations in particular are subjected to. The lack of distributive justice and equal opportunities gives rise to excessive takfir that starts with considering the oppressors as unbelievers and then extends to labeling most of the society so on the grounds that anyone who fails to declare an unbeliever as a kafir becomes a kafir himself. Therefore, efforts should be exerted to remove oppression as it continues to fuel excessive takfir. Besides, oppression provides a pretext for atheists to deny God; to them, had God existed, He would have removed such oppression.
- v. The psychological factor or disease underlying these two phenomena is apparent as well. Those practicing excessive takfir are so conceited that they think that righteousness and faith are limited to them; they hasten to call others unbelievers for the slightest reason as a form of superiority over the society that turns into rebellion. On the other hand, atheists, especially in the Arab and Muslim countries, had most likely experienced psychological problems that resulted in chronic psychological disease which led them to revolt against values, morals, reason and logic; to deny the existence of God and to consider believers backward and regressive.

- vi. The objectives of Sharī'āh, along with the fiqh rulings, play a vital role in the prevention and treatment of both excessive takfir and atheism. While the fiqh rulings represent the last option when all other methods do not work, the Maqāsid of Sharī'āh focus on the reasons and wisdom of legislations, which is more convincing for the youth than the rules of fiqh.
- vii. The Maqāsid need to be activated; it is not sufficient to evoke the examples mentioned by our classical scholars, May Allah be pleased with them all, as those examples may be relevant to their time and challenges but not necessarily adequate for our age and its new issues.
- viii. The activation of Maqāsid requires the consideration of priorities and weights of different alternatives (fiqh al-awlawiyyāt wa almuwāzanāt). So, the preservation of faith takes priority over the preservation of soul. By the same token, the preservation of soul takes precedence over the protection of progeny, intellect and wealth. In addition, in all the above cases, necessities (ḍarūriyyāt) come first before needs (ḥājīyāt), and needs precede luxuries (taḥsīniyyāt). Moreover, public interests take priority over private interests; the immediate matters take precedence over the postponed; and an obligation whose time is tight (al-wājib al-muḍayyaq) has priority over an obligation with extended time (al-wājib al-muwassa').
- ix. Prevention is better than cure. We should always be proactive and preempt these phenomena before the disaster occurs. Nipping these problems in the bud and immunizing the youth from them is much easier than dealing with them after they hijack the youth's minds and hearts.
- x. Atheism assumes various forms and comes with different attractive titles that deceive the youth who are not properly equipped with faith and morality. Sometimes it is called secularism and sometimes modernism etc.. All these deceptive names lead to one and the same end which is unbelief. Hence, the youth need to be enlightened about these tricks so that they are not distracted by names from reality or by form from substance.
- xi. International and local fiqh counsels can play an important role in preventing and treating these emergent phenomena. These counsels often include the best of scholars in the disciplines of Sharī'āh, law, politics, economics and sociology. In addition, fiqh counsels address an audience of Sharia specialists and educated segments which makes the impacts of the counsels' decisions and recommendations effective and far reaching.

V. Conclusion Recommendations

- i. This paper recommends cooperation between the various educational, social and economic institutions to combat these phenomena and their likes in an effort to protect the youth in the first place and to rescue those affected by them.
- ii. Utilizing the skills of scholars who are popular among the youth due to their attractive presentation and speech and because of their excellent religious and moral character; such scholars can leave a good impact on the youth.
- iii. Coordination between psychiatry specialists and Sharī'ah scholars while addressing atheism as the psychological aspect is manifest in this phenomenon.
- iv. The role of fiqh counsels should be activated and their decisions and recommendations need to be taken seriously and turned into programs implemented by all educational and cultural institutions.
- v. Utilizing the different media and channels of the internet, especially the social media platforms, to refute misconceptions and to discuss with young people who fell in excessive takfir or atheism.
- vi. Reviewing school curricula and updating them and using the latest scientific methods to protect young people from these two problems and to treat those who embrace them.
- vii. Reviewing the da'wah (preaching) and media discourse and incorporating in it Islamic content in that adopts the holistic Islamic view that encompasses tawḥīd, morals and fiqh rulings that do not only cover acts of worship and transactions but also extend to family rules and go beyond that to include Sharī'ah policies and criminal laws.
- viii. Creating educational retreats, for prevention and for treatment, where young people can live and interact with pious and reliable scholars and specialists of all related fields. This will help protect and treat the youth and also block the spread of the problem.
- ix. Taking lessons from the experiences of people who had gone through excessive takfir or atheism then renounced it by the grace of God. These people are likely to be well acquainted with the dimensions of these issues and have useful insights to share.
- x. Benefitting from both ancient and modern experiences of different nations and making use of suitable scientific tools, whether educational, medical or psychological. Wisdom should

be the target of believers; wherever they find it they should be the first to benefit from it.

