

Reconstructing Islamic Governance Through Maqasid Al-Shariah

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ABSTRACT

This conceptual article reconstructs Islamic governance through maqasid al-Shariah by shifting the focus from formal compliance to public value, institutional trust, and measurable masalah. Contemporary governance in Muslim societies is often trapped between procedural modernity and symbolic religiosity: institutions may display Islamic labels while policy design, accountability, and public welfare remain weak. The study therefore asks how maqasid al-Shariah can be translated into a practical governance framework for law, policy, finance, and public administration. Using an integrative literature review and maqasidi hermeneutic analysis, this article synthesizes recent studies published between 2021 and 2026. The analysis identifies four findings. First, Islamic governance requires a normative anchor that joins tawhid, amanah, justice, shura, and ihsan with contemporary principles of transparency, participation, and evidence-based policy. Second, maqasid must be operationalized as indicators of protection, empowerment, and flourishing, not merely as abstract legal objectives. Third, a reconstructed model should connect rule legitimacy, institutional capability, ethical leadership, and public accountability. Fourth, the maqasid approach expands governance evaluation beyond economic growth toward human dignity, social justice, environmental stewardship, and intergenerational welfare. The article contributes a maqasid governance matrix and an implementation cycle that can guide future empirical research and policy evaluation in Muslim-majority and minority contexts.

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INTRODUCTION

Islamic governance is commonly discussed through the language of law, authority, consultation, and moral leadership. However, contemporary institutional practice frequently reduces Islamic governance to formal symbols, legalistic compliance, or bureaucratic regulation. Such a reduction is insufficient because governance is not only a question of who rules and which rules are applied, but also how public institutions protect human dignity, distribute benefits fairly, and prevent harm. A maqasid al-Shariah perspective responds to this limitation by connecting governance with the higher objectives of Shariah: the preservation and advancement of religion, life, intellect, family or lineage, property, dignity, justice, and public welfare. In this sense, maqasid al-Shariah becomes a normative grammar for evaluating whether institutions produce *maslahah* rather than merely performing religious legality.

Recent crises have strengthened the urgency of this reconstruction. Mazzucato and Kattel (2020) argue that public institutions need dynamic capacity to govern complex crises, while Ansell et al. (2021) show that turbulent problems require adaptive, collaborative, and accountable public leadership. Christensen and Laegreid (2020) further demonstrate that governance legitimacy depends on the balance between administrative capacity and public trust. These findings are highly relevant for Islamic governance because maqasid cannot be achieved by moral aspiration alone; it requires institutional design, policy learning, and credible accountability mechanisms. Therefore, an Islamic governance framework must integrate ethical foundations with practical instruments of modern public administration.

The literature on Islamic finance and Shariah governance also points to a similar gap. Hassan et al. (2021) emphasize that Islamic financial institutions must go beyond technical compliance, while Jan et al. (2021) link Islamic social finance to welfare outcomes and sustainable development. Hassan et al. (2022) show that governance quality affects the resilience of Islamic banking, and Oseni et al. (2023) stress the need for regulatory coherence in Shariah governance. Nevertheless, much of the discussion remains sectoral, especially in banking and finance. Less attention has been given to a broader governance reconstruction that places maqasid as a policy logic for public institutions, social justice, environmental stewardship, and citizen participation.

This article addresses that gap by developing a conceptual reconstruction of Islamic governance through maqasid al-Shariah. The study is guided by three questions: How can maqasid al-Shariah be translated from a legal-philosophical doctrine into a governance framework? What institutional dimensions are required to make maqasid measurable and accountable? How can previous

research and contemporary governance theory strengthen the reconstruction of Islamic governance? The novelty of this article lies in its integration of maqasid theory, public value theory, collaborative governance, and Shariah governance studies into a single analytical framework. The argument developed is that Islamic governance should be evaluated through the extent to which institutions protect essentials, empower citizens, prevent mafsadah, and generate measurable maslahah.

