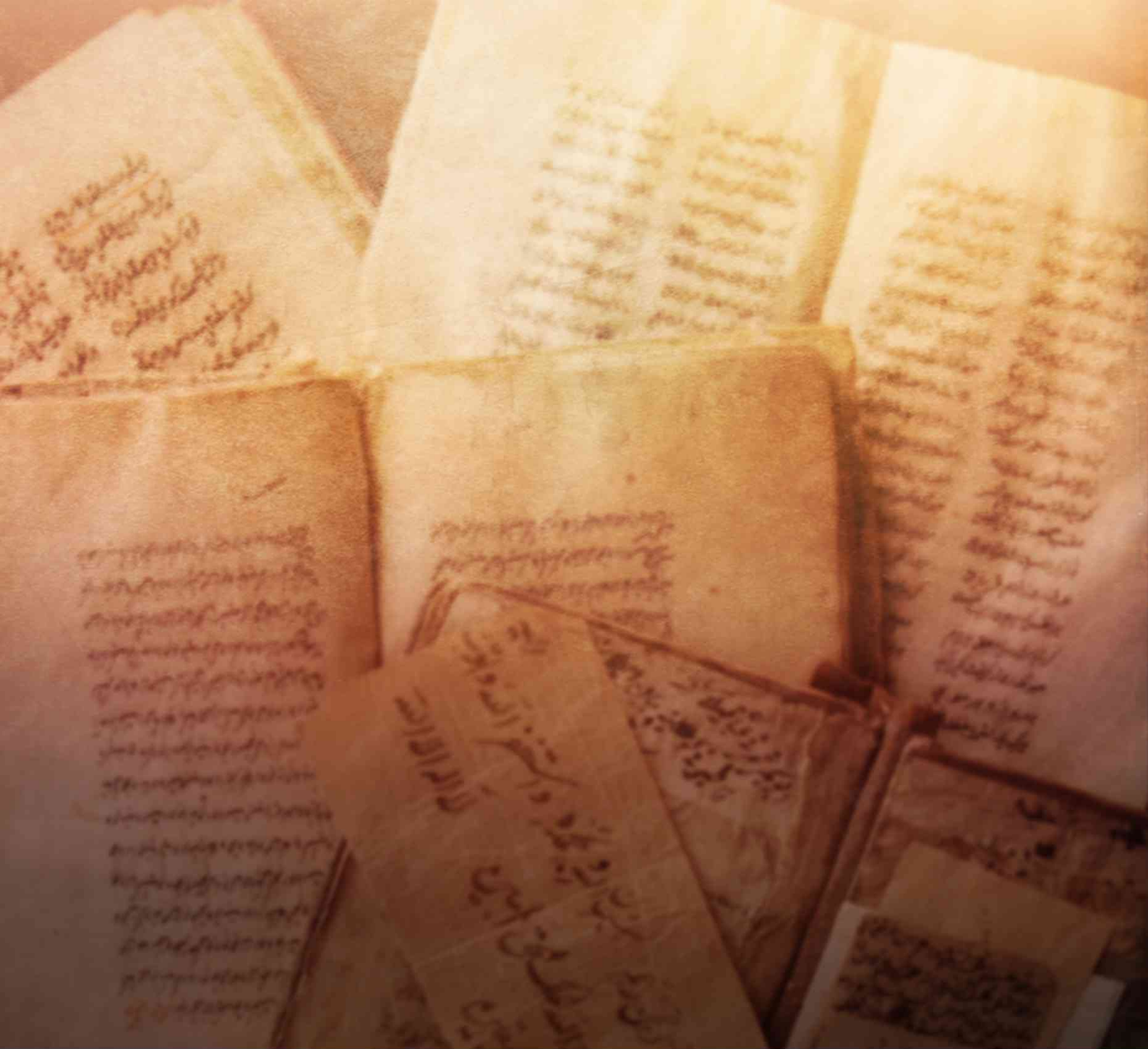




The Living Tradition

| *Why Islamic Law Remains Relevant
in a Changing World*

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Journal of Islamic Research
by Miftaah Institute

