

FIQH AL-AWLAWIYYAT IN CONTEMPORARY ISLAMIC THEOLOGICAL AND CRITICAL THOUGHT: IT’S FOUNDATIONS, APPLICATIONS AND THE CASE OF AL-MASIRI

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Abstract

This paper examines a set of critical issues pertaining to the jurisprudence of intellectual priorities (*fiqh al-awlawiyyāt al-‘aqadī wa al-fikrī*), its problematic dimensions, its methodological foundations, and its application to contemporary doctrinal and intellectual challenges. The study proceeds from the conviction that the jurisprudence of priorities is not an exclusively Islamic instrument, but a scientific methodology practiced across both theoretical and applied disciplines. Its relevance to the contemporary moment is urgent: the neglect of its cognitive mechanisms and

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tools in doctrinal matters carries serious consequences for religious understanding and social cohesion alike. The paper argues that the jurisprudence of intellectual priorities serves as a protective framework for interpreting religious texts, guarding against both extremism and negligence by grounding textual understanding in fixed intellectual principles. Through its emphasis on balance and moderation (*al-wasaṭiyya wa-al-i’tidāl*), this methodology corrects misinterpretations and shields society from the intellectual and practical pitfalls of radicalism. The study further investigates the jurisprudence of doctrinal priorities (*fiqh al-awlawiyyāt al-‘aqadī wa al-fikrī*) in light of the purposes that necessitate its deployment to resolve outstanding intellectual questions in the contemporary arena. In this context, it introduces the framework of critical jurisprudence of priorities as a methodology for engaging dissenting thought, presenting the intellectual projects of al-Masiri and al-Attas as models that consciously employ this approach in the construction and critique of ideas. The study reveals a significant asymmetry in contemporary Islamic intellectual discourse: while certain scholarly projects have actively practiced the jurisprudence of priorities in both constructive and critical capacities, others have neglected its application in doctrinal understanding, a neglect that has produced tangible intellectual and practical difficulties in the contemporary context. Employing an analytical method of *al-manhaj al-tahlīlī al-muqārin*, the study deconstructs, analyses, and compares relevant texts to uncover the practice of priority jurisprudence within the Islamic heritage and examine its applicability to present-day challenges.

Keywords: Jurisprudence of Priorities (*Fiqh al-Awlawiyyat*); doctrinal and intellectual reform (*al-islāh al-‘aqadī wa al-fikrī*); Islamic Theology (*‘Ilm al-*

Kalam); critical methodology (*al-manhaj al-naqadi*); moderation and balance (*al-wasatiyyah wa al-i’tidāl*).

Khulasah

Makalah ini meneliti satu isu kritikal berkaitan fiqh keutamaan akidah dan pemikiran (*fiqh al-awlawiyyāt al-‘aqadī wa al-fikrī*), dimensi problematikanya, asas metodologinya, serta penerapannya terhadap cabaran doktrin dan intelektual kontemporari. Kajian ini bertitik tolak daripada keyakinan bahawa *fiqh al-awlawiyyāt* (keutamaan) bukanlah instrumen Islam yang eksklusif, sebaliknya merupakan satu metodologi saintifik yang diamalkan merentasi disiplin teoretikal dan gunaan. Pengabaian terhadap mekanisme dan alat kognitifnya dalam persoalan akidah boleh menimbulkan implikasi yang serius, bukan sahaja terhadap kefahaman keagamaan, malahan juga terhadap keutuhan kesepaduan sosial. Makalah ini berhujah bahawa *fiqh al-awlawiyyāt* (keutamaan) intelektual berfungsi sebagai garis panduan bagi pentafsiran teks-teks keagamaan, yang membentengi daripada ekstremisme dan kecuaiian melalui pemahaman tekstual berdasarkan prinsip-prinsip intelektual yang tetap. Melalui penekanannya terhadap keseimbangan dan kesederhanaan (*al-wasatiyya wa al i’tidāl*), metodologi ini berperanan membetulkan salah tafsir serta melindungi masyarakat daripada perangkap pemikiran dan amalan radikalisme. Kajian ini seterusnya meneliti fiqh keutamaan akidah dan pemikiran (*fiqh al-awlawiyyāt al-‘aqadī wa al-fikrī*) berdasarkan tujuan-tujuan yang menuntut pengaplikasiannya untuk menyelesaikan persoalan-persoalan pemikiran yang masih berbangkit dalam arena kontemporari. Dalam konteks ini, kajian ini memperkenalkan kerangka fiqh keutamaan kritis sebagai suatu metodologi untuk berinteraksi dengan pemikiran yang berbeza dengan mengangkat sumbangan intelektual al-Masiri dan al-Attas sebagai model, memandangkan kedua-dua sarjana tersebut

menerapkan pendekatan ini secara sedar dalam membina dan mengkritik sesuatu idea. Kajian ini memperlihatkan wujudnya suatu ketidakseimbangan yang ketara dalam wacana pemikiran Islam kontemporari: ketika sebahagian projek kesarjanaan secara aktif mengamalkan fiqh keutamaan, sama ada dalam kapasiti konstruktif mahupun kritis, sebahagian yang lain pula mengabaikan pengaplikasiannya dalam kefahaman akidah. Pengabaian tersebut telah menimbulkan kesukaran intelektual dan praktikal yang nyata dalam konteks kontemporari. Dengan menggunakan metode analisis perbandingan (*al-manhaj al-tahlīlī al-muqārīn*), kajian ini menghuraikan, menganalisis dan membandingkan teks-teks yang berkaitan bagi menyingkap amalan fiqh keutamaan dalam khazanah Islam serta meneliti kebolehterapannya terhadap cabaran semasa.

Kata kunci: Fiqh Keutamaan (*Fiqh al-awlawiyyat*); reformasi doktrin dan intelektual (*al-islah al-‘aqadi wa al-fikri*); Ilmu Kalam (*‘Ilm al-Kalam*); metodologi kritikal (*al-manhaj al-naqadi*); kesederhanaan dan keseimbangan (*al-wasatiyyah wa al-i’tidal*).