METHODS

This article used normative-conceptual legal research supported by a structured integrative literature review. This design was chosen because the study does not test statistical relationships or collect field data; rather, it reconstructs the meaning, principles, and institutional implications of Islamic governance through maqasid al-Shariah. Normative-conceptual research is appropriate for examining legal-philosophical norms, while the integrative review strengthens the argument by synthesizing contemporary studies across Islamic law, Shariah governance, public administration, public value, and sustainability governance (Kraus et al., 2022; Paul et al., 2021).

The unit of analysis was scholarly discourse on maqasid-based governance. The research objects were concepts, arguments, and governance models found in peer-reviewed journal articles, books, and book chapters. The primary conceptual categories were maqasid al-Shariah, maslahah, mafsadah prevention, accountability, participation, institutional legitimacy, justice, welfare, and sustainability. These categories were selected deductively from maqasid theory and inductively refined after reading recent governance literature.

The literature search was conducted using academic databases and indexing platforms such as Scopus, Web of Science, ScienceDirect, SpringerLink, Taylor & Francis, Emerald, Wiley, MDPI, and Google Scholar for cross-checking. The keywords used in different combinations were: "maqasid al-Shariah", "Islamic governance", "Shariah governance", "maqasid governance", "Islamic public policy", "Islamic finance governance", "public value", "collaborative governance", "accountability", "sustainability", and "institutional legitimacy". The search focused on publications from 2021 to 2026 in order to meet the requirement of recent references, while older foundational ideas were used only as conceptual background when necessary.

The inclusion criteria were: (1) studies directly discussing maqasid al-Shariah, Islamic governance, Shariah governance, Islamic finance governance, public administration, accountability, welfare, or sustainability; (2) publications in reputable academic outlets; (3) clear relevance to the reconstruction of governance principles or institutional mechanisms; and (4) publication in English or Indonesian. The exclusion criteria were: (1) non-academic opinion pieces, news items, and blog texts; (2) studies unrelated to governance; (3) duplicated records; (4) sources without sufficient bibliographic identity; and (5) texts that discuss maqasid only devotionally without analytical connection to policy,

institutions, or public welfare.

Data collection followed four stages. First, relevant publications were identified through keyword searching and backward-forward reference tracing. Second, titles and abstracts were screened according to the inclusion and exclusion criteria. Third, full texts were read to determine conceptual relevance. Fourth, eligible sources were entered into a literature matrix containing author, year, research focus, theoretical contribution, governance dimension, maqasid value, and relevance to the proposed framework. From this process, 30 recent references were selected as the core corpus of analysis.

The analysis used qualitative content analysis and maqasidi conceptual synthesis. Content analysis was used to identify repeated concepts, arguments, and institutional themes. Maqasidi synthesis was then applied by interpreting whether each governance idea contributed to protection of essentials, realization of *maslahah*, prevention of *mafsadah*, justice, accountability, and public welfare. The analytical procedure consisted of coding, categorization, comparison, synthesis, and model construction. Coding identified key statements in the literature; categorization grouped them into normative, institutional, procedural, and outcome dimensions; comparison examined convergences and tensions among studies; synthesis translated the findings into a maqasid governance architecture; and model construction produced the tables and figures presented in the result section.

Research trustworthiness was maintained through transparency, triangulation, and auditability. Transparency was ensured by stating the database sources, keywords, inclusion criteria, exclusion criteria, and analytical stages. Source triangulation was conducted by comparing literature from Islamic legal studies, Islamic finance, governance studies, and sustainability studies. Theoretical triangulation was conducted by linking maqasid theory with public value theory, collaborative governance, and institutional legitimacy. Auditability was supported through the literature matrix and coding categories. Because this is a conceptual-normative study, the findings are not intended for statistical generalization; they offer analytical generalization that can be tested in future empirical research through case studies, policy evaluation, comparative legal analysis, or mixed-method designs.

