

DEFINITION OF AL-'ILLAH: VIEWING THROUGH ASPECTS OF ARABIC LANGUAGE AND IŞTILĀḤ (TERMINOLOGICAL) OF USUL FIQH SCHOLARS

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Abstract

This paper explores the concept of 'illah and its significant impact on the diversity of ijtihād (independent reasoning) among Islamic scholars across different schools of thought. The process of istinbāt (legal derivation) often produces varying interpretations of 'illah, leading to differences in the implementation of Islamic law. Recognizing the importance of 'illah in shaping legal rulings, this study investigates its linguistic and terminological meanings. Using a qualitative research methodology, the study draws on a wide range of traditional and contemporary Islamic sources, including Usul al-Fiqh texts, Arabic literature, and theological works. The research applies both deductive and inductive analyses, alongside a textual conceptual approach, to explore the intricate discussions on 'illah found in Arabic texts. The study concludes that understanding the linguistic origins of 'illah is essential for comprehending its role in Sharia and legal theory. The term carries multiple meanings, including repetition, a barrier to certain conditions, and a sign of legal rulings, all of which are vital for the legal reasoning process. Through a synthesis of scholars' views, this research presents a refined definition of 'illah that aligns with classical jurisprudential theories, offering valuable insights into the development of Islamic legal principles.

Keywords: *Definition, 'Illah, Aspects of Arabic, Terminological, Usul Fiqh.*

INTRODUCTION

Al-Imam Tājuddin al-Subkī elaborated on one method of *ta'lil al-hukm* that scholars use, emphasizing employing *'illah* as the basis for formulating a legal ruling. In this context, *'illah* becomes a crucial legal foundation within the *istinbat* process among scholars of *Usul Fiqh*. The diversity in methods of *istinbat*—shaped by different perspectives on defining and applying *'illah*—leads to varied outcomes in the *ijihad* of mujtahids from different schools of thought. This diversity consequently results in differing legal interpretations and practices among *fuqahā*, aligned with the methodologies unique to their respective *mazhab*.

Therefore, *'illah* plays an essential role in the principles of Islamic jurisprudence, fostering diversity in *ijtihad* among scholars.

Recognizing the significance of *'illah* has encouraged researchers to explore this concept with greater depth and precision. Through the data collection process, it has become evident that most discourses on *'illah* are embedded within high-level Arabic literature. Additionally, some scholars choose to discuss *'illah* separately from other aspects of *Usul Fiqh*. Their intent is not to isolate *'illah* as an independent field, unlike areas such as *maqāsid* studies, but to acknowledge that *'illah* represents an extensive subject that warrants detailed examination.

The objective of this study is to clarify the definition of *'illah* and make it more accessible for future researchers, thereby bridging the gap between the complex and high-level Arabic *turāth*¹ and a more comprehensible understanding of *'illah*. By simplifying the concept and refining its definition, this study aims to provide a resource that enables easier interpretation and application for scholars and students alike, facilitating deeper engagement with *Usul Fiqh* and supporting more cohesive academic exploration in the field.

METHODOLOGY

This study employed a qualitative methodology, primarily focusing on the collection of library-based data. The data was sourced from a variety of traditional and contemporary Islamic scholarship materials, including Arabic literature, *Usul Fiqh* books, Fiqh texts, *Ilmu al-Kalam* books, and *Ta'lil*'s theses. Once the data was gathered, it was analyzed through a focus narrative, which allowed the researchers to explore key themes within the texts. The coding of these themes involved categorizing the material into specific areas of interest, helping to organize and interpret the information systematically. The analysis process involved both deductive and inductive approaches to the narrative of *ta'lil*'s theme.

Additionally, the study utilized a textual conceptual approach, which was essential due to the nature of the data, most of which came from traditional Islamic (*turāth*) sources. This method enabled a deep understanding of the textual material, emphasizing the importance of classical Islamic thought while examining it within the broader context of Islamic legal theory and practice.

THEORETICAL OVERVIEW: 'ILLAH FROM ASPECTS OF ARABIC LANGUAGE AND IŞTILĀH (TERMINOLOGICAL) OF USUL FIQH SCHOLARS.

