

Ethical-Oriented Ijtihad: A Framework for the Influence of Ethical Teachings on Jurisprudential Inference

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Abstracts

Abstract

In contemporary times, due to the close relationship between Islamic jurisprudence (fiqh) and ethics, scholars have increasingly focused on how these two disciplines influence one another. This study introduces a new framework, termed "Ethical-Oriented Ijtihad," which explores the impact of ethical teachings on the derivation of Islamic legal rulings. Ethical-oriented ijthad emphasizes not only the outward behavior but also the inner virtues and moral character of individuals in the process of jurisprudential inference. In this approach, the ultimate goal of fiqh is the attainment of human well-being and happiness, rather than merely identifying binding evidence (hujjah). This framework requires jurists to adhere to the broader principles of rational ethics, professional ethics in ijthad, and belief ethics in jurisprudence. It encourages jurists to explore new ethical dimensions in fiqh-related issues, reevaluate traditional subjects with a deeper anthropological perspective, and give due consideration to moral evidence and principles that are often overlooked in the process of inference. Ethical-oriented ijthad seeks to achieve greater harmony between ethical and legal rulings, resulting in jurisprudential conclusions that are defensible from a moral standpoint.

Keywords

Fiqh and Ethics, Ethical Influences, Ethical-Oriented Ijtihad, Jurisprudential Inference, Virtue Ethics.

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