

The Role of Graduates of Arabian Universities in the Development of *Maqasid al-Shari'ah* in Nigeria

Original Article

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Abstract

The science of *Maqasid al-Shari'ah* did not emerge until in the 4th century, however its concept is rooted in the *Qur'an* and *Sunnah* of the Prophet (SAW). It is based on wisdom and achieving people's welfare. It is very essential in solving the numerous problems of the society particularly in the modern age. This paper examines the contribution of graduates of Arabian Universities to the advancement of the science of *Maqasid al-Shari'ah* in Nigeria. The main objective of this paper is to show how these graduates through their different programs assist in the development of the science which was mostly unknown to many people. The major finding of this paper revealed that though majority of these scholars do not take the science as a specialization, they however help in organizing lectures and *Daurah* on the science at various places in the country. This particularly helped in the spread and development of *Maqasid al-Shari'ah* in Nigeria. In writing this paper, both qualitative and library methods were adopted. In Qualitative method, oral interview was used to gather relevant data from the relevant stakeholders. In addition to interview, relevant library materials, theoretical works, audios and videos on *Maqasid al-Shari'ah* were also consulted and utilized.

Keywords: Arabian Universities, Development, Graduates, *Maqasid al-Shari'ah*, Nigeria.

1. Introduction

Some graduates of Arabian universities have played vital roles in the development of *Maqasid al-Shari'ah* in Nigeria. This is due to the fact that the knowledge of *Maqasid al-Shari'ah* is one of the basic and necessary qualifications to be acquired by an *Aalim* (Muslim Scholar) (Ashur, 2012). Some of them learnt the knowledge of the science at the various universities they had attended in Arabia. They understood the importance of the science in facing the challenges of the modern world and so based on their capacities, they assist in teaching and spreading it both at their private circles, public places and on the media platforms. Knowledge of *Maqasid al-Shari'ah* is an important subject used in addressing the contemporary challenges of the *Ummah* which is however been neglected (Kamali, 1999).

Based on the above findings, the paper examines the role of the graduates of Arabian Universities in the development of the science in Nigeria. Similarly, it highlights on the impact of their contributions on the Muslim scholars and students of learning in Nigeria. This study educates the *Ummah* on the efforts of these modern scholars who studies abroad in different Arabian universities and returned back to their homeland and contribute in the teaching of various Islamic sciences.



2. Literature Review

2.1. Concept of *Maqasid al-Shari'ah*

Maqasid is the plural of *maqсад* which literally means objective, aim, intent, purpose or goal (Manzur, 1990). From a technical perspective, the spirit, purpose, and rationale of the shari'ah are what constitute *maqasid al-shari'ah* (Ismanto et al., 2021). These objectives seek to protect and uphold the public good (*maslahah*) throughout all realms and phases of life. Designed with that aim in mind, they also strive to enable progress and the flourishing of human circumstances on this earth (Kahf, 2006). A unified position held by Muslim scholars notes that the shari'ah exists fundamentally to advance the well-being of all people (*jalb al-masālih*) (Aziz & Noh, 2013) and to keep them safe from damage (*daf al-mafāsīd*) (Nizam & Larbani, 2017). Principles such as justice, human dignity, free will, magnanimity, chastity, facilitation (*al-taysīr*) (Purwanto et al., 2020), and social cooperation represent the moral concepts and divine intents upon which Islamic law rests (Mohammad Monawer et al., 2023); these are collectively known as *maqāsid al-sharī'ah* (Auda, 2008a).

2.2. Origin and Development of *Maqasid al-Shari'ah*

Maqasid al-Shari'ah as a discipline did not receive much attention in the early period of Islam. That is why even today, many books of *Usul al-Fiqh* did not mention *Maqasid al-Shari'ah* (Kamali, 1999). *Maqasid* was not given emphasis in the first three centuries until during the time of Imam al-Ghazali (d. 505) and al-Shatibi (d. 790) that significant developments were made in the formulation of the theory of *maqasid* (Kamali, 1999). In Nigeria there is no precise date for the introduction of *Maqasid al-Shari'ah*. What is apparent is that, being part of general scholarship, *Maqasid* must have been taught by scholars alongside with *Usul al Fiqh* as an attachment to it. Therefore, *Maqasid al Shari'ah* was known through *Ilm Usul al Fiqh* as a science (Kasdi, 2019). Similarly, books brought by scholars might have also contributed to the presence of *Maqasid al Shari'ah* in Nigeria especially students who study in Arabian universities and a number of Islamic Universities abroad where *Maqasid al-shari'ah* are taught. This played a vital role in bringing awareness of the knowledge of *Maqasid al-Shari'ah* in Nigeria.