'Illah From Aspects of Arabic Language

'Illah, from a linguistic perspective, comes from the word *'alla*, which carries a multitude of meanings. Among them are:

- a. The act of drinking a second time after finishing the first.
- b. Indicates repetition and continuity of something.
- c. Used to indicate an action taken to prevent something.
- d. Among the meanings of *'illah* is also illness, and a sick person is referred to as *'alīlun* or *mu'tallun*.
- e. *'Illah* is also interpreted to indicate the excuse or justification from an act.
- f. *'Illah* is also denoted as the reason or cause for something.²

¹ According to the author's perspective, the study of *'illah* can be classified into three levels. At the beginner level, texts such as *al-Waraqat* provide an introduction but do not elaborate on the definition of *'illah* in detail. The intermediate level, exemplified by works like *al-Luma'*, defines *'illah* but does not engage with differing scholarly interpretations. At the advanced level, texts such as *Bahru al-Muhit* and *Jam'ul Jawami'* offer in-depth discussions on the definition and classifications of *'illah*. However, these advanced texts can be challenging to comprehend due to their complex language and intricate context.

² Ibn Manzūr, Jamal Al-Din Muhammad Bin Mukrim. (n.d). *Lisān Al-'Arab*. Beirut, Dar Sadir, Vol. 11, pg. 467

From the observations made, several conclusions can be drawn. That is, the word *'illah* consists of three meanings considered as the root meanings. First, it denotes the repetition of something. Second, it serves as a hindrance to a certain condition. Third, it indicates weakness or effect.³

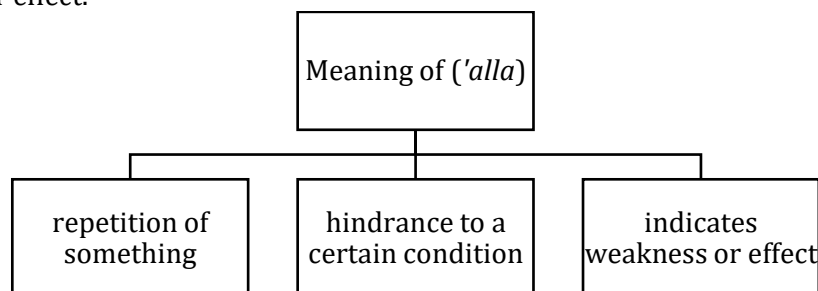


Figure 1: Conclusion of the root meanings of *'illah* from the perspective of the Arabic language

These three linguistic meanings of *'illah* have a significant impact on its connotation in *Usul Fiqh* terminology. This is because there is a strong relationship between the linguistic and terminological meanings, according to the scholars. From the first meaning, *'illah* affects *ijtihad* in the concept of deriving rulings from the texts of Sharia by repeatedly examining the text from various perspectives. From the second meaning, *'illah* serves as a boundary in *ijtihad*, guiding the process of *istinbāt* (deriving rulings). From the third meaning, *'illah* impacts the concept of *ijtihad* in deriving rulings just as *'illah* denotes weakness or effect in the context of illness.

The conclusion that can be drawn from the collection and analysis of the data above is that *'illah*, from a linguistic perspective, cannot be translated simply as "cause." This is because the word *'illah* is used to describe various types of conditions, not just causes alone. The word "cause" cannot be used to explain the various connotations of the word *'illah*.

'illah* From The Perspective of *Istilāh* (Terminological) of *Usul Fiqh

There are many terminological definitions provided by *Usul Fiqh* scholars for *'illah*. These definitions differ from various perspectives. Some are rooted in the viewpoints of the science of *Kalam*, *Usul Fiqh*, *Maqasid*, and *Fiqh*. The study will continue by explaining the development of these differences and summarizing the definition that is most widely agreed upon by *Usul Fiqh* scholars. This agreed-upon definition will then be used as a basis for the field of *ijtihad*. The perspective can be understood as below:

- a. ***'illah* is a term used to define a legal ruling.** Another expression for *'illah* is a sign or indicator of a legal ruling. If the sign of a ruling exists, then the ruling exists; conversely, if the sign is absent, the ruling is absent. This is explained by *Usul Fiqh* scholars in the discussion of *ṭard* and *'aks*⁴ concerning *'illah*. From this discussion emerges a principle formulated by *Usul Fiqh* scholars called *al-daurān* which emits the concepts of *ṭard* and *'aks*. For example, the *'illah* for the prohibition of alcohol is intoxication. Intoxication is the sign of the prohibition of alcoholic drinks and anything that resembles it. If intoxication is removed from the substance of alcoholic drinks and anything that resembles it, then the ruling of prohibition will be lifted.