Abstract

This paper examines the capacity of Islamic law to respond to the ethical, social, and technological challenges of the modern world. Contrary to the claim that the Sharīah is inherently rigid because of its immutable legal principles, the paper argues that Islamic jurisprudence combines enduring foundational norms with a flexible interpretive framework that enables qualified jurists to address new and unprecedented issues through established methods of legal reasoning. By drawing on contemporary examples from governance, environmental ethics, and bioethics, it demonstrates how principles such as the prevention of harm, public welfare, and the higher objectives of the Sharīah continue to guide the development of legal rulings that are both faithful to the Islamic tradition and responsive to changing circumstances. The paper contends that this balance between continuity and adaptability has allowed Islamic law to remain a dynamic and relevant legal and ethical system in the contemporary age.

Introduction

A recurring criticism advanced by some secular commentators and modernist thinkers is that Islam has become obsolete and is no longer capable of addressing the realities of the contemporary world.

Central to this critique is the contention that the Sharīah is founded upon fixed and immutable legal principles, whereas human societies are dynamic and continually evolving. According to this viewpoint, a legal system whose legal tenets remain perpetually rigid is inherently incapable of responding effectively to changing social conditions, technological developments, and emerging ethical challenges. Consequently, it is argued that Islam lacks the flexibility necessary to provide meaningful guidance in the modern age.

This claim, while popular and enduring, is incorrect. It can be responded to with two points. First and foremost, even during its original stages, Islam was a vehicle of change in the Arabian Peninsula, bringing wholesale transformations to the region. During this transformative moment, the descent of the Qur'an's revelation was strikingly different from the previous scriptures, which were revealed wholesale at one single sequence. The Qur'anic scripture was revealed quite differently. Its descent was piecemeal, with its verses coming in response to events and actions that occurred in the Muslim community throughout the timespan of 23 years. The revelation of the Qur'an actively addressed events and circumstances that happened on the ground.

The Qur'an's foundational role in aiding humankind for their moral dilemmas and socio-political challenges endures to the present moment. Islam is the final divine revelation, intended to guide all peoples across different places and generations. Because human societies naturally change and develop over time, new situations continually emerge that earlier generations did not face. Allah's wisdom accounted for this reality by establishing the Sharīah in a way that remains capable of

providing guidance despite changing social conditions. Islam's enduring relevance, therefore, lies not in being tied to a particular historical moment, but in its ability to address evolving circumstances through its foundational principles and ethical guidelines. Regarding this enduring character of the Islamic message and how it is embedded in the divine revelation itself, the contemporary scholar Rashīd Salhāt states:

In consideration of this continuous change [of human civilization], and in anticipation of the new developments that the passing days would inevitably bring, the wisdom of Allah required that the Sharīah be established in such a way as to encompass this ongoing development through divine guidance, regardless of whatever new circumstances might emerge. This design is manifested in the formulation of the very foundation of the Sharīah – the Noble Qur'an – in a miraculous manner that transcends the evolution of societies. Indeed, the scholars of *uṣūl al-fiqh* (the principles of Islamic jurisprudence) and the jurists have agreed that the primary source and principal proof of the Sharīah is the Book of Allah Almighty. All other legal proofs are either derived from it or ultimately refer back to it in one way or another, for it is the enduring miracle...

Similarly, the Prophetic sunnah also occupies an important legislative status in Islamic law. Like the Qur'an, it is a source of timeless rulings that can provide Muslim jurists guidance for new legal issues. Perhaps one of the greatest characteristics of the directives and teachings of the Prophet ﷺ is that they contain comprehensive principles and maxims that can aid scholars in extracting rulings for countless legal matters.² One may, for instance, consider the statement of the Prophet ﷺ, "Every intoxicant is forbidden."³ From this *ḥadīth*, jurists infer that intoxication constitutes the *'illah* (effective legal cause) underlying the prohibition. Consequently, a newly developed beverage or substance found to possess intoxicating properties may be assigned the same legal ruling by virtue of sharing the same effective cause. Indeed, some scholars have extended the use of the *ḥadīth* "Every intoxicant is forbidden" and similar reports to the arena of medicine as well. They argue that the prophetic statement can be used as a general rule to diagnose the legal ruling of many modern medicines and treatment options should they involve the use of intoxicating substances.⁴

