

Yusuf al-Qaradawi and the Renewal of Islamic Legal Reasoning: Reconstructing a Contemporary Framework of Ijtihād for Emerging Muslim Contexts

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Abstract

Purpose - The accelerating transformation of Muslim societies has generated complex legal and ethical questions that classical juristic formulations did not directly anticipate, creating ongoing debates between textualist and reformist approaches to Islamic legal renewal. Yusuf al-Qaradawi (1926–2022) represents one of the most influential modern jurists who sought to bridge these orientations; however, previous scholarship has often examined his ideas as fragmented positions rather than as an integrated methodological framework. This study aims to reconstruct al-Qaradawi's methodology of contemporary *ijtihād* and evaluate its explanatory capacity and limitations in addressing emerging Muslim contexts.

Design/Methodology/Approach - This study employed a qualitative library research design based on a purposively selected corpus of eight primary Arabic works by al-Qaradawi concerning *ijtihād*, *uṣūl al-fiqh*, *maqāṣid al-sharī'ah*, priorities, and *jihād*, complemented by twenty-four secondary studies. Data were analysed through thematic content analysis and conceptual reconstruction, supported by source triangulation and interpretive cross-validation to ensure methodological consistency.

Findings - The study identifies five interconnected dimensions underlying al-Qaradawi's contemporary *ijtihād* framework: (1) textual fidelity grounded in the Qur'an, Sunnah, and *uṣūl al-fiqh*; (2) contextual diagnosis through *fiqh al-wāqī'*; (3) purposive reasoning through *maqāṣid al-sharī'ah* while remaining subordinate to authoritative texts; (4) consequence evaluation through *fiqh al-ma'ālāt*; and (5) collective *ijtihād* as an epistemic mechanism. A critical examination of several contested rulings demonstrates that the framework provides a strong contextual-integrative approach, yet its primary limitation lies in the absence of a clearly specified procedure for resolving tensions between *maqāṣid*-based considerations and particular textual evidence.

Originality/Value - This study contributes to Islamic legal theory by transforming al-Qaradawi's dispersed juristic writings into a structured and testable five-dimensional methodological framework. Rather than evaluating his contribution solely as a doctrinal position, the study demonstrates its procedural significance and identifies both its operational strengths and unresolved tensions. The proposed framework provides an auditable analytical model for fatwa institutions, Islamic legal education, and future research on contemporary Islamic law, particularly in addressing complex issues where textual authority, contextual realities, and public benefit must be simultaneously considered.

Keywords: Contemporary Ijtihād; Fiqh al-Ma'ālāt; Fiqh al-Wāqī'; Maqāṣid al-Sharī'ah; Yusuf al-Qaradawi

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I. INTRODUCTION

The transformation of contemporary Muslim societies has generated legal and ethical questions that conventional juristic formulations were never designed to answer. Digital financial instruments, generative artificial intelligence, genome editing, environmental collapse, large-scale migration, and the reconfiguration of religious authority online each present problems whose factual structure differs fundamentally from the circumstances in which classical rulings were produced (Harefa, 2025; Muntazar & Soberi, 2026). The consequence is practical rather than merely theoretical: fatwa councils, Islamic financial institutions, and Muslim minority communities require rulings on matters for which neither explicit textual evidence nor a settled juristic

precedent exists (Bano, 2023; Caeiro, 2010). The question facing Islamic legal scholarship is therefore not whether *ijtihād* should continue, but by what method it can proceed without either collapsing into unconstrained reinterpretation or freezing into literal repetition (Bambang, 2024; Lubis, 2022).

Modern Islamic legal thought has answered that question along a familiar fault line. Textualist positions prioritise fidelity to established interpretations and treat contextual argument with suspicion; reformist positions foreground *maqāṣid al-sharīʿah* and contextualisation, and are in turn suspected of subordinating revelation to social preference (Azwarfajri et al., 2025; Fanani et al., 2024). Yusuf al-Qaradawi (1926–2022) occupies an unusual position in relation to this division, because his corpus explicitly refuses both poles. He framed renewal (*tajdīd*) not as departure from the juristic tradition but as the reactivation of its own methodological resources, and he defended that position across five decades of writing on *uṣūl al-fiqh*, *maqāṣid*, priorities, minority jurisprudence, and the law of war (*al-Qaraḍāwī*, 1985, 1994, 1998, 2006).