This happens when alcoholic drinks change its substance to vinegar after undergoing fermentation naturally, as according to legal rulings of *Fiqh*. This definition had been

³ Ibn Fāris, Abu Husain Ahmad. (n.d). *Mu'jam Maqāyis Al-Lughah*. Dar Al-Fikr, Vol. 4, pg. 13.

⁴ The definition of *ṭard* according to the scholars of *Usul Fiqh* is the existence of a ruling due to the existence of *'illah* for that ruling. Conversely, *'aks* means the opposite of *ṭard*, which is the negation of the ruling due to the negation of the *'illah* for that ruling.

precisely connotated by the majority of *Usul Fiqh* scholars like al-Bayḍāwī in his magnum opus in *Usul Fiqh*.⁵ Additionally, this definition resembles the one presented by al-Shayrāzī, who stated that *'illah* is a meaning that determines the ruling. In other words, *'illah* functions as a sign for the ruling, as explained. The approach by al-Shayrāzī is similar to the approach taken by al-Bayḍāwī and carries the same meaning, differing only in the wording. Al-Amin al-Shanqīṭī, among the scholars of the Maliki school, also presented the same definition and similar wording as al-Bayḍāwī.⁶

- b. ***'Illah* is something that affects the ruling and necessitates it by itself, not by the decree of Allah.** This definition was pioneered by the scholars of the Mu'tazilah. The meaning behind this term is that they proposed a viewpoint that it is obligatory for Allah to create causes that have inherent effects on the outcomes of those causes. This is because according to their pioneer, it is obligatory for Allah S.W.T to act with wisdom (*ḥikmah*). Al-Shaukānī stated: *'Illah* is something that necessitates a ruling, not through the creation of Allah. This is the view of the Mu'tazilah because it is based on the principles of their school of thought when discussing the nature of good and evil in terms of rational judgment. *'Illah* is a characteristic attributed to its own essence without being related to the creation performed by the Creator; that is, Allah S.W.T.⁷

The discussion brought forward by the Mu'tazilah scholars refers to the notion that every act of Allah S.W.T. has an *'illah* or, more precisely, a specific wisdom (*ḥikmah*). This is to negate the idea of randomness or purposelessness in the actions of Allah. Randomness or meaninglessness is considered an impossible attribute for Allah from a rational perspective, as many revealed texts (*kalam tanzil*) prove that Allah is All-Wise. The conclusion of their perspective can be understood through what the writer of *Nibrās al-'Uqūl* stated: The conclusion of their (Mu'tazilah) school of thought is that the *'illah* in Sharia, according to them, has an effect on the rulings without the creation of Allah. Just as *'illah* in terms of rationality has an effect by itself without the creation of Allah. For instance, fire causes burning by its nature. Similarly, intentional murder necessitates the obligation of *qaṣaṣ* (retaliation) from a rational perspective.⁸

- c. ***'Illah* is something that necessitates a ruling and affects the ruling by the decree of Allah.** This concept was pioneered by al-Imam al-Ghazālī. His writings in *Shifā al-Ghālīl* emphasize that *'illah* is an entity that necessitates a ruling, not by its own essence as proposed by the Mu'tazilah, but through the creation and decree of Allah S.W.T. upon that *'illah*. Al-Imam al-Ghazālī is a highly influential figure in two main streams: Al-

⁵ al-Halwā'ī, al-Muhaddith Yusuf Bin Hasan. (2021). *Sharḥ al-Minhāj al-Bayḍāwī*. Cairo: Al-Maktabah Al-Umariyyah, pg. 534 & 535.