Secondly, while it is certainly true that Islam has fixed laws, this is *only partially* accurate. It is correct that the Sharīah prescribes a core array of rulings that can never change, many of which can be found in the areas of worship, family law, inheritance, and criminal law. But at the same time, in other areas of life, such as those dealing with state governance, international relations, the

1. Rashīd Salhāt, *al-Ḥukm al-Sharī bayna Manhaj al-Istinbāt wa Fiqh al-Tanzīl* (Kuwait: Dār al-Nawādir, 2012), 60–61.

2. Aḥmad ibn Taymiyyah, *al-Istiqāmah* (Cairo: Dār Ibn al-Jawzī, 2013), 20.

3. See Muḥammad ibn Ismā'il al-Bukhārī, *Ṣaḥīḥ al-Bukhārī* (Beirut: Dār Ibn Kathīr, 2002), 1063 (#4344); Muslim ibn al-Ḥajjāj al-Naysābūrī, *Ṣaḥīḥ Muslim* (Riyadh: Dār Ṭaybah, 2006), 964 (#1833). Because this *ḥadīth* is found with multiple paths of transmission, al-Suyūṭī determined that it is *mutawātir* (mass-transmitted). Jalāl al-Dīn al-Suyūṭī, *Qaṭf al-Azhār al-Mutanāthirah fī al-Akhbār al-Mutawātirah* (Beirut: al-Maktab al-Islāmī, 1985), 229 (#85).

4. 'Abd al-Fattāḥ Maḥmūd Idrīs, *Mawādd Najisah fī al-Ghidhā' wa al-Dawā': Baḥth Fiqhī Muqāran* (Riyadh: Dār al-Ṣumay'ī, 2012), 106–152.

environment, economics, and financial dealings, the Sharīah has granted a sphere of flexibility. The latter areas are subject to human discretion, wherein qualified scholars and administrators can work in tandem to develop rulings that are in line with the general principles and teachings of the Islamic ethos.⁵ Islamic law thus operates in accordance with a two-tiered model. Some legal areas are fixed as they cannot be grasped by the human intellect or will be misemployed if left to human desires. Others are left open-ended and can be defined by humans with the guiding light of the Sharīah.

The laws of Islam thus have a balance of stability and flexibility. The first is needed to anchor the law and ensure that its defining characteristics are never undermined, while the latter allows the spheres that revolve around the public interest to be updated if new circumstances arise. The sphere of undefined laws must be filled with prescriptions and regulations that are carefully crafted through the tools of *ijtihād* (independent legal reasoning). Because many of the issues found within this undefined sphere are not directly addressed by the texts of the Qur'an and Sunnah, contemporary jurists employ extra-textual proofs, such as analogical reasoning (*qiyās*), juristic preference (*istihsān*), public welfare (*maṣlaḥah*), and the higher objectives of the law (*maqāṣid*), which are five: religion, life, intellect, wealth, and progeny.⁶

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The Ethical Responsibility: Muslims and the Duty to Improve the World

The sphere of discretionary judgment in Islamic jurisprudence is not an ethical vacuum; rather, it remains firmly situated within the broader framework of the Sharīah. Qualified Muslim jurists are thus expected to assume an active and interpretive role in formulating regulations that align with the underlying principles and values of the divine law. This responsibility to develop sound and Sharīah-compliant legal judgments is grounded in the Islamic conception of human beings as moral agents entrusted with the duty of submission to Allah, the one true God, and of fulfilling their earthly trial as vicegerents (*khulafā*) responsible for stewardship of the world.⁷

In contemporary contexts, many domains essential to human life – most notably economics and environmental governance – have increasingly been detached from explicit ethical frameworks. The dominant influence of utilitarian ethical theory, and its policy manifestation in cost-benefit analysis,

5. Muḥammad Faṭḥī Muḥammad al-ʿAtrabī, *al-Farāgh al-Tashrīf bayna Ahliyyah al-Ijtihād wa ʿĀliyah al-Tadbīr* (Mansoura: Dār al-Kalimah, 2020), 35–36.