3. Methods

This research paper adopted two different methods in order to achieve its objective. These methods are qualitative and library or theoretical. In qualitative method, oral interview was employed to gather relevant data from the relevant stakeholders. In this regard, some categories of stakeholders were consulted. These include; some graduates of Arabian Universities, some other Muslim scholars, some Muslim students of learning who attend sessions organized by these scholars and some audience. In the second method which is theoretical, it involves consulting relevant theoretical works on *Maqasid al-Shari'ah*, some relevant works written by these graduates, relevant audios and videos, among others with a view to understanding the theoretical and background of the subject matter. The data or the results collected were analyzed and authenticated through corroborating the sources with other relevant data. For instance, oral sources obtained from some stakeholders were equally corroborated with similar data from other stakeholders. This validation of the data ensures credibility, authenticity and reliability of the data collected.

4. Results and Discussion

4.1. Research Results

This study revealed that *Maqasid al-shari'ah* continue to gain prominence in Nigeria through the efforts of individual scholars in tertiary institutions and other Islamic bodies and organizations such as International Institute of Islamic thought (IIIT) and Islamic Education Trust through the *Da'wah* institute of Nigeria. Graduates of Arabian Universities particularly from Islamic University of Madinah contribute immensely to the teachings, writings and preaching on different Islamic sciences including *Maqasid al-Shari'ah*.

Based on the findings of this research paper, Dr. Jamilu Yusuf Zarewa one of these graduates specialized in *Maqasid al-Shari'ah* having studied it at both his B.A. M.A and Ph.D levels. Dr. Zarewa is an indigene of Kano and was born in 1981. He attended Zarewa central primary school in 1991, College of Qur'anic studies, Kano, 1997, Aminu Kano College of *Shari'ah* and Law in 2000, Islamic University, Madinah (B. A. *Shari'ah*) in 2006, Islamic University Madinah, (PGD Islamic Judiciary and Politics) in 2007, Islamic University, Madinah (M. A. *Maqasid al-Shari'ah*) in 2009, Islamic University, Madinah (*Maqasid al-Shari'ah*) in 2015. Dr. Zarewa was an assistant Head, Department of *Da'wah* programs, Cooperate office for visitors and community enlightenment, Madina, Saudi Arabia. He is currently a lecturer at Ahmadu Bello University, Zaria in the Department of *Shari'ah*.

4.1.1. Role of Some Graduates of Arabian Universities in the Development of *Maqasid al-Shari'ah* in Nigeria

This paper has analyzed the contribution of one of these graduates who contribute in no small measure in the development of the science in Nigeria. His role centered mainly on the teachings of *Maqasid* at various places, organizing *Daura* programs and presentation of numerous programs on *Maqasid* through mass and social media channels. Dr. Jamilu Yusuf Zarewa who was identified graduate of Islamic University, Madinah according to the finding of this paper who specialized in the science and engages in teaching and writing on its various aspects.

4.2. Discussion

The spirit, objectives, and rationale of the *shari'ah* are captured by the term *maqāṣid al-sharī'ah* (Aziz & Noh, 2013). This framework seeks to preserve public interest (*maṣlaḥah*) throughout all aspects and sectors of life (Syahriani et al., 2024). Its design intends not only to guard such advantages but also to foster the betterment and perfection of human existence on earth. Muslim scholars agree unanimously that the *shari'ah's* ultimate purpose is to bring about benefits for every human being (*jalb al-maṣāliḥ*) and to repel harm from them (*daf' al-mafāsīd*) (Nizam & Larbani, 2017). Furthermore, *maqāṣid al-sharī'ah* are, as Auda (2008b) explains, a set of ethical concepts and divine purposes, including justice, human dignity, free will (*al-ikhtiyār*), magnanimity (*al-murū'ah*), chastity, facilitation, and social cooperation, that form the basis of Islamic legislation.

4.2.1. Brief History of *Maqasid al-Shari'ah* in Nigeria

In Nigeria there is no precise date for the introduction of *Maqasid al-Shari'ah*. What is apparent is that, being part of general scholarship, *Maqasid* must have been taught by scholars alongside with *Usul al Fiqh* as an attachment to it. Therefore, *Maqasid al Shari'ah* was known through *Ilm Usul al Fiqh* as a science. Similarly, books brought by scholars might have also contributed to the presence of *Maqasid al Shari'ah* in Nigeria especially students who study in Arabian universities and a number of Islamic Universities abroad where *Maqasid al-*

shari'ah are taught (Auda, 2008c). This played a vital role in bringing awareness of the knowledge of *Maqasid al-Shari'ah* in Nigeria.

4.2.2. The Role of the Graduates of Arabian Universities in the Development of *Maqasid al-Shari'ah* in Nigeria

In collaboration with some other graduates of Arabian Universities, Dr. Zarewa played vital roles in the development of *Maqasid* in Nigeria through his television programs on *Maqasid al-shari'ah*, *Daurah* organized on *Maqasid* at various states in the country, and literary works written and published on *Maqasid al-Shari'ah* (Zarewa, 2017).