⁶ al-Shanqīṭī, al-Shaikh Muhammad al-Amin. (n.d). *Nathr Al-Wurūd Fi Sharḥ Marāqiy Su'ūd*. Dar Alim Al-Fawaid, pg. 432; al-Fādānī, Yāsīn. (2011). *Bughyah Al-Mushtāq Fi Sharḥ Al-Luma' Li Abi Ishḥāq*. Damascus, Syria: Dar Ibn Kathir, pg. 317 & 318; Hānī Kamāl. (2018). *Al-'Illah Al-Qāsirah Wata'il Al-Usuliyin Al-Aḥkām Al-Syar'iyyah bihā*. Dar Al-Fath, pg 61; Shalbī, Muhammad Muṣṭafā. (2017). *Ta'il Al-Aḥkām 'Araḍ Wa Taḥlil Li Tariqah Al-Ta'il Wa Taṭawwuratihā Fi 'Asūr Al-Ijtihād Wa Al-Taqlid*. Cairo: Dar Al-Salam, pg 131; Al-'Aṭṭār, Al-Shaykh Hasan Bin Muhammad Al-Syafi'i. (n.d). *Ḥāshiyah Al-'Aṭṭār 'Alā Sharḥ Al-Jalal Al-Maḥallī 'Alā Jam'i Al-Jawāmi'*. Beirut, Dar Al-Kutub Al-Ilmiyah, Vol. 2, pg 272; al-Zarkashī, Badr al-Din Abu Abdullah Muhammad Bin Abdullah. (1994). *Al-Baḥr al-Muḥīṭ Fi Uṣul Al-Fiqh*. Dar Al-Kutbī, Vol. 7, pg. 142 ; al-Zuhaylī, Wahbah. (1987). *Uṣul Al-Fiqh Al-Islamī*. Damscus: Dar Al-Fikr, Vol. 1, pg 646; al-Subkī, Tājuddin Abdul Wahhab. (2004). *Al-Ḥajj Fi Syarḥ Al-Minhāj Lil Al-Imām Al-Bayḍāwī*. Dubai: Dar al-Buhūs Li Dirāsāti Islamiyyah Wa Ihyaki Al-Turāth, Vol. 6 pg 283; al-Isnāwī, Jamal al-Din Abdul Rahim Bin Hasan Bin Ali. (1999). *Nihāyah al-Sul Sharḥ Minhāj Al-Wuṣūl*. Beirut: Dar al-Kutub al-Ilmiyyah, Vol. 1, pg 319; al-Suyūṭī, Jalāl al-Din Abdul Al-Raḥmān. (2000). *Sharḥ Al-Kawkab al-Ṣāti' Nazm Jam'ul Al-Jawāmi'*. Egypt: Maktabah Al-Iman, Vol. 2, pg 199; al-Mālikī, Abu Qāsim Muhammad Bin Ahmad Juzai. (2002). *Taqrib Al-Wuṣul Ilā Ilmi Al-Uṣul*. Madinah, pg 356; Al-Khaṭṭab, Abu Abdillāh Muhammad Bin Muhammad. (n.d). *Qurrah Al-'Ain Li Sharḥ Waraqāt Al-Imam Al-Ḥarāmāin*. Cairo, Dar Al-Fadhilah pg. 122.

⁷ Al-Shawkānī, Al-Shaikh Muhammad Bin Ali Bin Muhammad. (1999). *Irshād Al-Fuḥul Ilā Taḥqīq Al-Ḥaq Min 'Ilmi Al-Uṣūl*. Dar Al-Kitab Al-Arabī, Vol. 2, pg. 110.

⁸ Al-Shaykh 'Isa Manūn. (n.d). *Nibrās Al-'Uqūl Fi Taḥqīq Al-Qiyās 'Inda Ulama Al-Uṣul*. Tabqan Lil Qawanin Al-Malakiah Al-Fikriah, pg. 229.

Ashā'irah in theology and al-Shāfi'iyyah in jurisprudence. Despite this, why did he attempt to introduce a different definitional approach from the majority of *Usul Fiqh* scholars?

Did his definition open the door to other explanations, or did it close it? In this context, Al-Imam al-Shayrāzī also elaborated that the opinion regarding 'illah as a characteristic that necessitates a ruling is contrary to the view held by the majority of *Usul Fiqh* scholars. This indicates that al-Ghazālī's approach, while distinct, may have sought to provide a nuanced understanding or to address specific theological concerns. His perspective did not align with the consensus but rather offered an alternative viewpoint that, while not widely adopted, still contributes to the broader discourse on 'illah in Islamic jurisprudence. This issue arises from the articulation that if 'illah necessitates a ruling, then it would not exist in its current form. Moreover, the concept of necessitating in this context is not the same as what is discussed in the context of 'illah in rational rulings.