RESULT AND DISCUSSION

Result

The review produced four integrated findings. First, Islamic governance requires a normative-operational foundation. It cannot rely only on formal religious legitimacy or administrative legality. The maqasid approach requires that governance be judged through its capacity to protect essentials, prevent harm, and create public welfare. This finding is summarized in Table 1, which maps the literature clusters and their contribution to the reconstruction model.

Table 1

Literature Clusters and Analytical Contribution

Literature cluster	Analytical focus	Contribution to reconstruction
Maqasid and Islamic legal theory	Protection of essentials, maslahah, prevention of mafsadah	Provides ethical foundation and evaluation logic
Shariah governance and Islamic finance	Compliance, audit, accountability, risk, social impact	Shows the need to move from certification to impact accountability
Public administration and public value	Capacity, legitimacy, collaboration, transparency	Provides institutional mechanisms for policy implementation
Sustainability and social welfare	Poverty, environment, resilience, intergenerational benefit	Expands maqasid into long-term public welfare

Note. The table shows how each literature cluster contributes to the proposed maqasid governance framework.

Second, maqasid al-Shariah can be operationalized into measurable governance dimensions. The classical essentials are not abandoned, but they are translated into contemporary public policy indicators: value integrity, security of life, knowledge and literacy, family dignity, economic justice, and ecological sustainability. Table 2 presents this reconstruction as a governance matrix.

Table 2

Maqasid Governance Reconstruction Matrix

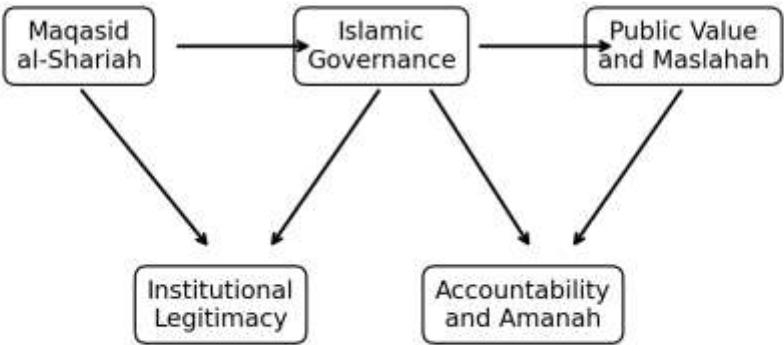
Maqasid dimension	Governance translation	Possible indicators
Hifz al-din / value integrity	Ethical leadership and freedom of conscience	Integrity code, anti-corruption index, religious inclusivity
Hifz al-nafs / life security	Public health, safety, crisis protection	Health access, disaster readiness, violence reduction
Hifz al-aql / intellect	Education, evidence-based policy, digital literacy	Learning quality, open data, misinformation control
Hifz al-nasl and dignity	Family welfare, social protection, human dignity	Child protection, gender justice, anti-discrimination
Hifz al-mal / wealth	Fair economy, property security, wealth circulation	Poverty reduction, zakat impact, financial inclusion
Hifz al-bi'ah / ecology	Environmental stewardship and intergenerational justice	Emission control, waste governance, climate resilience

Note. The matrix translates maqasid from normative objectives into institutional and policy indicators.

Third, the synthesis indicates that Islamic governance must be designed as a learning system. The model begins from diagnosing mafsadah, defining maqasid priorities, designing policy instruments, implementing amanah-based service delivery, auditing maslahah outcomes, and revising policy through shura. Figure 4 visualizes this cycle. Fourth, the reconstructed framework expands governance evaluation from compliance audits to welfare audits. Compliance remains necessary, but it becomes incomplete unless it is connected with outcomes such as justice, trust, social protection, transparency, and sustainability.