The scholarly literature on al-Qaradawi is substantial but methodologically fragmented. The standard international reference works read him primarily as a social and political phenomenon: Gräf and Skovgaard-Petersen (2009) situate him as a transnational media authority, Polka (2019) reconstructs him as the intellectual centre of *wasatī* Salafism, and Warren (2021) analyses the post-2013 contestation of his authority in the Gulf. These works illuminate the conditions of his influence, but they treat his legal method as context rather than object. A second body of scholarship isolates single components. Hassan (2023) offers the most rigorous available critique of his *fiqh al-awlawiyyāt*, Mohamed (2025) examines his criminal-law reasoning within the modern state, Al-Bashir (2025) traces his terminology of renewal, Asror et al. (2023) address minority jurisprudence, Aziz et al. (2024) his *zakat* and taxation theory, and Faizah et al. (2026) a single question of family law. A third strand describes his thought in general terms without disaggregating its method (Hidayat & Rosele, 2024; Syahdan et al., 2026; Qomariya, 2025). Table 1 synthesises this distribution.

Table 1. Distribution of existing scholarship on al-Qaradawi and the residual knowledge gap

Strand	Representative studies	Analytical focus	Unaddressed
Sociopolitical authority	Gräf & Skovgaard-Petersen (2009); Polka (2019); Warren (2021)	Media authority, <i>wasatīyyah</i> , Gulf contestation	Internal structure of the legal method
Single-component analysis	Hassan (2023); Mohamed (2025); Al-Bashir (2025); Asror et al. (2023); Aziz et al. (2024); Faizah et al. (2026)	Priorities, criminal law, terminology, minority <i>fiqh</i> , <i>zakat</i> , family law	How components interact
General description	Hidayat & Rosele (2024); Syahdan et al. (2026); Qomariya (2025)	Overview of moderate <i>fiqh</i> and renewal	Disaggregation and critical testing

Source: authors' synthesis of the reviewed literature

Two gaps follow. First, no study reconstructs the relations among textual authority, contextual analysis, *maqāṣid*, consequences, and collective reasoning as a single operating architecture; the components are described in isolation, which leaves al-Qaradawi legible as a collection of positions rather than as a method. Second, and more consequentially, the descriptive literature does not test his method against his own most contested rulings. A framework that is only ever illustrated by its successes has not been evaluated. This study addresses both gaps.

Conceptually, the reconstruction is situated within the *maqāṣid* tradition that runs from al-Shāṭibī (2003), who subordinated particular rulings to the demonstrable purposes of the law, through Ibn 'Āshūr (2001), who rendered those purposes an independent object of juristic inquiry, to Auda (2008), who reformulated them as an interdependent system rather than a hierarchy. That trajectory is read against the *uṣūl*-based caution articulated by Kamali (1996) concerning the evidentiary discipline of purposive reasoning, and against Hallaq's (2009) account of the institutional rupture that separated modern legal reasoning from the epistemic community that once constrained it. Al-Qaradawi's method is analysed here as an attempt to hold the purposive and the evidentiary together after that rupture.

The study accordingly asks: (1) what methodological principles constitute al-Qaradawi's conception of contemporary *ijtihād*, and how are they related to one another; and (2) where does the resulting framework hold, and where does it fail, when applied to emerging legal and ethical problems? Its objectives were to reconstruct the framework from primary sources, to formalise the

relations among its components, and to subject it to a critical stress test using al-Qaradawi's own contested rulings.

II. METHOD

Research Design

A qualitative library research design was employed, operationalised as document analysis and conceptual reconstruction rather than empirical investigation (Novitasari & Saidah, 2025). The design was selected because the research object was a body of written juristic reasoning, and because the aim was to identify and formalise the logical relations among concepts distributed across that body rather than to measure behaviour or attitudes. Two analytical registers were kept deliberately separate throughout: descriptive reconstruction of what al-Qaradawi argued, and normative evaluation of whether those arguments cohere.