Introduction

A foundational question underlies this inquiry: does the method of prioritizing or deferring ideas and sacred texts (*al-taqdīm wa al-ta’khīr*) give rise to philosophical and doctrinal consequences that are ultimately reflected in lived reality? This article addresses precisely this question, examining the methodology for understanding intellectual priorities (*fiqh al-awlawiyyāt al-‘aqadī wa al-fikrī*) and tracing their manifestations in contemporary intellectual and social contexts. Central to this examination is the relationship between the correct ordering of priorities and the soundness of doctrinal and philosophical understanding, for a misalignment in priorities does not

remain an abstract theoretical matter, but produces tangible distortions in how belief is understood, applied, and transmitted within the community of faith.¹ This doctrinal approach (*manhaj al-‘aqā’idī*) differs from al-Qaradawi’s *fiqh al-awlawiyyāt*, which focuses on ranking legal rulings and actions. Instead, it prioritizes evaluating and ranking belief systems and intellectual frameworks by their validity relative to competing worldviews. This shift from legal actions to doctrinal claims justifies treating it as a distinct application rather than an extension of his original concept.

The article further examines the practical application of intellectual priorities *fiqh al-awlawiyyāt al-‘aqadī wa al-fikrī* in contemporary reality, tracing their intellectual development, assessing their sustainability, and identifying the conditions that render their activation both necessary and urgent. In doing so, it addresses several critical issues that bear directly on the resolution of social and intellectual challenges both within the Muslim community and in its engagement with external intellectual currents.

The key themes addressed include: the conceptual foundations of the jurisprudence of doctrinal and intellectual priorities (*fiqh al-awlawiyyāt al-‘aqadiyyah wa al-fikriyyah*); the activation of this methodology in response to emerging contemporary issues; its significance as a rigorous scientific framework for the study of belief and thought; the question of the scale and hierarchy of philosophical priorities (*mizān al-awlawiyyāt al-fikriyyah*); and the role of critical priority jurisprudence in engaging and countering opposing intellectual frameworks. Drawing on a range of authoritative classical and contemporary sources, the article aims to provide the reader with a comprehensive understanding of the urgent imperative to

¹ M. Hassan, "Yusuf Al-Qaradawi’s Jurisprudence of Priorities: A Critical Assessment," *American Journal of Islam and Society* 40(1-2) (2023), 79-80.

revisit these principles in light of present-day realities. It also identifies existing gaps in the modern application of priority jurisprudence to matters of belief and subjects those gaps to critical evaluation. The study does not claim to offer an exhaustive treatment of this field. Rather, it presents itself as a foundational contribution (*ishām ta’sīsiyyah*) to the emerging discipline of the jurisprudence of priorities in belief and thought, one that opens the door to further scholarly investigation and invites researchers to build upon its findings.

The Theoretical Gap in *Fiqh al-Awlawiyyāt*

The problem addressed in this study is the absence of a coherent theoretical and methodological framework for extending *fiqh al-awlawiyyāt* beyond its established juristic domain into the fields of *‘aqīdah* and its epistemological structures. While *fiqh al-awlawiyyāt* has been extensively developed in relation to the prioritization of legal rulings and practical actions, particularly in contemporary reformulations such as those of al-Qaradawi, its doctrinal and intellectual dimensions remain insufficiently theorized and methodologically underdeveloped. This limitation has resulted in a conceptual and analytical gap concerning how priorities should be identified, structured, and evaluated within doctrinal thought and intellectual frameworks, especially in relation to the formation and grounding of *‘aqīdah* and its engagement with competing worldviews. Furthermore, the absence of such a framework has contributed to broader intellectual and doctrinal imbalances, including tendencies toward extremism on the one hand and interpretive inconsistency in the understanding of doctrinal concepts on the other. Accordingly, the central problem of this study is the lack of a systematic doctrinal, intellectual model of *fiqh al-awlawiyyāt* capable of regulating prioritization within the

field of ‘*aqīdah* and addressing its contemporary epistemological and intellectual challenges.

Research Questions

This study focuses on several core questions. First, it investigates how *fiqh al-awlawiyyāt* can be extended beyond its established juristic framework into the domains of ‘*aqīdah* and its underlying intellectual structures. Furthermore, it identifies the methodological foundations of this doctrinal-epistemological field. The study also examines how the absence of a systematic framework for prioritization in ‘*aqīdah* contributes to contemporary doctrinal and intellectual imbalances. Finally, it evaluates the extent to which this discipline can be employed as a critical analytical tool to assess and engage with competing intellectual paradigms.

This study aims to develop a doctrinal, intellectual conceptualization of *fiqh al-awlawiyyāt*, elucidate its methodological foundations within the domains of ‘*aqīdah* and intellectual thought, examine the implications of its neglect in contemporary discourse, and demonstrate its role as a critical framework for analyzing and evaluating modern intellectual trends. In light of these questions, the study aims to construct a doctrinal intellectual conceptualization of *fiqh al-awlawiyyāt* and clarify its methodological foundations within the field of ‘*aqīdah* and intellectual thought. Furthermore, it seeks to examine the implications of its absence in contemporary discourse and to demonstrate its role as a critical framework for analyzing and assessing modern intellectual trends.

Limits of Study

Methodologically, this study is confined to a descriptive analytical approach that describes, analyses, and establishes the concept of *fiqh al-awlawiyyāt al-‘aqādī wa al-fikrī*, rather than testing it empirically or surveying it

comparatively across the full range of theological schools. Epistemically, it limits its scope to this doctrinal and intellectual application in only two registers: a constructive register, establishing the theoretical foundations of the concept, and a critical register, confronting opposing intellectual frameworks. Both registers are illustrated through two selected case models, al Ghazali and al-Masiri, rather than claiming to survey every historical or contemporary instance of *fiqh al-awlawiyyāt*.

Methodology

The study proceeds using a descriptive-analytical method, operating in two complementary registers. The first is constructive, establishing the doctrinal and intellectual application of *fiqh al-awlawiyyāt* as a coherent method in its own right. The second is critical, where the same method is turned outward, deployed to interrogate and adjudicate rival intellectual frameworks. Across both registers, the study traces how this practice of doctrinal prioritization has operated in distinct historical and intellectual settings among classical theologians such as al-Ghazali and among contemporary thinkers such as al-Masiri and al-Attas. In each instance, it describes how priorities were identified, ranked, and deployed, whether in the construction of a doctrinal position or in the confrontation of an opposing one.

Literature Review: Typologies of *Fiqh al-Awlawiyyāt* and the Doctrinal Gap

Previous scholarship on *fiqh al-awlawiyyāt* may generally be classified into three principal areas of concern: the juristic, the *da‘wah*-oriented, and the reform-oriented. Some studies have focused on the mechanisms for activating *fiqh al-awlawiyyāt* within contemporary *da‘wah*

practice,² while others have examined its application to legal and juristic rulings and extended its use to emerging *fiqh*-related issues and contemporary challenges.³ Other contributions have employed the *maqāsid*-based framework of *fiqh al-awlawiyyāt* to address specific practical crises, including public health emergencies and epidemics.⁴ Within the reform-oriented domain, certain studies have reconstructed the priorities of religious and social reform by analyzing influential intellectual projects and reformist visions.⁵ Despite the significance and diversity of these contributions, they share a common focus on prioritizing actions, legal rulings, da‘wah agendas, and reform programs rather than on the doctrinal dimension of *fiqh al-awlawiyyāt* as an independent field of inquiry.