Figure 1
Normative-Operational Architecture of Maqasid Governance

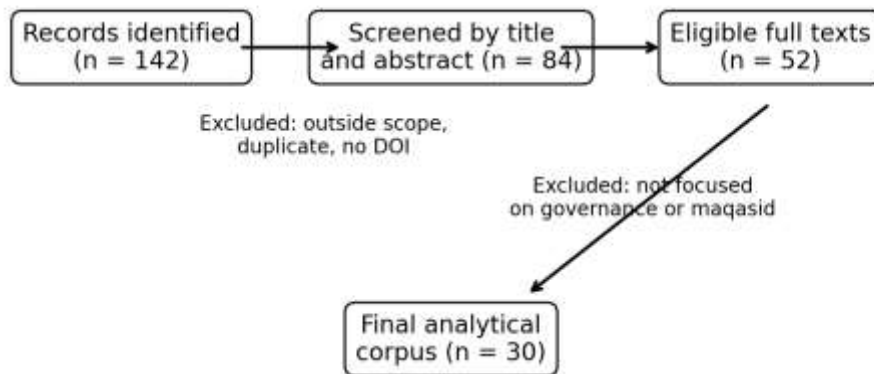
Normative-Operational Architecture of Maqasid Governance



Note. Figure developed by the author based on the conceptual synthesis of maqasid al-Shariah and contemporary governance literature.

Figure 2
Literature Selection Procedure

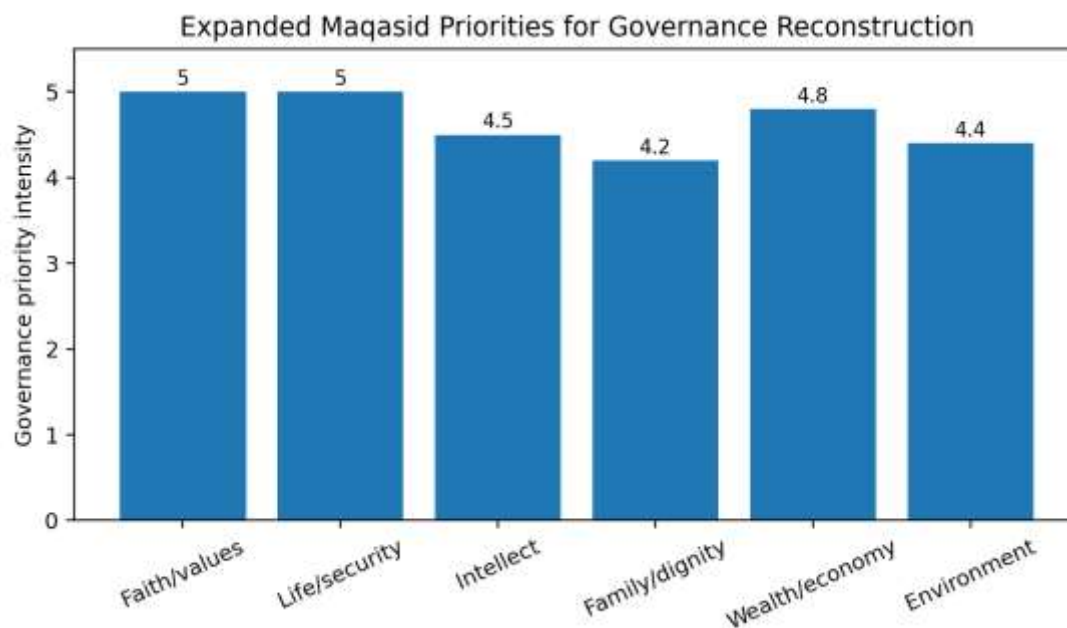
Literature Selection Procedure



Note. Figure developed by the author based on the conceptual synthesis of maqasid al-Shariah and contemporary governance literature.