Setting and corpus

The setting was the documentary corpus of al-Qaradawi's Arabic-language juristic writing, produced largely in Cairo and Doha between 1985 and 2009, together with the international and Indonesian scholarship that interprets it. Primary data consisted of eight works selected for their explicit methodological content: *Al-Ijtihād fī al-Sharī'ah al-Islāmiyyah* (1985), *Al-Ijtihād al-Mu'āṣir bayn al-Indibāt wa al-Infirāt* (1994), *Min Fiqh al-Dawlah fī al-Islām* (1997), *Al-Fiqh al-Islāmī bayn al-Aṣālah wa al-Tajdīd* (1998), *Kayfa Nata'āmal ma'a al-Sunnah al-Nabawiyyah* (2002), *Fiqh al-Awlawiyyāt* (2001a), *Fiqh al-Aqalliyyāt al-Muslimah* (2001b), and *Fiqh al-Jihād* (2009). Secondary data comprised twenty-four peer-reviewed articles and scholarly monographs.

The corpus was treated as internally periodised rather than as a single synchronic body. The works of the 1980s and 1990s establish the evidentiary boundaries of *ijtihād*; those of the early 2000s develop purposive and minority-oriented reasoning as Muslim communities in the West became a sustained concern (al-Qaradāwī, 2001b); and *Fiqh al-Jihād* (2009) represents his most extended application of consequential reasoning near the end of his productive career. Since al-Qaradawi died in September 2022, the corpus is closed, which permits reconstruction of the method as a completed body of work rather than a developing position. Shifts of emphasis across these periods were recorded as such and are reported where they bear on the reconstruction.

Sampling strategy

Purposive sampling with explicit inclusion criteria was applied. A primary work was included if it contained sustained second-order reflection on legal method rather than first-order rulings alone; collections of *fatāwā* were therefore excluded from the primary corpus and used only in the stress test. Secondary sources were retrieved from Scopus, Web of Science, Brill, JSTOR, and Sinta-indexed Indonesian journals using the search terms "al-Qaradawi", "contemporary *ijtihād*", "*fiqh al-waqi*", "*fiqh al-ma'alat*", "*maqasid al-shariah*", and "collective *ijtihād*", and were included if they engaged al-Qaradawi's method rather than citing him in passing. Fifty-one records were screened; twenty-four were retained.

Data collection and analysis

Passages bearing on legal method were extracted verbatim, recorded with bibliographic and page references, and coded in three cycles: open coding by methodological function, categorisation into analytical dimensions, and axial coding of the relations between dimensions. Thematic content analysis identified recurrent concepts; conceptual reconstruction then formalised their interdependence into a single framework. Credibility was addressed through source triangulation across primary works, independent scholarly interpretation, and critical studies, with divergent readings retained rather than discarded (Meydan & Akkas, 2024). A negative-case procedure was added: rulings that appeared to contradict the reconstructed framework were sought deliberately and analysed rather than set aside.

III. RESULT AND DISCUSSION

Result

The corpus yielded five methodological dimensions and one structural finding concerning their interaction. Each dimension is reported below with its primary textual anchor.

Textual fidelity as the epistemological floor

Al-Qaradawi (1994) frames contemporary *ijtihād* as bounded on two sides at once, by *indibāt* (discipline) and *infirāt* (dissolution), and the title of that work encodes the entire claim: *ijtihād* that abandons evidentiary constraint ceases to be *ijtihād*. The Qur'an and Sunnah function as primary normative references and *uṣūl al-fiqh* supplies the interpretive instruments (al-

Qaraḍāwī, 1985). The corpus specifies where flexibility is licensed: in the interpretation of *ẓannī* rather than *qatʿī* evidence, and in circumstances unaddressed by existing precedent (al-Qaraḍāwī, 1998). His treatment of hadith is the clearest instance, distinguishing between the permanent legal content of a report and the historically contingent circumstance of its utterance, which permits reinterpretation of application without impeaching authenticity (al-Qaraḍāwī, 2002, [p. —]). Renewal in this register is not innovation against the tradition but the reactivation of instruments the tradition already contains (Al-Bashir, 2025).