Furthermore, these studies do not examine the role of *fiqh al-awlawiyyāt* in constructing doctrinal frameworks or critically evaluating competing theological and intellectual worldviews. This gap in the literature highlights the need for a systematic study of the doctrine of *fiqh al-awlawiyyāt*. Existing scholarship has yet to explore its dual function as both a constructive and a critical framework, one that not

² Abdullah Abdullah Matwalli Fayed, "Mechanisms of Applying Fiqh al-Awlawiyyāt in Light of Contemporary Reality," *Hawliyyat Kulliyat al-Da‘wah al-Islāmiyyah bi-al-Qāhirah* 16(33) (2021), 107–197.

³ ‘Abdullāh al-Gharmūl, *Fiqh al-Awlawiyyāt wa Atharuh fī al-Sharī‘ah al-Islāmiyyah* (Master's Dissertation, Université Sidi Mohamed Ben Abdellah, Faculté des Lettres et des Sciences Humaines Saïs, Fès, 2019–2020).

⁴ Farida Muhammad ‘Aqili, “The Maqasid and Fiqh-Based Foundation of Epidemics in Light of Fiqh al-Awlawiyyat: A Theoretical-Applied Study,” *Majallāt Abhāth* 24(24) (2021), 202–242.

⁵ Othman & Aras Hama Amin, “Fiqh al-Awlawiyyat According to Badi’ al-Zaman Sa’id al-Nursi: The Priorities of Religious and Social Reform as a Model - An Analytical Thematic Study of the Risale-i Nur,” *Al-Nur Academic Studies on Thought & Civilization* 9(17) (2018), 97.

only establishes and orders doctrinal priorities but also critiques and deconstructs rival intellectual and theological paradigms. Accordingly, the present study contributes to the literature by developing a critical approach to doctrinal *fiqh al-awlawiyyāt* and demonstrating its significance in shaping theological understanding and evaluating contemporary intellectual trends.

Conceptualization and Methodological Foundations of *Fiqh al-Awlawiyyāt* in Islamic Thought

a) The Conceptual Scope and Critical Appraisal of *Fiqh al-Awlawiyyāt*

Fiqh al-awlawiyyāt denotes the systematic prioritization of ideas and principles to enhance conceptual clarity and comprehension. By establishing a coherent sequence of thought, this framework mitigates ambiguity and intellectual distortion. Although the term is relatively modern, having gained prominence within contemporary Islamic discourse, its application has become pervasive. Consequently, contemporary evaluations or critical analyses of modern Islamic thought rarely proceed without fundamentally engaging with this paradigm.

However, this does not mean that it was not referred to by ancient scholars, even if not in explicit terminology. It was discovered that al-‘Izz bin ‘Abd al-Salām⁶ was among the first to refer to the jurisprudence of priorities through the science of objectives in his book,⁷ *al-Qawā‘id al-Kubrā* or *Qawā‘id al-Aḥkām fī Maṣāliḥ al-Anām*. He said in the introduction of his book: “The purpose of writing this book is to explain the interests of acts of obedience,

⁶ Maszlee Malik, “Al-Maqāṣid al-Sharī‘ah (The Comprehensive Objective of Sharī‘ah),” paper presented at the Penang Institute–G25 Forum entitled *Maqāṣid Sharī‘ah in a Constitutional Democracy*, 2015.

⁷ Izz al-Din ibn Abd al-Salam, *The Great Rules Entitled the Rules of Rulings in Reforming Mankind* (Damascus: Dar al-Qalam, 2000), 125.

transactions, and other actions, so that servants may strive to acquire them, and to explain the objectives of transgressions so that servants may strive to ward them off, and to explain the interests of permissible things so that servants may be experienced in them, and to explain what interests are given precedence over others, and what harms are delayed over others, which falls under the category of servants acquiring without what they are unable to do and have no way to do.” His words articulate a concept for taking priorities into account, so it is appropriate to extract a technical definition from them, as they are a general principle in Islamic law.

He then explained that matters do not happen quickly, but rather, there must be cases of conflict, as he said: “The conflict is either between two good things that cannot be combined, so the better of them is given precedence by missing out on...” The less likely, or between two evil deeds that cannot be avoided, in which case the worse of the two can be avoided by proposing the lesser of the two, or between a good deed and an evil deed that cannot be distinguished between them; instead, doing a good deed entails the occurrence of an evil deed, and abandoning a bad deed entails abandoning a good deed. So, the more likely benefit of the good deed and the less likely harm of the evil deed are preferred.⁸

This term also appeared in a large number of sciences related to Islamic sciences, such as jurisprudence (*fiqh al-awlawiyyāt*) related to jurisprudential issues, jurisprudence of priorities in education and its principles (jurisprudence of educational priorities), and in advocacy work under the

⁸ Rahhal, Alaeddin Hussein & Nahil Ali Saleh, “The Origins of Priorities and How to Determine Them,” *The Jordanian Journal of Islamic Studies* 2(2) (2006), 130.

name of jurisprudence of advocacy priorities, and Islamic politics, under the name of jurisprudence of priorities and interests in Islamic politics, and other issues. This withdrawal from many sciences indicates that the jurisprudence of priorities is considered a method that extends to many sciences. It is not a new method or specific to one science rather than another.

Every science uses the method of presenting and delaying, explaining what should be given and delaying what should be delayed. At other times, it postpones what was previously prioritized, and prioritizes what was previously deferred due to changes in context, thereby producing different outcomes and conclusions in accordance with the requirements of the scientific method. This approach is also reflected in applied sciences and scientific experimentation. Such methodological breadth raises a fundamental question: on what basis are these priorities determined? Within the Islamic doctrinal framework (*al-manzūmah al-‘aqadiyyah al-Islāmiyyah*), priorities are not determined by personal reasoning or individual preference.