The majority (*jumhūr*) also argue that 'illah existed before the Sharia was revealed, and therefore, it does not necessitate a ruling. The contradiction lies in the fact that al-Imam al-Ghazālī's approach actually aligns with the same principles upheld by the majority of *Usul Fiqh* scholars (*jumhur*). This is because he also defines 'illah in a manner consistent with the foundation laid by the *jumhur*. This approach can be founded in one of the magnum opus in *Usul Fiqh* which is *al-Mustasfā*.⁹ He explains that 'illah, or what is termed as *manāṭ al-ḥukm*, is a singular entity. This aligns with the approach brought by the majority of *Usul Fiqh* scholars (*jumhur*), who hold that 'illah functions as a sign ('*alāmah*) to determine and identify a ruling. It is clear, therefore, that the definition provided by al-Imam al-Ghazālī does not contradict the views of the majority of *Usul Fiqh* scholars.

However, the assertion made by al-Imam al-Shayrāzī regarding a potential contradiction with what al-Imam al-Ghazālī stated does indeed have merit. This is because, while al-Imam al-Ghazālī did define 'illah as previously explained, he did so not in his magnum opus *al-Mustasfā*, but rather in his other significant work, *Shifā al-Ghalīl*. In this work, al-Ghazālī clarifies that his intention was to complete and refine his earlier work, *al-Mankhūl min Ta'līq al-Uṣūl*, which was based on the teachings of his esteemed mentor, al-Imam al-Juwaynī. In *Shifā al-Ghalīl*, al-Ghazālī further elaborates on the differing opinions that had been previously discussed by al-Qāḍī Abū Zaid al-Dabbūsī. The opinions of al-Qāḍī is about the based on the principles of Mu'tazilah when discussing the nature of good and evil in terms of rational judgment but he came up with different perspective. Many of al-Qāḍī's assertions were overlooked or dismissed due to the controversy sparked. Therefore, al-Ghazālī's analysis serves as a guiding light, illuminating the complexities and disagreements that surrounded these issues.¹⁰ In essence, while al-Ghazālī's approach in *al-Mustasfā* may seem aligned with the majority (*jumhūr*), his treatment of 'illah in *Shifā al-Ghalīl* reflects a more nuanced and perhaps divergent view. This difference highlights the intricate and evolving nature of *Usul Fiqh*, where scholars like al-Ghazālī sought to reconcile various perspectives while building upon the foundational principles taught by their predecessors.

The direction al-Imam al-Ghazālī aimed to demonstrate does not entirely contradict what the majority (*jumhūr*) articulated regarding the concept of 'illah. Rather, it serves as an additional clarification to the definition of 'illah, aligning it with the principle that, while 'illah may not inherently produce effects by itself, it does so through the determination of Shari'ah. The differences that have been perceived, as previously claimed, are merely in the manner of realizing the definition of 'illah in terms of its expression, not its meaning.

⁹ Al-Ghazālī, Muhammad Bin Muhammad. (1993). *Al-Mustasfā*. Dar Al-Kutub Al-Islamiah, pg. 281.

¹⁰ Al-Ghazālī, Muhammad Bin Muhammad. (2008). *Shifā Al-Ghalīl Fi Bayāni Al-Shibhi Wa Al-Mukhīli Wa Masalik Al-'Illah*. Beirut, Maktabah Al-Asriyyah, pg. 17.

There is no issue in attributing the characteristic of obligation to *'illah*, as the discussion revolves around different aspects—one from the perspective of rational judgment (*ḥukm al-'aqli*) and the other from the perspective of Shari'ah (*ḥukm al-shar'ī*). The Mu'tazilah's view, on the other hand, merges these two distinct aspects into a single perspective, which is the root of the divergence and the ensuing conflict.

This nuanced interpretation highlights that the disagreements are not about the essence of *'illah* itself, but rather about the methodology used to define and apply it within different legal and theological frameworks. Al-Ghazālī's approach thus seeks to bridge these interpretations, offering a comprehensive understanding that respects the boundaries between rational and Shari'ah-based reasoning while acknowledging the unique role that *'illah* plays in each.

CONCLUSION

Through the explanation of terminology from the Arabic language, and then transitioning to the scholars' terminology, there is an important relationship that needs to be clarified. This action is necessary because the carefully discussed definitions have certain significant benefits. The strong connection between the Arabic language and religious terminology cannot be overlooked. Al-Imam al-Bājūrī, in his commentary, stated that there is a continuity between the meaning from the perspective of Sharia (terminology) and the original meaning from the perspective of language. Each root meaning in the Arabic language influences how Sharia terminology is understood and applied.¹¹ In other words, the terms used by scholars in the field of Usul al-Fiqh and other religious sciences are not separate from their original meanings in the Arabic language. In fact, a deep understanding of these linguistic meanings is essential to grasp the concepts of Sharia more accurately and comprehensively. This is because, in many cases, the meaning of a term in the context of Sharia is directly taken from or adapted from its original meaning in the Arabic language. Therefore, a precise understanding of the Arabic language is a crucial foundation in understanding and developing the sciences of Sharia.