Fiqh al-wāqīʿ as diagnostic requirement

The second dimension converts knowledge of reality from a virtue into a procedural condition. Al-Qaraḍāwī (1985) treats accurate understanding of the situation to which a ruling will apply as a prerequisite of valid *ijtihād*, not an optional refinement, and Min Fiqh al-Dawlah extends this to the political and institutional order within which rulings now operate (al-Qaraḍāwī, 1997). The practical implication recovered from the corpus is a division of labour: the jurist is not required to be an economist or a geneticist, but is required to obtain reliable characterisation of the problem before ruling on it. This is what blocks the mechanical transfer of a historically situated formulation to a materially different case (Fanani et al., 2024; Harefa, 2025). Fiqh al-wāqīʿ therefore does not displace textual reasoning; it determines which textual reasoning is applicable.

Maqāṣid al-sharīʿah as bounded orientation

The third dimension is the most methodologically delicate, and al-Qaraḍāwī's own subtitle states the problem exactly: *Dirāsah fī Fiqh Maqāṣid al-Sharīʿah* is framed as an inquiry into the relation *bayna al-maqāṣid al-kullīyyah wa al-nuṣūṣ al-juzʿīyyah*, between universal purposes and particular texts (al-Qaraḍāwī, 2006). The analysis found that *maqāṣid* performs two functions in his method: it supplies the interpretive rationale of existing prescriptions, and it serves as a test of whether a proposed interpretation remains consistent with the law's ends. Crucially, al-Qaraḍāwī refuses the proposition that universal purposes may routinely override particular texts, positioning himself against the *maqāṣid* maximalism that Auda (2008) later systematised and closer to the evidentiary caution of Kamali (1996). What the corpus does not supply, however, is a decision procedure for the cases in which the two genuinely conflict, an omission examined in the Discussion.

Fiqh al-maʿālāt as consequential assessment

The fourth dimension holds that a ruling is evaluated not only by its derivation but by what its implementation produces. Fiqh al-Awlawiyyāt supplies the operative logic, ordering competing goods and harms rather than treating them as a flat set (al-Qaraḍāwī, 2001a), and Fiqh al-Jihād applies consequential reasoning to the hardest available subject matter (al-Qaraḍāwī, 2009). Three levels of assessment were recovered from the corpus: immediate effects of the ruling, social effects on communities and relationships, and long-term effects on the sustainability of the ruling itself. Hassan (2023) demonstrates that the priority calculus is less determinate than al-Qaraḍāwī claims, since the ranking of goods is itself contested. The dimension nonetheless gives the method a preventive character: formal legitimacy does not settle the question when implementation generates preponderant harm.

Collective *ijtihād* as epistemic mechanism

The fifth dimension responds to a structural condition rather than a doctrinal one. Al-Qaraḍāwī (1994, 1998) argues that the factual complexity of modern questions exceeds what individual juristic training can supply, and therefore that *ijtihād jamāʿī* conducted through councils and academies is the appropriate contemporary form. The analysis identifies this as an epistemic division of labour: jurists retain normative authority over the ruling, while specialists supply the empirical characterisation on which the ruling depends. Read against Hallaq (2009), the move is best understood as an attempt to reconstitute institutionally the collective competence that the dissolution of the classical *madhhab* system removed. Caeiro (2010) shows the mechanism functioning in practice, and also its limits, in the European Council for Fatwa and Research.

The integrated framework and its internal ordering

The structural finding is that these dimensions are not a checklist but a set of ordered constraints in which each stage conditions the next while remaining open to revision by later stages. Table 2 sets out the function and primary anchor of each dimension; Figure 1 renders their interaction.

Table 2. The five dimensions of al-Qaradawi's contemporary ijtihād and their primary textual anchors.

Dimension	Methodological function	Constraint imposed	Primary anchor
Textual fidelity	Establishes normative authority	Bounds the admissible range of rulings	al-Qaraḍāwī (1985, 1994)
Fiqh al-wāqīʿ	Diagnoses the actual case	Blocks application of ill-fitting precedent	al-Qaraḍāwī (1985, 1997)
Maqāṣid al-sharīʿah	Orients interpretation toward the law's ends	Filters interpretations that defeat those ends	al-Qaraḍāwī (2006)
Fiqh al-maʿālāt	Evaluates projected outcomes	Suspends rulings producing preponderant harm	al-Qaraḍāwī (2001a, 2009)
Collective ijtihād	Integrates specialised knowledge	Conditions validity on adequate factual input	al-Qaraḍāwī (1994, 1998)

Source: authors' reconstruction from the primary corpus

Figure 1. The contextual-integrative model of contemporary ijtihad
Normative Sources → Contextual Diagnosis → Maqāṣid Deliberation → Consequential Assessment → Collective Reasoning → Contextually Appropriate Legal Judgment

(feedback loops: each stage may return the process to any prior stage)

Source: authors' reconstruction. Note: the sequence expresses conditional dependence, not chronological procedure.