References

- Al-Ja'fi, Muhammad ibn Isma'il Abu Abdullah al-Bukhari. 1407 AH/ 1987 CE. Şāih al-Bukharī. Dr. Mustafā Dib al-Bagha Ed. - Beirut.
- Al-Jaṣṣaṣ, Abu Bakr Ahmad al-Rāzi. Ahkām al-Qur'an. Dār al-Fikr, 1414 AH/1993 CE.
- Al-Malikī, Ibn al-'Arabi Muhammad ibn 'Abdillah al-Andalusī. Ahkām al-Qur'an. Dār al-Kutub al-'lmiyah.
- Al-Nisābūrī, Muslim ibn al-Hajjāj Abu al-Hasan al-Qushairī. Sahih Muslim.- Beirut: Dār Ihya' al-Turath al-'Arabi.
- Al-Sijistanī, Abu Dawūd Suliman ibn al-Ash'ath. 1408 AH/ 1988 CE. Sunan Abī Dawūd. - Dār al-Hadīth.
- Al-Sulami, Muhammad Ibn 'Īsa Abu 'Īsa al-Tirmidī. Sunan al-Tirmidī. Shakir, Ahmad Muhammad Ed.. - Beirut: Dar Ihiya' al-Turāth al'Arabī.
- Al-Badri, Dr. Yusuf Ahmad Muhammad. , 1421 AH/2000 CE. Maqāsid al-Sharī'ah 'ind ibn Taymiyyah. 1st ed. - Dar al-Nafa'is.
- Al-Fasi, 'Alal. 1993. Maqāsid al-Shari'ah wa Makārimiha. - Dar al-Gharb al-Islami.
- Al-Ghazali, Hujjat al-Islam Abu Hammid Muhammad ibn Muhammad. 1428 Ah/ 2007 CE. Ihya' 'Ulūm al-Dīn. 5th ed. Dar al-Salam.
- Al-Ghazali, Hujjat al-Islam Abu Hammid Muhammad ibn Muhammad. Al-Mustaṣfā fi 'lm al-Uṣūl. - Beirut: Dar al-Kutub al-'lmiyah.
- Al-Juhni, Dr. Mani' bin Hammad, Ed. 1420 AH. Al-Mawsū'ah al-Muyassarah fi al-Adyān wa al-Maḍahib al-Mu'asirah. 4th ed. - Dar al-Nadwah al-'Alamiyah.
- Al-Najjar, Dr. Abdul Majeed. Maqāsid al-Shari'ah bi Ab'ād Jadīdah. 2. 2008. Dar al-Gharb al-Islami.
- Al-Raysuni, Dr. Ahmad. 1418 AH/1997 CE. Nazariyyat al-Maqāsid 'inda al-Imam al-Shāṭibī. 1st ed. - Egypt: Dar al-Kalimah,
- Al-Raysuni, Dr. Ahmad. 1431 AH/2010 CE. Madkhal ila Maqāsid al-Shar'iah. 1st ed. - Dar al-Salam,
- Al-Shaṭībī. Al-Mwāfaqāt. - Beirut: Dar al-Ma'rifah.

- Ibn ‘Abdelsalam, Sultan al-‘Ulama' al-‘Izz. 1995. Maqāṣid al-‘Ibādāt. Kamhiyah, ‘Abdulrahim Ahmad Ed.. - Matba'at Al Yamamah.
- Ibn ‘Ashur, Al-Tahir. 1427 AH/2006 CE. Maqāṣid al-Shari'ah al-Islamiyah. - Tunis: Dar Sahnnon.
- Kuwait Ministry of Awqaf and Islamic Affairs. Al-Mawsu‘ah al-Fiqhiyah al-Kuwaitiyah.
- Sharif, Dr. ‘Amr. 1437 AH/ 2016 CE. Al-Ilhād Mushkilah Nafsiyyah: ‘Ilm Nafs al-Ilhād.1st ed. - New Book,