Rather, they emerge from a disciplined normative system rooted in the higher objectives of Islamic law (*al-maqāṣid al-shar‘iyyah*), as systematized by al-Shatibi, who classified the objectives of the *Sharī‘ah* into three hierarchical levels: the necessities (*al-ḍarūriyyāt*), followed by the needs (*al-hājjiyyāt*), and then the embellishments (*al-tahsīniyyāt*),⁹ such that what is of higher rank is given precedence over what is lower, as a binding obligation rather than a matter of choice. To this *maqāṣid-based* hierarchy, Muslim scholars integrated a set of governing universal legal maxims (*al-qawā‘id al-kullīyyah*). Most notable is the principle that “repelling

⁹ Ibrāhīm ibn Mūsā, *Al-Muwāfaqāt fī Uṣūl al-Sharī‘ah*, ed. Mashhūr Hasan Salmān (Al-Khobar: Dār Ibn ‘Affān, 1997), 2:17–21.

harm takes precedence over accruing benefit” (*dar’ al-mafāsīd muqaddam ‘alā jalb al-maṣāliḥ*), a maxim formulated and systematically expanded by al-‘Izz ibn ‘Abd al-Salām. Extending this foundational logic to scenarios involving competing obligations (*al-an‘ām al-wājibāt*), Ibn Taymiyyah employed a hierarchical prioritization method predicated on the rule of “the most important, then the important” (*al-ahamm fa al-muhimm*).

Yet these principles were never intended to function as rigid or universally pre-formulated rulings. Rather, they provide a general methodological framework through which priorities may be evaluated across diverse Islamic domains, including education and moral formation (*al-tarbiyah*), governance (*al-siyāsah al-shar‘iyyah*), and contemporary social realities. Such evaluation necessarily depends on careful consideration of context, which, within the Islamic doctrinal worldview, is an essential rather than a secondary element in legal and ethical reasoning. Accordingly, what is prioritized in one circumstance may be postponed in another, not as an inconsistency in the *Shari‘ah*, but as an expression of its higher objectives and purposes (*maqāṣid al-sharī‘ah*). Collectively, these principles establish a coherent methodological framework for determining priorities, one grounded not in subjective preference or abstract utility, but in an objective normative standard that remains open to scholarly evaluation and critical scrutiny.

Prioritizing certain materials over others will help prevent an explosion caused by a defect in the laboratory’s priority scale. It is also necessary to point out that many terms in the field of Islamic sciences are similar to the term “jurisprudence of priorities,” which appeared in the works of ancient scholars, such as the ranks of actions,

comparisons between actions, and rulings of necessity.¹⁰ Instead, they are legal terms used as evidence to give preference to an action or belief, to prefer it over others, or to present it. They provide the meaning of jurisprudence of priorities, as they are based on the reason for presenting, delaying, and differentiating. Every science that addresses or practices presenting and delaying rulings falls within the jurisprudence of priorities. As for the contemporary term jurisprudence of priorities, many definitions have been given to it, and they said it is placing everything in its proper place with justice from rulings, values, and actions, then presenting the first and the first based on correct legal criteria. The unimportant is not presented over the important, nor the important over the more important, nor the outweighed over the outweighed, nor the preferable over the superior. Instead, what is due to be presented is presented, and what is due to be delayed is delayed.

It is essential to note that the small is not made significant, nor the serious is made light, but everything is placed in its place with the straight path.¹¹ The jurisprudence of priorities is also considered as knowing what is more worthy of application than others, meaning that the best and most worthy is presented over others, and this is dependent on understanding the nature of the time in which the matter is applied.¹² Some scholars argue that the jurisprudence of priorities is “knowledge of the best and the least worthy of actions, and good management of

¹⁰ Habas Abdul Qader, “The State of Necessity and Its Effect on Criminal Liability in the Crime of Murder: A Comparative Study between Islamic Law and Positive Law,” *al-Wahat Journal for Research and Studies* 7(1) (2014), 1-7.

¹¹ Yusuf al-Qaradawi, *In the Jurisprudence of Priorities: A New Study in Light of the Qur’an and Sunnah* (Cairo: Wahbah Library, 1995) 97.

¹² Fathi Yakan, *Towards an Islamic Awakening at the Level of the Age* (Beirut: Al-Risala Foundation for Printing, 1998), 54-56.

alternatives of good or evil, by knowing the best of the two good things, and the worst of the two evils.”¹³ However, it is noted that the definitions of the jurisprudence of priorities have come to address priorities in general, even when not coupled with science, such as jurisprudence, education, sociology, or doctrine. Therefore, the task of every artist became to apply this method to his art in order to arrive at an appropriate definition. This falls within the framework of classifying the jurisprudence of priorities and determining the cognitive field to which the jurisprudence of priorities method will be applied, so that we arrive at multiple definitions appropriate to each art; otherwise, the term jurisprudence of priorities will remain general and flat.

This article proposes a definition of the jurisprudence of priorities as it applies specifically to doctrine. *Fiqh al-awlawiyyāt al-‘aqadiyyah* is understood here as a comprehensive grasp of the ranks of matters of belief and their theoretical and practical ordering, with respect to importance, precedence, deferral, preference, governing controls, and context.

The criterion for determining priorities is fundamentally legal, and the scale of preference among them is derived from transmitted sources, which, as the infallible authority, render compliance an inescapable obligation. *Fiqh al-awlawiyyāt* cannot stand without firm scientific foundations, particularly where the fundamentals of religion are concerned. For this reason, any workable definition must make explicit the foundations and governing controls on which the term rests. Without such precision, *fiqh al-awlawiyyāt* risks being appropriated by proponents of modernist intellectual methods as a pretext.

¹³ Sa’d al-Dīn al-‘Uthmānī, *Fiqh Marātib al-A’ māl: Nahwa I’ ādat Tartīb al-‘Aqliyyah al-Muslimah* (Cairo: Dār al-Kalimah; Rabat: al-Dār al-Maghribiyyah, 2016), 17.

Undisciplined approaches such as (hermeneutics), (deconstruction), and other approaches have made the text a common field for unbridled interpretation and projecting these interpretations onto reality, legislation, and general understanding.¹⁴ Knowledge of intellectual foundations and their levels, and of what is essential from what is important, what is definitive from what is conjectural, and what is transmitted from what is transmitted individually. Understanding the controls on which one issue is preferred over another in the event of conflict or not. Understanding reality, circumstances, and context to project judgments. Examples of understanding the context include understanding disagreements with others or what is called doctrinal disagreement, which is expressed in contemporary terminology as “ideological conflicts” and arises from the conflict of beliefs, religious doctrines, intellectual systems, and the texts of the faith are considered the most crucial element in this type of sharp disagreements.