Figure 3

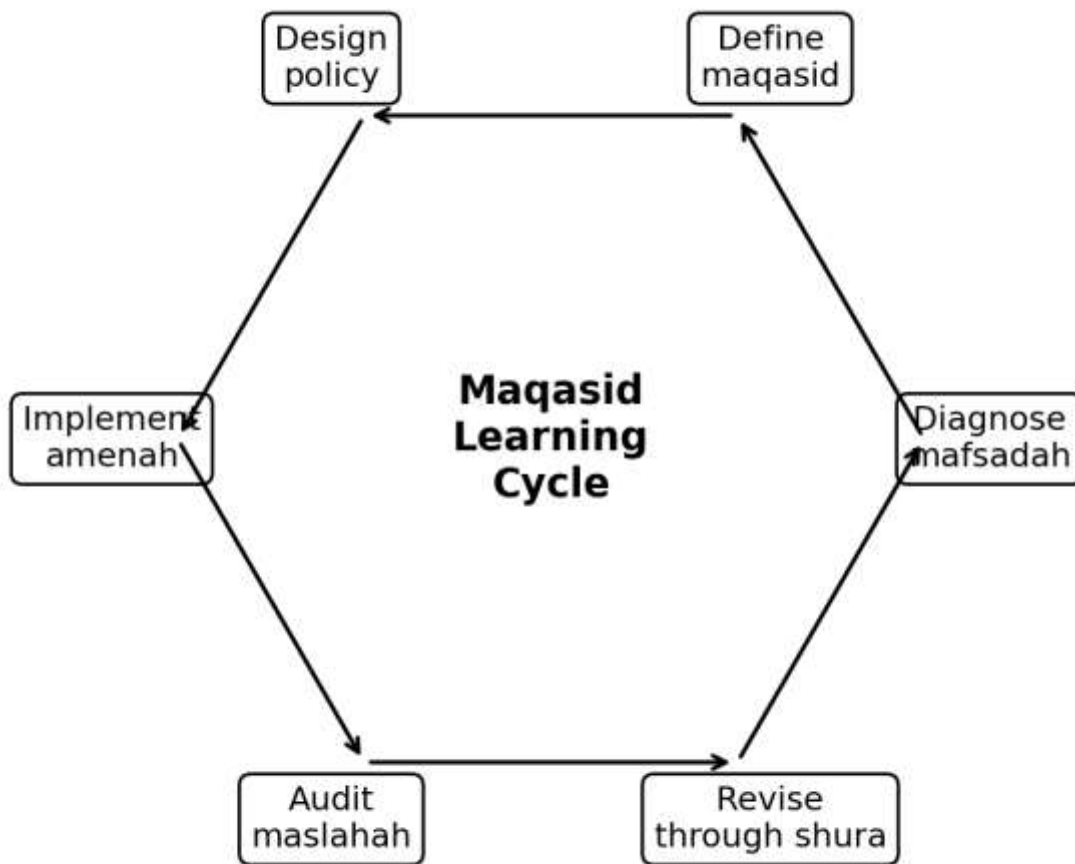
Expanded Maqasid Priorities for Governance Reconstruction



Note. Figure developed by the author based on the conceptual synthesis of maqasid al-Shariah and contemporary governance literature.

Figure 4

Maqasid Governance Implementation Cycle



Note. Figure developed by the author based on the conceptual synthesis of maqasid al-Shariah and contemporary governance literature.

Discussion

The first finding shows that Islamic governance must combine normative legitimacy and institutional capability. This finding is strengthened by Khan et al. (2021), who argue that governance without ethical purpose becomes procedural, while Ahmed and Salleh (2022) emphasize that maqasid offers a value-based orientation for public decision-making. It also aligns with Ansell et al. (2021), who state that governance in complex environments requires adaptive leadership, collaboration, and accountability. In maqasidi terms, adaptive governance is not simply managerial flexibility; it is a form of siyasah that seeks maslahah while preventing mafsadah. Therefore, a reconstructed Islamic governance model must connect tawhid as moral orientation, amanah as institutional trust, shura as participatory decision-making, and ihsan as excellence in public service.