6. ʿAbd al-Ṣamad al-Massāṭī, *al-Ijtihād al-Tanzīlī wa al-Taghayyurāt al-Muʿāṣirah: Dirāsah Naẓariyyah wa Namādhij Taṭbīqiyyah* (Rabat: Dār al-Amān, 2020), 68–73.

7. Ibid, 104–105.

has contributed to decision-making processes in which outcomes are frequently evaluated primarily in terms of aggregate material gain. This approach may prioritize immediate economic benefits even when such outcomes entail significant long-term harm to future generations or irreversible environmental degradation. Within Islamic intellectual discourse, such a reductionist orientation has been critiqued as inconsistent with the broader ethical responsibilities of stewardship and accountability before God. If the preservation of the world's ecological systems is to be regarded as a serious undertaking, the adoption of the Islamic ethical framework constitutes a vital corrective necessary for addressing the contemporary environmental crisis.⁸

From this perspective, the absence of a comprehensive ethical vision risks diminishing human moral agency and undermining the capacity for self-restraint, potentially fostering behavior driven by unregulated desire rather than principled conduct. Such tendencies contribute to broader patterns of moral and civilizational decline. The contemporary global condition, marked by intersecting economic instability and environmental crisis, is frequently interpreted within this discourse as evidence of the consequences of a materialist worldview insufficiently anchored in transcendent ethical commitments.⁹

Against this backdrop, Islam offers a comprehensive moral framework capable of integrating ethical guidance across all domains of life. It seeks to orient human conduct toward both worldly well-being and ultimate accountability in the Hereafter. This sense of moral responsibility reinforces a duty-oriented approach to governance and resource management. Accordingly, contemporary Muslim scholars have advocated for the incorporation of Islamic ethical principles into fields such as public policy and environmental governance, with the aim of restoring their moral and normative dimensions. As the forthcoming sections of the paper reveal, Muslim scholars are not just diagnosing the problems of the contemporary era; rather, they are vocally providing solutions to change the status quo.

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Economics: Markets, Prices, and the Public Interest

In the area of governance, contemporary Muslim scholars have re-invigorated the area of *siyāsah sharīyyah*, a sub-field of Islamic law which provides guidelines for rulers on how to formulate

8. See Mawil Izzi Dien, “Islam and the Environment: Theory and Peace”, in *Islam and Ecology: A Bestowed Trust*, eds. Richard C. Foltz, Frederick M. Denny and Azizan Baharuddin (Cambridge: Harvard University Press: 2003), 107–120; Othman Abd-ar-Rahman Llewellyn, “The Basis for a Discipline of Islamic Environmental Law,” in *Islam and Ecology: A Bestowed Trust*, eds. Foltz, Denny, and Baharuddin, 185–247.

policies that are best in line with the common interest of the general population. One key area of discussion in the literature has to do with regulating markets to ensure market prices remain reasonable and fair. In a world of monopolies, it is far too common to find many unethical techniques being employed to inflate prices of every day products and necessities. It is not unheard of finding leading firms artificially restricting the supply of staple goods by hoarding them to sell them at prices that go beyond their normal market value. As a default ruling, firms are permitted – from the standpoint of the Sharīah – to charge whatever price they want. But Muslim scholars writing in the *siyāsah sharīyyah* genre note that in the face of exploitative selling practices, the government has the prerogative to force firms to sell hoarded products in their expected market value rather than their inflated prices. Such a move is required to protect the wealth of consumers from the prospective harm caused by such exploitative practices.¹⁰

Under the rubric of this prescribed policy, the government is restricting the sphere of permissibility – of selling whenever and whatever price the seller wants – by instead making it compulsory upon firms to sell their hoarded products to ensure prices stabilize. Scholars recognize that firms have a legitimate interest to generate profits, but this interest is outweighed by the right of the community to only be charged prices deemed reasonable and fair. To give profit-making impulses a free reign without the imposition of ethical standards unjustly flips the equation. Through this move, Muslim scholars aim to re-infuse the economic arena with robust ethical standards.