The ordering is directional but not linear. Revised factual information can reopen the initial interpretation; consequential assessment can force a return to maqāṣid; interdisciplinary input can reclassify the problem altogether. The framework is therefore iterative, and the whole may be characterised as a contextual-integrative model: its distinctiveness lies not in any single dimension, each of which has precedent in the tradition, but in the requirement that all five operate simultaneously and mutually constrain one another (Hidayat & Rosele, 2024; Syahdan et al., 2026).

Discussion

Key findings

Three findings warrant discussion. Al-Qaradawi's contemporary ijtihād operates as an integrated architecture of five mutually constraining dimensions rather than a set of separable commitments. Its contribution is procedural rather than doctrinal: it specifies how a ruling should be reached, not what rulings should be. And it contains one identifiable structural weakness, namely the absence of a decision procedure for conflict between universal purposes and particular texts.

Discussion of key findings

The first finding revises how the existing literature reads al-Qaradawi. Where Gräf and Skovgaard-Petersen (2009) and Polka (2019) explain his authority through media reach and the wasaṭiyyah discourse, the present reconstruction locates a further source of that authority in the internal coherence of his method, which allowed him to give reasoned answers across radically heterogeneous domains. This also refines the single-component studies. Hassan (2023) is correct that fiqh al-awlawiyyāt is indeterminate taken alone, but the framework shows that priority reasoning is not meant to operate alone: it is constrained upstream by textual admissibility and by factual diagnosis. Isolating one dimension therefore overstates its indeterminacy.

The second finding, procedural rather than doctrinal contribution, is what makes the framework portable to problems al-Qaradawi never addressed. Generative artificial intelligence is illustrative: the framework does not deliver a ruling, but it does specify a sequence, that the factual behaviour of the system be established before its legal characterisation, that ḥukm not be assigned by analogy to a superficially similar instrument, that projected consequences for labour, truthfulness, and attribution be assessed, and that the deliberation be collective (Muntazar & Soberi, 2026). The same holds for digital finance and biomedical questions (Aziz et al., 2024; Faizah et al., 2026). The framework's utility is auditable procedure, which is precisely what unstructured fatwa production lacks.

The third finding requires testing the framework against al-Qaradawi's own contested positions, a step the existing descriptive literature avoids. Three cases are instructive. His qualified

endorsement of Palestinian martyrdom operations, later reworked at length in *Fiqh al-Jihād* (2009), can be read as consequential reasoning under conditions of asymmetric conflict, but the case exposes how far *fiqh al-ma'ālāt* can be stretched when the projection of consequences is contested and the protection of life is itself a *maqṣad*; Hassan's (2023) objection to the determinacy of priority reasoning bites hardest here. His rulings on gender and family questions show the opposite failure mode, where *fiqh al-wāqī'* was applied unevenly and social change was accorded less diagnostic weight than in his economic reasoning. And the post-2013 contestation of his authority in the Gulf documented by Warren (2021) demonstrates that collective *ijtihād* does not insulate legal reasoning from political determination, since the composition of the deliberating body is itself politically produced. Taken together, these cases do not refute the framework; they locate its failure point. Where the five dimensions conflict, al-Qaradawi supplies no ordering rule, and the outcome consequently tracks the jurist's prior commitments. That is a real limitation of the method, and naming it is more useful than defending against it.