The second finding concerns operationalization. Earlier discussions often treated maqasid as a philosophical ideal. However, Ali and Hassan (2021) demonstrate that maqasid becomes institutionally meaningful only when translated into indicators, and Abdullah et al. (2022) show that Shariah governance requires measurable assurance mechanisms. This supports the matrix in Table 2, where

each maqasid dimension is linked with governance instruments and evaluation indicators. Moon (2020) and Christensen and Laegreid (2020) further strengthen this interpretation by showing that public trust grows when transparency, capacity, and citizen participation are visible in crisis response. In Islamic governance, transparency is not merely a technical requirement; it is part of amanah because public authority is a trust that must be answerable before society and God.

The third finding highlights public value and maslahah as the central outputs of governance. Jan et al. (2021), Hosen et al. (2023), and Wahab et al. (2024) demonstrate that Islamic social finance can reduce vulnerability when it is managed transparently and oriented toward welfare outcomes. Their findings reinforce the argument that Islamic governance must evaluate policy by its social consequences, not by institutional claims alone. This is also consistent with Mazzucato and Kattel (2020), who explain that public value requires state capacity to shape markets and mobilize resources for collective goals. In maqasid language, public value becomes maslahah when it protects life, dignity, knowledge, wealth circulation, and future generations.

The fourth finding expands the scope of governance to sustainability and intergenerational responsibility. Yusuf and Bahari (2022) link maqasid with environmental ethics, while Hasan and Ali (2023) argue that the protection of life and wealth must include ecological resilience. Capano et al. (2020) and Greer et al. (2020) also show that policy capacity is tested during systemic crises, where weak governance produces unequal harm. These findings strengthen the proposed expansion of maqasid governance toward environmental stewardship. Hifz al-nafs cannot be limited to physical security; it includes public health and environmental safety. Hifz al-mal cannot be limited to property rights; it includes fair distribution, anti-corruption, and sustainable resource management.

The reconstructed framework also has implications for Shariah governance in Islamic financial institutions. Hassan et al. (2021), Oseni et al. (2023), and Rahman et al. (2024) argue that Shariah governance should move from product certification to impact accountability. This supports the article's claim that compliance is necessary but insufficient. If Islamic banks avoid riba but finance activities that increase inequality, environmental damage, or social exclusion, their governance remains maqasid-deficient. A maqasid audit should therefore assess whether financial products strengthen real-sector value, protect vulnerable groups, and avoid systemic harm. This interpretation is reinforced by Khan and Rabbani (2022), who connect Islamic fintech governance with trust, transparency, and ethical risk control.

Finally, the proposed model contributes to theory by integrating maqasid al-Shariah with contemporary governance studies. Sulaiman and Zakariyah (2021) show that Islamic political ethics requires consultation and justice, while Ismail and Noor (2025) argue that digital governance in Muslim societies must be grounded in moral accountability. These studies support the implementation cycle in Figure 4. The cycle is not a linear bureaucracy; it is a reflective governance process in which policy is continuously corrected through evidence, shura, and

maslahah evaluation. The limitation of this article is that it remains conceptual. Future research should test the matrix through empirical cases in local government, Islamic universities, zakat institutions, Islamic banks, and public policy agencies.

CONCLUSIONS

This article concludes that Islamic governance can be reconstructed through maqasid al-Shariah when maqasid is treated as a public governance framework rather than a purely legal slogan. The reconstruction requires four movements: grounding authority in tawhid, amanah, justice, shura, and ihsan; translating maqasid into measurable public policy indicators; connecting compliance with institutional capability and public accountability; and evaluating governance through maslahah outcomes such as dignity, welfare, justice, ecological safety, and intergenerational benefit. The proposed maqasid governance matrix and implementation cycle offer a conceptual tool for future empirical research and policy design. The implication is that Muslim institutions should not be satisfied with symbolic Islamization or formal legality. They must demonstrate that their policies protect life, knowledge, dignity, wealth, family, and the environment while reducing harm and strengthening public trust. Future studies may operationalize this framework through case studies, surveys, mixed-method policy evaluation, or comparative analysis between Muslim-majority and minority contexts.

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