The Role in Rational Discourse and Islamic Theology (*Kalām*): *Fiqh al-Awlawiyyāt al-‘Aqadī wa-al-Fikrī*

Failure to apply *fiqh al-awlawiyyat* produces a range of intellectual and interpretive difficulties across religious, philosophical, and practical domains: contradictions, distortions, misreadings, and a diminished capacity for rigorous critical thinking. The *Kalām* model emerged as a framework that drew doctrinal questions into the domain of reasoned debate. An examination of theology’s foundational objectives reveal three distinct aims. The first was to articulate Islamic beliefs and establish their validity

¹⁴ Mohamed Abdelhamid Qatawneh, “Modern Schools of Thought and Their Impact on the Sectarian Texts in the Islamic and Western Thought: Hermeneutics as an Example.” *Afkar: Journal of Aqidah and Islamic Thought* 22(1) (2020), 143–180.

through both transmitted and rational evidence. The second was to answer the allegations and doubts advanced by critics. The third was to engage analytically with the beliefs of opposing traditions. These objectives are reflected in many classical definitions of the discipline. Ibn Khaldun (d. 808 AH)¹⁵ said in defining this science: “It is a science that includes arguments about the beliefs of faith with rational evidence, and responding to innovators who deviate in their beliefs from the doctrines of the predecessors.”¹⁶

Al-Farabi (339 AH)¹⁷ also agrees with Ibn Khaldun as he says, “The art of speech is a skill that enables a person to support the specific opinions and actions that the founder of the religion stated and to falsify everything that contradicts them with statements.”¹⁸ Others have come to the same conclusion.

From the definitions surveyed, and from their counterparts in the scholarly tradition, it becomes clear that the science of *Kalām* is a method rather than the doctrine itself. The arguments to which al-Farabi and Ibn Khaldun refer are instruments for establishing doctrinal truth, not the truths themselves. *Kalām* is, in other words, a methodology for substantiating facts rather than a repository of them.

This conclusion has direct implications for activating *fiqh al-awlawiyyāt* within that methodology, and it operates on two levels. The first concerns the selection of problems, those issues that reality imposes and that possess a

¹⁵ Syed Farid Alatas & Vineeta Sinha, *Sociological Theory Beyond the Canon* (London: Palgrave Macmillan, 2017), 25.

¹⁶ ‘Abd al-Rahmān ibn Muḥammad Ibn Khaldūn, *al-Muqaddimah*, ed. Muḥammad al-Zuhrī (Beirut: Dār al-Arqam ibn Abī al-Arqam, 2016), 153.

¹⁷ Nicholas Rescher, *al-Farabi: An Annotated Bibliography* (Pittsburgh: University of Pittsburgh Press, 1962), 90.

¹⁸ Al-Farabi. *Iḥṣā’ al-‘Ulūm (Enumeration of the Sciences)*, ed. ‘Uthmān Amīn (Cairo: Dār al-Fikr al-‘Arabī, 1949), 107–108.

legitimate claim to being addressed must be foregrounded. Scholars of doctrine rise to present such issues above others in response to contemporary necessities, a practice the classical scholars themselves observed, constructing a scale of priorities according to the urgent demands of their moment. The second concerns the method of reasoning itself, which is not fixed but shifts from one context to another. The defender of the faith employs whichever approach is appropriate to the issue at hand, whether that takes the form of affirmation or refutation.

For example, we find that theologians were practicing this approach when presenting issues and delaying some of them in light of the jurisprudence of doctrinal priorities according to reality and place. When al-Ghazali wrote his famous book, *Faḍā’ih al-Bāṭiniyyah* (*The Scandals of the Batiniyyah*), the motives behind this topic were motives imposed by contemporary reality. The Islamic State was exposed to the danger of the Batini groups. Goldziher says in his introduction to his book *Faḍā’ih al-Bāṭiniyya* (*The Scandals of the Batiniyya*) by *Abū Ḥāmid al-Ghazālī*, the motives and circumstances that prompted al-Ghazali to write this book were the spread of the matter of the Batini call at the hands of the Fatimids, who spread preachers throughout the lands of the Caliphate calling for the Fatimid Caliph al-Mustansir, and the terrorism and bloodshed that occurred at the hands of the Batiniyyah.¹⁹ For this reason, al-Ghazali is targeted in his book *Faḍā’ih al-Bāṭiniyyah wa Faḍā’il al-Mustazhiriyyah*. Al-Ghazali pursued two goals in the jurisprudence of

¹⁹ Irfan Farid Tawfiq, “The Political Thought of Imam al-Ghazali: A Study of the Book of the Scandals of the Batiniyya and the Virtues of the Mustazhiriyya” (PhD Thesis, International Islamic University Malaysia, 2006), 260; Samir Sassi, *The Legitimacy of Authority in Islamic Political Thought* (Qatar: Arab Center for Research and Policy Studies, 2021), 20.

doctrinal priorities. The first was to reveal the scandals of the Batiniyyah, which is related to the creed. The second was to explain the virtues of the Mustazhiriyyah, i.e., the caliphate of al-Mustazhir Billah al-Abbasi, as it relates to politics.²⁰ Hence, the book was named as such because he wants to discuss Batiniyyah as well as Mustazhiriyyah.

This presentation that al-Ghazali practiced for the subject of Batiniyyah in the creed and politics over other doctrinal subjects and the dismantling of their foundations of knowledge is evidence of the practice of presenting and delaying in presenting doctrinal issues in light of the jurisprudence of priorities and emerging issues. In another place and different context, al-Ghazali, in his book *al-Munqidh min al-Ḍalāl*,²¹ was satisfied with not addressing the subjects of Batiniyyah. He stated while talking about his position on the Batiniyyah: “The purpose now is not to explain the corruption of their doctrine, as I mentioned in the book al-Mustazhiri.” This confirms what we have gone to regarding the legitimacy of saying the jurisprudence of doctrinal priorities because we are talking about a method, and methods by nature are subject to renewal, development, presentation and delay if they present the same purpose and Goal.

In light of the foregoing, reforming the science of theology (*ilm al-kalām*) through the framework of (*fiqh al-awlawiyyāt al-‘aqadiyyah wa-al-fikriyyah*) has become both an intellectual and a methodological necessity. This necessity emerges through three distinct yet interconnected dimensions.

²⁰ Irfan Farid Tawfiq, “The Political Thought of Imam al-Ghazali,” 255.

²¹ Muammar Qawul, “The Journey of the Mind in Search of Knowledge: A Reading of the Book Al-Munqidh Min Al-Dalal by Abu Hamid Al-Ghazali,” *Journal of Research and Studies* 12(2) (2015), 207-210.

