

to criticism. Change should be limited to what the situation demands. One should abhor evil in one's heart under all circumstances. The extent of effecting change through words and actions depends on one's ability and circumstance. One may be unable to promote virtue and prevent vice due to a fear of persecution or some other harm. If there are two competing views on enjoining the good and prohibiting evil and it is known that one is of no use, then that one should be dropped from consideration.

Lastly, the higher objectives of the Shari'ah necessitate the prohibition of armed revolts, given that those who, over the course of Muslim history, have revolted against their leaders have rarely achieved the aims for the sake of which they revolted. This in no way indicates that one should be content with an unjust situation. Rather, it means that one should choose the lesser of the two evils. It is better to offer gentle admonition while exercising patience and perseverance.

Chapter Four

Goals Awareness and Its Impact on the Muslim Mindset

It is vital to understand the Muslim mindset and explore reasons for its decline. There is also a dire need to explore a methodology employing tools suited to Muslim societies rather than trying to understand things through a postmodernist and secular humanist philosophy. Investigation should include an analysis of Muslim discourse and an assessment of how well it harmonizes with the changes taking place within contemporary society in order to serve as a vehicle of positive change. *Maqāṣid* should be referenced in regulating and guiding the formulation of Islamic legal rulings.

Scholars have attempted to identify and understand the dysfunction of the Muslim mindset that has negatively affected Muslim communities. Many have attributed the decline of the Muslim mindset to the negative interplay between divine revelation and human interpretation, between Islamic Law and human custom, and between rationality and subjective experience. Traditional tools for understanding the Qur'an and the Sunnah have been influenced by mystical interpretations and philosophical proofs. This, in addition to fruitless debates resulting from the claims of speculative theology, rigid biases in favor of specific juristic arguments and schools of thought, political tyranny, and vested

interests and power struggles, has undermined the Muslim community's ability to make real progress. Furthermore, the epistemological tools and research methodologies employed by some scholars derive from a secular intellectual environment where conclusions are not based on decisive texts from the Qur'an and the Sunnah or on juristic principles drawn from these two sources.

In light of these various causes for the decline of the Muslim mindset, I believe the best path forward is the utilization of an aims-based methodology. It is my hope that such a methodology will revitalize Muslim thought and reasoning. First, *maqāṣid al-sharī'ah*, as methodology, provides the link that unites all branches of Islamic legislation, that is, on the levels of ritual, custom, social life, judicial concerns, and all others. Second, viewing *maqāṣid al-sharī'ah* as a universal, all-embracing set of principles serves to regulate one's understanding of things and clarify the true purposes of human existence, including the way one should live and relate to other people, to one's circumstances in life, and to the laws of the universe. Third, people everywhere have an inborn tendency to search for a Higher Power in the universe, to surrender themselves to this Power, and to obey this Power's commands and prohibitions without seeking some material benefit for themselves. This is the sphere in which the law of divine-human and heavenly-earthly response operates.

Fourth, an examination of the works written on *maqāṣid al-sharī'ah* reveals that their authors served as religious and social reformers by reestablishing a connection with the universal principles of Islamic Law and by fulfilling their own role in juristic research and in issuing rulings on newly emerging situations. Fifth, the fragmentation, weakness, and ignorance that presently afflict the Muslim community, distracting individual Muslims from the essentials and robbing them of the ability to be creative and productive, necessitate that we move quickly to recover the universal, fundamental principles and aims of Islamic Law. Sixth, in order to correct the flaws in Muslims' ways of thinking, stress must be laid on *maqāṣid al-sharī'ah*, which can protect us from going to extremes in any direction by supplying us with rational principles that expose illusion, vacuous speculation, groundless views, and opinions with insufficient evidence in their favor.

In discussion on Islamic rationalism and its impact on contemporary philosophy, it is important to note that the intellectual ascent of materialism and naturalism has now reached its apex, from which point

it is bound to decline. According to some contemporary philosophers, descent is the inevitable fate of a rationalistic, secular humanist, materialistic ideology. The critique of rationalism has been fueled, and its demise hastened, by the spread of the philosophy of deconstructionism, which deals the deathblow to all constant meanings and facts. It is argued that Jacques Derrida, Michel Foucault, and other modern Western thinkers have contributed to deconstructionist theorization as a poststructuralist phase of human history that empties postmodernist philosophies of all meaning.

Religious and metaphysical considerations clearly have no place in postmodernist philosophy. Postmodernism assumes that the universe consists of nothing but matter in constant motion without origin or purpose, and that the mere use of words such as truth, certainty, essence, and idealistic motives involves a regression into an unfounded metaphysical view of the universe. There is no central, all-inclusive order, but only small, self-contained orders, each of which revolves around itself.

In postmodernist thought there is no such thing as an incontrovertible fact. Rather, there are facts formulated by humans themselves, who choose their own convictions regardless of how bizarre or aberrant they happen to be. Furthermore, the moral system in postmodernist philosophy is not subject to absolute value-based considerations or set standards that are respected and observed based on a culturally and religiously founded consensus. Rather, post-modernist ethics are based on agreements of limited, temporary legitimacy, in the areas of security, economics, the media, etc., and dictated by the interests of the individuals or institutions in control of society. ♦

The politics of postmodernism have contributed to a new world order ushered in by global capitalism. The aim has been to persuade countries to open up to multinational corporations and imports by transforming their political elites into investment partners and their populations into consumers. This undermines democratic development and religious, cultural and national identity.

These aspects of post-modernist philosophy have had a profound impact on Arab and Muslim culture and thought. In line with this philosophy and politics, attempts have been made to deconstruct and reinterpret the texts of the Qur'an in keeping with readers' whims and caprices. From this philosophy's point of view, the Sunnah must be

done away with on the pretext that it is based on the words and actions of a human being who is no different from us, and that the conditions that prevailed during the days of the Prophet and his Companions differed too greatly from our own time. It now remains for us to clarify the relevance of these developments for the process of shaping a sound Muslim mentality at a time when the fundamental role of reason has been called into question.

Chapter Five

The Goals Awareness Crisis and Its Impact on Social Action

The marginalization of the objectives of Islamic Law has led to excessive strictness in some situations and excessive lenience in others, and has also resulted in bringing about evils that far outweigh the benefits intended. The following discussion examines this issue and presents ways to awaken the consciousness and shows how a religious awakening can serve to counter religious excess, spread love and harmony, help us see the purposefulness of beauty and aesthetics, and help us appreciate the Muslim woman's role in society.

Ideological extremism constitutes a major threat to society. To counter religious excess, priority should be given to spreading a jurisprudence of revival and a civilizational evolution. Thus, in seeking to address extremism and the crisis it has generated in modern times, our educated elites should concern themselves with promoting a jurisprudence of revival while exploring a variety of developmental options rather than entrenching themselves in ivory towers from which they can theorize and market temporary solutions.

As example, an excessively cautious point of view dominates Muslim thought regarding leisure and sport. However, one of the goals of making sound laws that are relevant to people's lives is to provide permissible, inviting substitutes for prohibited actions. We need to urgently reexamine some actions which have been declared forbidden in the past for fear that they might lead to other actions that are explicitly prohibited by Islamic Law. Examples include sports activities in their various forms for men and women, as well as purposeful art, recreational hobbies, educational games, travel, tourism, and other things. The Sunnah of the Prophet actually encourages forms of