Environment: Harm, Balance, and the Natural World

With respect to the environment, Muslim scholars have been able to identify a number of Islamic maxims and principles that can provide guidance on how the physical biodiversity of the world can be protected from unsustainable practices. The important status of the environment from the standpoint of the Sharīah can be inferred from a number of proof-texts. There are *ḥadīths*, for instance, which prohibit relieving oneself in bodies of water¹¹ or under fruit-bearing trees.¹² From these and other texts, scholars have understood that Islam urges the protection of the natural world from the commission of any harmful acts that could spoil or ruin its bionetworks.¹³ Accordingly, by referring to some principles and maxims from Islamic law, they have proposed a number of safety

9. See Fazlun M. Khalid, “Islam, Ecology, and Modernity: An Islamic Critique of the Root Causes of Environmental Degradation,” in *Islam and Ecology: A Bestowed Trust*, eds. Foltz, Denny, and Baharuddin, 299–321.

10. ‘Abdullāh Sāid Waysī, *Buḥūth fī al-Siyāsah al-Sharīyyah* (Damascus: Dār al-‘Iṣmā’, 2024), 51–53.

11. See Abū Dāwūd al-Sijistānī, *Sunan Abī Dāwūd* (Beirut: Dār al-Risālah 2009), vol. 1, 21 (#26). The *ḥadīth* was graded as *ḥasan li-ghayrihi* (acceptable in light of supporting narrations) by Shūayb al-Arnāūṭ.

12. See Sulaymān ibn Aḥmad al-Ṭabarānī, *al-Mūjam al-Awsaṭ* (Cairo: Dār al-Ḥaramayn, 1995), vol. 3, 36 (#2392). This *ḥadīth* is weak. Muḥammad ibn Ismā‘īl al-Amīr al-Ṣaḥānī, *Subul al-Salām: Sharḥ Bulūgh al-Marām min Adillāh al-Aḥkām* (Beirut: Dār al-Fikr, 2017), vol. 1, 115.

13. See Richard C. Foltz, “Islam,” In *The Oxford Handbook of Religion and Ecology*, ed. Roger S. Gottlieb (New York: Oxford University Press), 207–219.

mechanisms to ensure the environment is protected from exploitative acts that threaten the sustainability of the world's resources and its wildlife.

The removal of harm is a fundamental principle of Islamic law, which finds most of its basis from the prophetic Sunnah. Among jurists, the standard is expressed through the maxim: "Harm is to be eliminated."¹⁴ This principle serves as a guide for preventing injustice and addressing new legal issues; it requires that harm be eliminated whenever possible, provided doing so does not result in equal or greater harm. In cases where two harms cannot both be avoided, the lesser harm is accepted to prevent the greater. Moreover, when a harm threatens the wider community, preventing that widespread harm takes precedence over avoiding harm that affects only a limited group.¹⁵

Harm is to be eliminated.

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Contemporary Muslim jurists have applied this principle and its related dictums to environmental issues. For example, they argue that governments may prohibit fishing during fish breeding or spawning seasons, as overfishing during these periods prevents fish populations from replenishing. Although such restrictions may impose economic hardship on fisheries, this limited harm is justified to prevent the far greater and more widespread harm of species depletion or extinction, which would ultimately affect society as a whole. From this perspective, a lesser harm is endured to avert a greater one.¹⁶ By the same reasoning, some contemporary scholars have argued that governments may restrict the cutting of forest trees for the production of timber whenever it is determined that such an activity threatens ecological balance and the wildlife that inhabits those forests. In this regard, ‘Abd al-Majīd al-Najjār writes:

If, for instance, a jurist finds himself uncertain between two legal rulings – one prohibiting the cutting of forest trees for the production of timber and another permitting it – and the legal objective (*maqṣad*) underlying the first ruling is the preservation of the environment, since the removal of forests would have a profound effect on disrupting ecological balance, including a severe reduction in the rainfall generated by forests and the extinction of the animals that inhabit them, while the legal objective underlying the second ruling is to facilitate people's lives, given their need for timber in the various affairs of daily life, then that jurist should give preference to the ruling of prohibition over that of permissibility. This is because the consequences of the prohibition's objective – namely, preventing the disruption of ecological balance – concern harm that would affect society as a whole and might even extend to the

14. Aḥmad Muḥammad al-Ḥuṣārī, *al-Qawā'id al-Fiqhiyyah li al-Fiqh al-Islāmī: Nashātuhā – Rijāluhā – Āthāruhā* (Cairo: al-Maktabah al-Azhariyyah, 2020), 213.

15. Musa Furber, *Islamic Frameworks for Decision Making* (Abu Dhabi: Tabah Foundation, 2020), 24–26.

16. Quṭb al-Raysūnī, *Fī Riḥāb al-Fiqh al-Muāṣir: Qaḍāyā Muāṣirah fī Mīzān al-Maqāṣid wa al-Qawā'id* (Riyadh: Dār al-Maymān, 2019), 229–230.

entirety of humankind. By contrast, the benefit resulting from the ruling of permissibility extends only to a segment of society, whether that segment is relatively small or relatively large.¹⁷

These opinions, while conceptually significant and reflective of an emerging engagement with contemporary environmental concerns, remain at a relatively early stage of juristic development. They require further refinement, particularly with respect to the legal mechanisms, methodological principles, and procedural criteria that would justify the imposition of such restrictions within the framework of Islamic law. In this sensitive area of legal regulation, a central conceptual consideration is *ma'ālāt al-afāl* (the consequences or outcomes of actions), which requires policymakers and jurists to undertake a careful assessment of the likely effects of any proposed legal measure before it is enacted.¹⁸ Such an assessment entails balancing the competing interests of the various parties and stakeholders involved, evaluating the anticipated benefits and harms of the proposed policy, determining the scope and duration of any restrictions imposed, and taking into account the broader range of contextual factors that may influence both the legal ruling and its practical consequences. Only through such a systematic and context-sensitive analysis can restrictions of this nature be justified in a manner that is consistent with the objectives and methodological principles of Islamic law.

Bioethics:

Genetic Engineering and the Threshold of Death

In the field of bioethics, contemporary Muslim jurists have also played an active role in addressing new issues and complex ethical dilemmas that have emerged due to technological advancements. One notable question concerns the use of genetic engineering to enhance the growth, quality, and productivity of plants and animals. Is the adoption of such modifications permissible under Islamic law?

In principle, the majority of contemporary Muslim scholars, including the famous jurist Wahbah al-Zuhaylī (d. 1436/2015), tend to regard genetic engineering as permissible. In doing so, they rely on two main arguments. First, they invoke the legal assumption that the use and consumption of things are permissible unless there is clear evidence establishing their prohibition. Since no definitive evidence prohibits genetic engineering in this context, the default ruling of permissibility remains. Second, they appeal to the principle of public welfare (*maṣlaḥah*). Plants and animals are created for human benefit, and genetic engineering can further this objective by improving agricultural productivity and food quality. Provided these technologies are safely and responsibly used (with attention given to their potential effects to humans and the environment), they may contribute to meeting the needs of a growing population and promoting the well-being of society.¹⁹ Without these

17. 'Abd al-Majīd al-Najjār, *Maqāṣid al-Sharḥ bi Ab'ād Jadīdah* (Beirut: Dār al-Gharb al-Islāmī, 2008), 263–264.

18. See Muḥammad Jāsim Muḥammad al-Sāmarrāī, *al-Ma'ālāt wa Atharuhā fī Ahkām al-Siyāsah al-Shar'iyyah: Dirāsah Uṣūliyyah* (Amman: Dār al-Nafāis, 2019).

modern techniques and interventions, crops and livestock are more vulnerable to threats such as drought, disease, and other environmental challenges, potentially reducing agricultural productivity and food security.