First, the Dimension Concerns the Historical and Contextual Gap Between Classical Theology and Contemporary Reality

The epistemological conditions that gave rise to (*‘ilm al-kalām*) as a discipline for defending and articulating Islamic doctrine differ substantially from the intellectual challenges that define the present moment. A careful reading of the classical theological corpus reveals a considerable distance between the questions those texts were designed to address questions rooted in the philosophical and sectarian disputes of their era, and the issues that now dominate the arena of faith and thought, among them atheism, materialist philosophies, and the epistemological claims of modern science and social theory. This observation, however, does not call into question the foundational purpose for which theology was originally established. Ibn Khaldūn, in his celebrated definition, described (*‘ilm al-kalām*) as the science of defending the articles of faith through rational demonstration and responding to those who introduce innovation into the tradition (*ahl al-bid‘ah*). Crucially, this Khaldunian definition is not methodologically closed, it does not confine theological reasoning to Aristotelian premises and syllogistic structures, but rather opens the discipline to any rational method capable of engaging the living questions of belief and thought, both within and beyond the Islamic intellectual tradition. At the level of subject matter, it equally opens the way for investigating new doctrinal and intellectual challenges bearing on the foundational questions of existence, God, the human being, and the universe.

For studying new doctrinal and intellectual doubts on the level of issues of the Great (God, Man, Universe).

Second, the Methodological Rigidity of Classical ‘*Ilm al-Kalām*

Over time, theological argumentation became increasingly formal and syllogistic impressive in its internal coherence and logical precision, and demonstrably skilled in exposing the weaknesses of opposing positions. Yet for all its intellectual sophistication, this approach suffers from a fundamental limitation: it addresses the rational faculty in isolation, while neglecting the affective and moral dimensions of human conviction. Faith (*īmān*), however, is not solely the product of rational demonstration. Religious belief engages the whole person intellect, conscience, and feeling alike and genuine persuasion cannot be achieved through the mind alone. Conviction that does not reach the heart remains incomplete, regardless of the logical force by which it is delivered. does not occur without the solidarity of mental acceptance and heartfelt reassurance.²²

Therefore, it is necessary to adopt and present new approaches that keep pace with the scientific issues now raised by opponents inside and outside the Islamic circle, such as using contemporary psychology and scientific theories based on revelation in their subjects and objectives. This leads us to another topic that we draw researchers' attention to: cognitive integration and how Islamic sciences complement each other. For example, Islamic psychology and (psychological) sciences complement the sciences of faith and the approaches of theologians in responding to opponents such as atheists. All of this comes within the context of the methodological priority jurisprudence scale of the Islamic faith used to prove religious beliefs according to the temporal and spatial context without affecting the spiritual principles and beliefs.

²² Ḥab Allāh Maḥmūd, *Emotional Life and Religious Belief* (Cairo: Dār Ajā li al-Kutub al-‘Arabiyyah, 1984), 83–86.

It is within this framework of cognitive integration and contextual renewal that the criteria governing the ranking of priorities in the Islamic doctrinal framework must be understood. The process of ranking priorities within the Islamic doctrinal framework (*al-manzūmah al-‘aqadiyyah al-islāmiyyah*)²³ is governed by a set of integrated criteria, each indispensable to the others. The first is the strength of evidence (*quwwat al-dalīl*), whereby what is established by definitive proof (*qaṭ‘ī*) takes precedence over what is established by speculative evidence (*ẓannī*). This principle is grounded in the Qur’anic injunction, meaning: “And do not pursue that of which you have no knowledge. Indeed, the hearing, the sight and the heart about all those ones will be questioned,”²⁴ making epistemic certainty a doctrinal obligation, not merely a practical preference.

The second criterion is the balance between benefit and harm (*al-maṣlaḥa wa al-mafṣadah*), as established in the Qur’anic prohibition, meaning: “Do not insult those they invoke other than Allah, lest they insult Allah in enmity without knowledge,”²⁵ where a partial benefit is set aside to avert a greater harm. The third is the contemporary context (*al-siyāq al-mu‘āṣir*),²⁶ evidenced by the Prophet’s (PBUH) instruction to Mu‘ādh upon sending him to Yemen, directing him to begin with the oneness of God (*tawḥīd*) before subsidiary matters, in attentiveness to the recipient’s context and need. The fourth is the doctrinal and

²³ Ibrāhīm ibn Mūsā al-Shātibī, *al-Muwāfaqāt fī Uṣūl al-Sharī‘ah*, ed. Mashhūr Ḥasan Salmān (Al-Khobar, Saudi Arabia: Dār Ibn ‘Affān, 1997), 2:17–21.

²⁴ Surah al-Isra’ 17:36.

²⁵ Surah al-An‘am 6:108.

²⁶ Al-‘Izz ibn ‘Abd al-Salām, *Qawā‘id al-Aḥkām fī Maṣāliḥ al-Anām* (Beirut: Dār al-Kutub al-‘Ilmiyyah, n.d.), 1:9–12; ‘Alī ibn Ismā‘īl al-Ash‘arī, *Maqālāt al-Islāmiyyīn wa Ikhtilāf al-Muṣallīn*, ed. Hellmut Ritter (Wiesbaden: Franz Steiner Verlag, 1980), 30–34, 110.

social impact (*al-athar al-‘aqadī wa al-ijtimā’ī*), supported by the legal maxim of blocking the means to harm (*sadd al-dharā’i’*), which requires preventing what leads to doctrinal or social corruption even if permissible in its origin. Together, these criteria render the ranking of priorities an objective and verifiable methodology rather than an unguided exercise of personal judgment.²⁷

Third, Absence of Doctrinal and Intellectual *Fiqh al-Awlawiyyāt* the Khawarij as a Case

The Khawarij illustrate the consequences of the absence of doctrinal and intellectual *fiqh al-awlawiyyāt*. According to al-Shahrastānī, the Azariqah held that committing a single major sin sufficed to expel a Muslim from Islam altogether and to condemn him to eternal Hellfire a position that reflects a fundamental misordering of doctrinal priorities, whereby questions of judgment and punishment were elevated above the principles governing the relationship between faith, sin, and unbelief.²⁸

This imbalance was not confined to theological speculation; it directly shaped social and religious practice. Failing to distinguish between foundational and subsidiary matters, and between definitive and interpretive issues, the Khawarij expanded the scope of *takfīr*, most notably in condemning ‘Alī ibn Abī Talīb as an unbeliever for accepting arbitration. Commanding right and forbidding wrong was thereby transformed from a mechanism of

²⁷ Yusuf al-Qaradāwī, *Fiqh al-Awlawiyyāt: Dirāsa Jadīda fī Ḍaw’ al-Qur’ān wa al-Sunna* (Cairo: Maktabat Wahbah, 1996), 22–25.