The summary that can be drawn from the Arabic linguistic definitions can be divided into three aspects as discussed above. **Firstly**, *'illah* carries the meaning of the repetition of an action. Scholars have taken this linguistic meaning and constructed it into a technical term, implying that *'illah* consistently causes the repetition of the process of deriving legal rulings (*istinbāt*) for various actions based on the similarity in the *'illah*. This has sparked the application of *qiyās* (analogical reasoning) to new actions that do not have explicit support from the Qur'an and Hadith but share the same *'illah*. **Secondly**, *'illah* means a barrier to a particular condition. Scholars emphasize this term in alignment with its linguistic exposition, where *'illah* impacts the legal ruling. When *'illah* is used with a connotation of being a barrier, it aligns with the terminology in the sense that when a ruling is derived through *istinbāt* and *'illah* is applied, it effectively prevents the ruling from being challenged or reconsidered from another perspective. This understanding of *'illah* as a barrier means that once a specific *'illah* is established in a legal ruling, it serves as a definitive criterion that restricts or excludes alternative interpretations or rulings. This aspect of *'illah* helps in solidifying the legal decision-making process by ensuring that the ruling remains consistent and is not easily altered by other potential arguments or reasons. **Thirdly**, *'illah* is connoted as something that indicates weakness or effect. Scholars approach this concept as a sign. For example, illness serves as a sign for a patient and indicates the effects of that illness. Similarly, *'illah* acts as a sign for a legal ruling and impacts the ruling.

Additionally, the conclusion regarding the definition of *'illah* from an *istīlah* of Usul Fiqh (terminological) perspective is that it should be selected from three major terms that serve as landmarks for the use of *'illah* in the process of *istinbāt*. However, the conclusion that can be drawn is to combine several terms to meet the criteria established, particularly

¹¹ Al-Bājūrī, Ibrahim Bin Muhammad Bin Ahmad. (2013). *Ḥāshiyah Al-Bājūrī 'Ala Fath Al-Qārīb*. Dar Al-Hadīs, Vol. 1, Chapter Zakat, pg 574.

those in the field of logic (*Mantiq*). Thus, 'illah is a term that defines a ruling on *al-far'* (one of the pillars of *qiyās*) from the elements of *qiyās*, requires the ruling to be established by Sharia, and triggers changes and effects on the ruling. Therefore, this term represents a synthesis of the views of the majority of Usul al-Fiqh scholars, along with their commentaries, to refine and perfect the term and exclude unrelated subjects. This definition is derived from theories presented by scholars. Consequently, the researcher believes that this definition is the most accurate based on the analysis conducted.

The simplified definition of 'illah, derived from the complex and high-level Arabic *turath*, can serve as a crucial guide for future research on this concept. By demystifying the intricate scholarly discussions and making them more accessible, researchers can bridge the gap between classical Islamic jurisprudence and contemporary understanding. This endeavor preserves the methodology (*manhaj*) of *Usul Fiqh* that has been passed down through generations. Such preservation is essential not only for maintaining the integrity of Islamic legal theory but also for ensuring its relevance and adaptability in modern contexts. Furthermore, aligning this effort with the recommendations of scholars such as Sheikh Abdallah Bin Bayyah reinforces the significance of reviving and integrating *ta'lil* within the framework of *mizan al-ta'lil* (the balance of reasoning). Bayyah's call to return to these foundational principles encourages the continued use of rational legal analysis and safeguards Shariah against subjective or self-serving interpretations. By revisiting and emphasizing the established methodologies of *Usul al-Fiqh*, researchers can ensure that Shariah rulings remain grounded in objective, well-established principles that align with both traditional scholarship and the dynamic needs of modern society.

To sum up, this redefined understanding of 'illah can serve as a blueprint for further research, bridging the scholarly legacy with modern needs and promoting a more profound, structured study. This not only preserves the rich heritage of Islamic jurisprudence but also upholds Shariah against interpretations driven by personal inclinations (*nafs*). By returning to and reinforcing the established methodologies of *Usul al-Fiqh*, scholars can foster research that secures the rightful application of Shariah principles and aligns with a legacy committed to justice and wisdom.

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