There is, however, a vocal minority group of scholars – led by Muḥammad Saʿīd Ramaḍān al-Būṭī (d. 1434/2013) – who prohibit the use of genetic engineering, with their primary evidences being that such changes could potentially – in some cases – interfere with Allah’s creation. The dissenters further note that modifications to the natural state of plants and animals could prove to be potentially harmful to human consumers in the long run.²⁰ While the debate on genetic engineering continues among jurists, what is most impressive is the breadth of legal arguments and principles presented by both sides. Despite their differences, these two positions may be reconciled by adopting a qualified ruling that permits the development of genetically modified plants and animals, provided that such modifications do not constitute an impermissible alteration of Allah’s creation.²¹

Another important and complex issue in contemporary Islamic bioethics concerns brain death and whether it constitutes legal death (*mawt*) in the eyes of the Sharīah. If brain death is recognized as legal death, it would trigger the full range of legal consequences associated with death, including the distribution of the deceased’s estate to the rightful heirs, the performance of funeral rites and burial, and – where the deceased is a husband – the commencement of the wife’s waiting period (*iddah*).

Given the significant legal ramifications of determining death, contemporary scholars have reached differing conclusions regarding the appropriate legal threshold. Some maintain that the definitive diagnosis of brain death constitutes legal death in all respects, while others argue that legal death is established only upon the irreversible cessation of cardiopulmonary function. Seeking to reconcile these competing positions, the contemporary Muslim scholar Amānī Maḥmūd ‘Abd al-Ṣamad Ibrāhīm adopts an intermediate approach. She argues that while brain death should not be treated as sufficient to trigger every legal consequence of death, neither should it be regarded as legally insignificant. Rather, once brain death has been conclusively established, the patient may be disconnected from artificial life support, allowing the body to proceed naturally to complete cardiopulmonary cessation. This approach minimizes the interval between the diagnosis of brain death and the occurrence of death in its fullest legal sense, while permitting certain legal consequences to arise at different stages of the process.

Accordingly, Ibrāhīm argues that some rulings – notably the commencement of the wife’s *‘iddah* – may take effect immediately upon the definitive diagnosis of brain death. Other consequences,

19. Rashīd ibn Shadīd al-Ḥarbī, *al-Istiṣhāb: Dirāsah Uṣūliyyah Fiqhiyyah fī al-Nawāzil al-Muāṣirah* (Cairo: Dār al-Luluʾah, 2020), vol. 2, 697–700.

20. Ibid, vol. 2, 701–702.

21. This type of reconciliation is possible if one considers the fact that not all types of change necessarily constitute altering the creation of Allah. For instance, an argument could be made that genetic changes with the objective of removing defects and diseases are permissible, as they do not distort the natural state of beings. Changes that radically alter the physical constitution, colour, and other properties on the other hand, would likely fall into the forbidden practice of altering the creation of Allah. See ‘Alī al-Qaraḍāghī and ‘Alī Yūsuf al-Muḥammadī, *Fiqh al-Qaḍāyā al-Ṭibbiyyah al-Muāṣirah* (Beirut: Dār al-Bashāir al-Islāmiyyah, 2006), 330–331. I thank Shaykh Musa Furber for drawing my attention to this potential reconciliatory position.

however, including burial and the distribution of the deceased's estate, should be deferred until all cardiopulmonary signs of life have ceased.²² At first glance, this differentiated treatment may appear inconsistent, as brain death is treated as legally sufficient for some rulings but not others. Ibrāhīm resolves this apparent tension through the principle of *tafrīq al-aḥkām* (differentiation of legal rulings), according to which different legal consequences may legitimately be linked to different evidentiary thresholds and legal considerations rather than deriving uniformly from a single definition of death.