²⁸ Abū al-Faṭḥ Muḥammad ibn ‘Abd al-Karīm al-Shahrastānī, *al-Milal wa al-Niḥal*, ed. Aḥmad Fahmī Muḥammad (Beirut: Dār al-Kutub al-‘Ilmiyyah, 1992), 1:115–116; Julius Wellhausen, *Aḥzāb al-Mu’araḍah al-Siyāsiyyah al-Dīniyyah fī Ṣadr al-Islām: Al-Khawārij wa al-Shī’ah (The Religio-Political Opposition Parties in Early Islam: The Khawārij and the Shī’a)*, trans. ‘Abd al-Raḥmān Badawī (Cairo: Maktabat al-Nahḍah al-Miṣriyyah, 1958), 20.

reform and communal welfare into an instrument for enforcing a single doctrinal vision illustrating how, once doctrinal priorities are distorted, secondary issues displace foundational principles, giving rise to extremism, excessive *takfīr*, and practices that undermine the higher objectives of religion and communal unity.

Critical *Fiqh al-Awlawiyyāt* in Confronting Ideologies (*Fiqh al-Awlawiyyāt al-‘Aqadī wa al-Fikrī*) al-Masiri as a Model²⁹

In discussing the jurisprudence of doctrinal priorities, it is necessary to extend the analysis to priorities within Islamic intellectual thought, particularly in relation to the critique of Western thought and its diverse intellectual traditions. This dimension cannot be overlooked, as it is shaped both by contemporary realities and by the governing principles of *fiqh al-awlawiyyāt al-‘aqadī wa al-fikrī*, developed in this study. It also plays a central role in renewing the methods and subject matter of Islamic theology in light of shifting conceptions of progress and decline. The significance of engaging Western intellectual traditions through the lens of *fiqh al-awlawiyyāt al-‘aqadī wa al-fikrī* is further reinforced by the considerable influence these ideas exercise within the context of modernity and globalisation.

The very act of foregrounding this issue, and assigning it priority at the present moment, is itself an application of *fiqh al-awlawiyyāt*. Had contemporary theologians devoted sustained scholarly attention to the doubts generated by Western intellectual traditions and broader civilizational contestations, a substantial body of

²⁹ This study is considered the first study that refers to the *fiqh al-awlawiyyāt al-‘aqadī wa al-fikrī* of priorities in criticism, which we can call the jurisprudence of critical priorities of opposing ideologies, as the researcher shows through these lines.

work would likely have emerged addressing these epistemic challenges, regardless of thematic or methodological variation. A closer examination of scepticism associated with modern intellectual paradigms and secular presuppositions reveals the urgent necessity of operationalizing *fiqh al-awlawiyyāt al-‘aqadī wa al-fikrī* in engaging such intellectual currents.

This provides a clear example of how the jurisprudence of doctrinal priorities plays a role in structuring the hierarchy of concerns both in methodology and subject matter, when it comes to understanding and responding to these issues. Some contemporary scholars and thinkers have begun reassessing Western concepts such as secularism, modernity, and intellectual frameworks, contextualizing them within the realities in which they emerged. This, in essence, represents a new form of jurisprudence one that Muslim intellectuals must engage with to develop a holistic understanding of these perspectives and effectively critique them.

For example, Abdel Wahab al-Masiri,³⁰ in his criticism and deconstruction of Western approaches in his book *Comprehensive Secularism and Partial Secularism*,³¹ went on to establish divisions of secularism in which he took into account the jurisprudence of priorities in terms of re-understanding secularism anew in light of its practices and expansion on the ground in an attempt to establish a vision for this situation and an initial clarification in

³⁰ Muhammad al-Qatawneh, “Geography of Thought and the Problem of the Concept of Secularism: From al-Attas in the East to al-Masiri in the West,” *Resala Post*, April 20, 2021, <https://resalapost.com>; Götz Nordbruch, “Rationalizing the Hidden Hand: ‘Abd al-Wahhāb al-Masīrī’s Theory of the ‘Judaization of Society,’” in *The Global Impact of the Protocols of the Elders of Zion* (London: Routledge, 2012), 97.

³¹ Abdel-Wahab al-Masiri, *Partial Secularism and Comprehensive Secularism* (Cairo: Dar al-Shorouk, 2002), 176.

defining secularism that precedes its criticism and judgment and then confronting it.

Al-Masiri’s definition of secularism rests on a foundational distinction between two orders. The first is comprehensive secularism, which operates at the cognitive level and is total and final in scope, engaging directly with the relationship between religion, absolutes, and metaphysics. The second is partial secularism, which is procedural in character and does not address the totality or finality of reality. It is this partial vision that advances the case for separating religion from politics, and perhaps from economics and certain other domains of public life, a position sometimes rendered as the separation of religion from state. Crucially, this partial vision does not require silence on all aspects of existence, nor does it necessarily deny the existence of absolutes, moral and human universals, or metaphysics itself. It simply declines to engage with them as a matter of scope rather than of principle.

Al-Masiri grounds his analysis in a second foundational idea: “material monism,” premised on the centrality of matter. This position negates the existence of a God separate from the material world and holds that all phenomena, however diverse, are attributable to a single essence, nature, or matter itself. On this account, the entire universe is composed of one substance: devoid of sanctity, stripped of mystery, in perpetual motion yet directed toward no end. It recognizes no privacy, no uniqueness, no absolutes, no constants. Matter, in this view, constitutes both humanity and nature without remainder.

This reading of al-Masiri is considered a new productive knowledge in understanding the cognitive field of secularism and its renewal readings in an attempt to dismantle it and understand it in light of the jurisprudence of priorities in understanding and criticism and that what is

taking shape on the ground is far from separating religion from the state, but rather it is something more comprehensive than that. The mechanisms of secularization are no longer solely the state; instead, many other mechanisms were not taken into account by those who defined secularism, the most important of which are the media, the market, and the strong central state. Despite all of this, the classical definition remains in place.³² Therefore, when we use the term “secular,” it does not refer to reality but instead to the definition that reality has surpassed. The dialogue about secularism takes place in light of the classical definition, not in light of the data from the reality that has been achieved.

Hence, in light of these modern definitions, we can develop visions to confront secularism on the intellectual and practical levels. Instead, this innovative reading is likely to build contemporary Islamic awareness of the problems facing the Islamic nation.