The ordering problem deserves precise statement, because it is the study's sharpest analytical result. Al-Qaradawi commits to two propositions that cannot both hold without a tie-breaking rule: that universal purposes must inform the reading of particular texts, and that particular texts constrain appeals to universal purposes (al-Qaraḍāwī, 2006). In the ordinary case the two converge and the question does not arise. In the hard case, where a text's apparent application defeats a purpose the same law elsewhere protects, the corpus offers dispositional guidance, moderation and caution, but no criterion. Auda (2008) resolves this by treating purposes as systemic and therefore prior; Kamali (1996) resolves it in the opposite direction by tightening evidentiary discipline. Al-Qaradawi declines both resolutions, and the resulting indeterminacy is what permits the divergence observed across his own rulings. Naming the gap converts a latent inconsistency into a specifiable research problem.

This diagnosis also positions the framework within the wider debate. The problem it exposes is Hallaq's (2009): once the epistemic community that disciplined juristic reasoning has been dissolved, no methodology can by itself supply the constraint that community provided. Al-Qaradawi's answer, institutionalised collective *ijtihād*, is the right shape of answer, but Caeiro (2010) shows that councils reproduce rather than resolve questions of authority. The framework is thus best understood as a necessary but insufficient condition for disciplined contemporary *ijtihād*.

Strengths and limitations

The design's principal strength is that reconstruction was performed on primary Arabic sources with explicit inclusion criteria and triangulated against independent interpretation, and that a negative-case procedure was built into the analysis rather than appended to it. Four limitations bound the findings. First, the corpus was restricted to eight methodological works; al-Qaradawi's *fatwā* collections and television output, where method is enacted rather than stated, were not systematically analysed, and a fuller account would compare stated method with applied method across a large *fatwā* sample. Second, reconstruction is interpretive, and a coherence that the analyst imposes cannot be wholly distinguished from one the author intended; the separation of descriptive and normative registers mitigates but does not eliminate this. Third, the stress test rests on three cases selected for their difficulty, which establishes that the framework can fail but not how often it does. Fourth, the reconstruction is conceptual and has not been applied prospectively to a live legal question, so its practical adequacy remains untested. Readers should therefore treat the framework as an analytical instrument rather than a validated procedure.

Implications and recommendations

For fatwa institutions, the framework implies an auditable deliberation record: the factual basis relied upon, the *maqāṣid* invoked, the consequences projected, and the expertise consulted should each be documented as distinct steps, which would make reasoning contestable on method rather than on authority alone. For Islamic legal education, it implies that textual competence must be taught alongside contextual literacy and structured consequential reasoning rather than after them. For scholarship, three questions follow directly from the limitations above. A large-sample analysis of al-Qaradawi's *fatāwā* should test whether his applied reasoning matches his stated method. Comparative work should set this framework against Auda's (2008) systems approach and contextualist alternatives to establish which handles *maqāṣid*-text conflict better. And the ordering problem identified here should be addressed directly, since specifying how conflicts among the five dimensions are to be adjudicated is the most consequential unfinished task in this line of inquiry.

IV. CONCLUSION

This study set out to reconstruct al-Qaradawi's methodology of contemporary *ijtihād* and to establish where it holds and where it fails. Both objectives were met. The reconstruction identified five mutually constraining dimensions, textual fidelity, *fiqh al-wāqī'*, *maqāsid al-sharī'ah*, *fiqh al-ma'ālāt*, and collective *ijtihād*, and formalised their conditional ordering as a contextual-integrative model. The finding that matters is not the enumeration but the constraint structure: each dimension limits the others, which is what distinguishes the model from both textualist and *maqāsid*-maximalist alternatives.

The stress test established the framework's boundary. Applied to al-Qaradawi's own contested rulings on political violence, gender, and institutional authority, the model explains how those positions were reached but cannot adjudicate them, because it supplies no rule for ordering its dimensions when they conflict. This is the specific respect in which the answer to the second research question is negative, and it is the finding with the greatest consequence for practice: institutions adopting such a procedure must supply the ordering rule that the method itself leaves open.

Al-Qaradawi's enduring significance therefore lies in method rather than in doctrine, and in having posed the problem of disciplined renewal more precisely than he solved it. Work is currently under way by the present authors on a large-sample analysis of his published *fatāwā* to test stated against applied method. Two further lines are recommended: comparative evaluation against systems-oriented and contextualist approaches, and the formal specification of a conflict-ordering rule for the five dimensions.

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