Within this framework, she reconciles two competing legal presumptions (*uṣūl*): the presumption of continued life (*baqā' al-ḥayāh*) and the presumption that death has occurred once brain death has been definitively established. Rather than allowing one presumption to displace the other entirely, she assigns each to the legal context in which it best serves the objectives of the Sharīah. The presumption of continued life governs matters such as burial and inheritance because these implicate the fundamental *maqāṣid* of preserving life (*ḥifẓ al-nafs*) and wealth (*ḥifẓ al-māl*), while also involving irreversible legal consequences that demand the highest degree of certainty. By contrast, the wife's *'iddah* may commence upon the establishment of brain death because doing so neither undermines these core objectives. Instead, it avoids unnecessary delay resulting solely from prolonged mechanical ventilation.

Although Ibrāhīm explicitly grounds her analysis in *tafrīq al-aḥkām* and the *maqāṣid*, the structure of her reasoning bears some resemblance to *istiḥsān*. In classical legal theory, *istiḥsān* (juristic preference) permits departure from the general application of a rule in favour of a stronger competing consideration, such as preventing hardship or advancing a superior legal objective. Similarly, Ibrāhīm qualifies the otherwise general application of the presumption of continued life in the context of the *'iddah*, while retaining it in areas where greater legal certainty is required. Her approach ultimately seeks to reconcile the contemporary positions identifying either brain death or cardiopulmonary cessation as the legal determinant of death by allocating the legal consequences of death according to the objectives and degree of certainty implicated by each ruling.

Conclusion

This essay challenges the assertion that Islam is incompatible with the developments of the modern world by arguing that such a view overlooks the flexibility embedded within Islamic legal theory. Although the Sharīah preserves a set of core rulings and immutable principles, it also grants jurists considerable scope to address new circumstances through *ijtihād*, which provides a wide array of conceptual tools and evidences that include *istiḥsān*, *maṣlaḥah*, and the *maqāṣid*. This combination of permanence and adaptability enables Islamic law to respond to evolving social, economic, environmental, and biomedical issues while remaining anchored in its ethical and theological foundations.

22. Amānī Maḥmūd'Abd al-Ṣamad Ibrāhīm, *Tafrīq al-Aḥkām fī al-Sharīah al-Islāmiyyah wa-Taṭbīqātuha al-Muāṣirah: Dirāsah Uṣūliyyah Fiqhiyyah Muqāranah* (Cairo: al-Maktabah al-Azhariyyah, 2024), 231–232.

Drawing on contemporary examples from governance, environmental law, and bioethics, the essay illustrates how contemporary Muslim scholars apply classical legal principles to modern challenges. Whether regulating markets, protecting natural resources, evaluating genetic engineering, or determining the legal consequences of brain death, these rulings seek to uphold the objectives of the Sharīah by balancing public welfare, the prevention of harm, and fidelity to the broader moral vision of Islam. In sum, Islamic jurisprudence is not a static legal system but a dynamic and principled tradition capable of engaging constructively with the complexities of the contemporary world while also re-integrating it with a sincere ethical vision.

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This article has offered only a broad overview of the conceptual and methodological resources within Islamic jurisprudence that enable it to respond to the emerging legal, ethical, and social challenges of the modern world. The examples examined – including governance, environmental ethics, and bioethics – are intended to be illustrative rather than exhaustive, as each raises a range of complex juristic questions that extend well beyond the scope of a single study. Likewise, many of the legal principles and interpretive methodologies discussed, including *maqāṣid al-sharīah*, *maṣlaḥah*, *istiḥsān*, and *maālāt al-afāl*, merit more sustained treatment than has been possible in the present article.

Future contributions in *Futūḥ: Journal of Islamic Research* will therefore develop these themes through more focused studies of individual fields within Islamic law and contemporary ethics. These articles will examine in greater detail the legal evidences, juristic methodologies, and interpretive principles employed by contemporary Muslim scholars in addressing specific issues in areas such as environmental governance, bioethics, economics, technology, and public policy. It is hoped that this continuing body of research will further demonstrate the depth, adaptability, and intellectual vitality of the Islamic legal tradition, while illustrating how the Sharīah continues to provide principled and coherent guidance for many of the complex ethical questions confronting the contemporary world.

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