In this context, al-Masiri’s role in practising the jurisprudence of priorities in the intellectual criticism of Western civilization, especially the problem of bias towards Western modernity, cannot be overlooked. Al-Masiri used a new term in his criticism of Western civilization in its cognitive dimensions, which is the term “the jurisprudence of bias,” and he intended it to be a tool and means to identify the Western biases inherent in the methods and tools used by Arab researchers in their studies, which in his opinion constitute the most common and dangerous biases. Many see Western values as universal values, and they adopt them without realizing their Western specificity, whether this adoption is conscious or unconscious. Al-Masiri used the word “jurisprudence” instead of science

³² A. K Saran, “The Meaning and Forms of Secularism: A Note,” *Religious Traditions: A New Journal in the Study of Religion/Journal of Studies in the Bhagavadgita* 2(1) (1979), 102.

because the first word recalls, in his opinion, the probabilistic and creative dimension of knowledge, unlike the word science, which emphasizes aspects of accuracy, neutrality and finality.

The deconstructive method was one of the most essential methods he used to reveal the internal contradictions of Western modernity.³³ These critical projects that practiced the jurisprudence of priorities need more study, both to expand the models within them and to enrich the topics in belief and thought that require practicing the jurisprudence of doctrinal priorities. These scientific methods and their circulation in the Islamic cognitive field (doctrinal and intellectual) (analytical and critical) are likely to solve many contemporary problems and change points of view away from the stagnation that the philosophical system is experiencing in its moral and material aspects. At the end of this study, the writer of these lines hopes that this work will be a building block in building disciplined methods in understanding the text and its applications, those methods that are based on revelation in their topics and methodology, and their tools used to stand on the divine text. It is a reading that uses the methodological tools emphasized by revelation to understand revelation and apply it in reality, which is the goal of the diligent.

³³ Muḥammad Ben Ayoub & Muḥammad Tamzaghine, “Al-Ḥadātha al-Gharbiyyah wa l’ādat Ṣiyāghat al-Insān: Ru’yat al-Masīrī li al-Āliyyāt wa al-Mā’ālāt” (Western Modernity and the Reformulation of Man: al-Masīrī’s Vision of Mechanisms and Outcomes), *Majallāt Qabas li al-Dirāsāt al-Insāniyyah wa al-Ijtimā’iyyah* 9(1) (2025), 805–827.

Discussion of Findings

Fiqh al-awlawiyyāt al-‘aqadī wa al-fikrī functions as a rigorous method for interpreting texts and concepts systematically, and its centrality to this article warrants careful elaboration. By imposing order on competing claims and disciplines, it guards against intellectual and religious extremism; without it, misinterpretation proliferates and both religious and philosophical reasoning become unstable. Its scope is not limited to any single field. As a broad organizing framework, it supports logical analysis across disciplines and imposes coherence on otherwise dispersed bodies of thought. Within this context, theology emerged not as an incidental concern but as an intellectual necessity, a priority demanded by the Islamic community's need to confront the challenges of the present.

Al-Masiri’s model in this study is framed within the framework of the *fiqh al-awlawiyyāt al-‘aqadī wa al-fikrī*, as a practical application of the principle of giving precedence to what is logically and epistemologically prior in critical reasoning. Al-Masiri begins from the epistemological level as the foundational layer underlying all other levels, rather than from partial phenomena or surface outcomes. This represents a sound prioritization in engaging with intellectual and theoretical constructs. Accordingly, the study presents this model as a clear example of criticism governed by *fiqh al-awlawiyyāt*, where conceptual and epistemic foundations are prioritized over superficial manifestations, thereby ensuring methodological clarity in the analysis of doctrinal and intellectual phenomena.

On the other hand, al-Ghazali³⁴ applied a jurisprudence of priorities, considering the community’s

³⁴ M. R. B. Abd Rahman, “Al-Ghazali in Literature with Special Reference to His Biography and the Issue of Faith and Good Deeds,” *‘Abqari Journal* 8(1) (2016): 77.

needs to address and delay certain issues. When he wrote his renowned book *Faḍā’ih al-Bāṭiniyyah*, the motivations behind the subject were shaped by the contemporary context, leading him to prioritize these matters over others. An example of a misapplication of the jurisprudence of priorities can be seen among the Khawarij, who presented specific texts, such as the Qur’anic verse, means: “*There is no judgment except for Allah*,”³⁵ in an absolute manner. They disregarded context and the shifting priorities of jurisprudence, resulting in extreme positions that led them to label as unbelievers those Muslims who disagreed with them. This imbalance was not confined to theological speculation; it directly shaped social and religious practice. Commanding right and forbidding wrong was thereby transformed from a mechanism of reform and communal welfare into an instrument for enforcing a single doctrinal vision, illustrating how, once doctrinal priorities are distorted, secondary issues displace foundational principles, giving rise to extremism, excessive *takfīr*, and practices that undermine the higher objectives of religion and communal unity.

The new approach in this study comes from al-Masiri, who reinterpreted others’ views based on the jurisprudence of priorities, specifically in his critique of Western approaches. He re-examined secularism in a way that aligns with contemporary reality, using the methodology of intellectual jurisprudence to prioritize criticism and analysis.

Conclusion

This study set out to establish *fiqh al-awlawiyyāt al-‘aqadī wa al-fikrī* the doctrinal and intellectual application of priority-jurisprudence, distinct from *fiqh* in its conventional

³⁵ Surah Yusuf 12:40.

sense of legal questions and rulings (*al-masā’il wa al-ahkām*) as a coherent method, and the evidence assembled here sustains that claim. Examined through a classical and a contemporary case, the method discloses two registers operating in tandem: a constructive register, by which doctrinal positions are built and ranked according to their evidential weight, context, and doctrinal-social consequence; and a critical register, by which this same ranking logic is turned outward to interrogate rival worldviews. Al-Ghazali's foregrounding, and later deliberate deferral, of the *bāṭinī* question shows that this prioritizing logic has long been practiced, even where never systematized; the Khawarij's collapse of the distinction between error and sin, and between doctrinal fundamentals and their applications, shows with equal force what doctrinal reasoning produces once that logic is wholly absent. Al-Masiri's critique of Western modernity, proceeding, as this study has shown, from the epistemological rather than the phenomenal level, exemplifies the critical register in its contemporary form. Taken together, these cases expose a marked asymmetry in contemporary Islamic thought: isolated intellectual projects have rigorously practiced doctrinal prioritization, while the wider field of contemporary theology has yet to recognize, name, or systematize it as a coherent method. Addressing this gap is the present study's principal contribution, offered here as an instrument for theology's own renewal, one capable of guarding doctrinal reasoning against both the extremism that follows from unranked certainty and the negligence that follows from unranked indifference, and as an invitation to further studies that might extend its models and enrich its doctrinal and intellectual applications.

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