Regarding the television programs on *Maqasid*, Dr. Zarewa presented hundreds of lessons on Africa TV 3, *Wisal TV Hausa*, and *Sunnah TV*. On all these TV stations, he presented an in-depth analysis of the concept of *Maqasid al-Shari'ah*, its origin, and the development of the science, in which he identified four stages of its development. The first stage is called *al-Marhalat al-Nash'atu wa al-Takwin*, the second stage is called *Marhalat al-Tamayyiz*, the third stage began during the period of *Izz bn Abdul-Salam* (d. 660AH), and the fourth stage is called *Marhalat al-Istiqlal*. He extensively discussed books written on *Maqasid*, which he classified into five categories.

The first category includes classical books such as *Al-Burhan fi Usul al-Fiq* by *Imam Al-Haramayn* (d. 478AH). The second category consists of books written on some aspects of *Maqasid*, such as *Sharh Hadith La Darara wala Dirara* by *Najmuddeen Sulayman bn Abdul-Qawiyy al-Tufi* and *Rafu al-Kharaj fi Shari'at al-Islamiyyah* by *Shaykh Ya'qub al-Bahithy*. The third category covers contemporary works like *Maqasid Shari'at al-Islamiyyah* by *Tahir bn Ashur* and *Maqasid al-Shari'at al-Islamiyyah wa Alaqatuha bi Adillat al-Shari'iyah* by *Muhammad Sa'd bn Al-Luyubi*. The fourth category includes works written on the contributions of other scholars to the development of *Maqasid al-Shari'ah*, such as the work of *Ahmad Raisuni* who wrote on *Imam al-Haramayni* titled *Imam al-Haramayn Imam al-Fikr al-Maqasidy*, and the work of *Ahmad Abdu* on *Imam al-Ghazali* titled *Al-Fikr al-Maqasidy inda Imam al-Ghazali*. The fifth category comprises works written specifically on *Maqasid al-Shari'ah*, like that of *Muhammad al-Amin al-Shanqiy* titled *Almasalih al-Mursalah*.

It is to be noted here that Zarewa has dedicated most of his time in teaching of this science where he teaches different aspects of the *Maqasid* through these channels since 2012 to date. His programs on *Maqasid* are available in *Wisal Hausa TV*, *Africa TV*, *Freedom Radio*, *Sunnah TV* and *Manar*.

4.2.3. *Daurah* Programs Organized on *Maqasid al-Shari'ah* in some States in Nigeria

Seminar courses on *Maqasid al-shari'ah* and other related courses are been organized by Dr. Zarewa in collaboration with some other graduates of Arabian universities, Muslim youths and some organizations in some states. *Daura on Maqqasid* was organized in Zaria in August 2017 in which Zarewa discussed the five principles objectives of the *Shari'ah*. Zarewa (2019). In Sokoto, Dr. Zarewa taught similar *Daurah* courses which were organized at *Imam Malik Islamiyyah Runjin Sambo* under the chairmanship of Dr. *Jabir Sani Maihula* and *Mus'ab bn Umayy Mabera* organized by *lajnat al Da'wah* under Dr. *Mansur Ibrahim Sokoto* in 2015 and 2018 respectively. Various topics were taught on *Maqasid* including *Qawa'id al-Fiqhiyyah* (Maxims of Islamic Jurisprudence). In the same vein, Kano also hosted similar *Daurah* courses on *Maqasid* by Dr. Zarewa where many participants attended and appreciated the importance of the science to the Muslims. Dr. Zarewa keep on travelling from place to place in Nigeria based on invitations with the sole aim of teaching and disseminating the science.

4.2.4. His Literary Works on *Maqasid al-Sharia'ah*

Dr. Zarewa's contributions extend beyond teaching to a substantial body of literary and research output, encompassing both published and unpublished works. Among his published works is his Ph.D. thesis, *Aims and Objectives of the Shari'ah According to Shaykh Abdul-Rahman ibn Nasir Al-Sa'di*, published by Dar al-Tauhid, Riyadh, Saudi Arabia. His journal publications include *Specific Aims and Objectives of the Shari'ah in Personal Law and Maqasid al-Shari'at al-Juz'iyyah fi Kitab al-'Ibadat* (Specific Aims and Objectives of the Shari'ah in Ibadat), as well as *Aims and Objectives of Shari'ah in Prohibited Transactions and Tatbiqat Hifz al-Maqasid al-Daruriyyat fi Khilafat Umar (RA)* (Application and Preservation of Maqasid al-Daruriyyah During the Caliphate of Umar (RA)), all published in the *Journal of Buhuth and Shari'ah Studies*, Egypt.

His conference and institutional contributions include *Application of the Preservation of Maqasid al-Hajjiyyah and Tahsiniyyah During the Period of Umar (RA)*, presented at the Islamic Science University, Malaysia; *Relationship between the Knowledge of Maqasid al-Shar'iyyah and the Sunnah of the Prophet (SAW)*, published at Nasarawa State University, Nigeria; *Application of the Preservation of Maqasid al-Hajjiyyah and Tahsiniyyah During the Period of Abu Bakr (RA)*, published at the University of Maiduguri; *Application and Preservation of Maqasid al-Daruriyyah During the Caliphate of Uthman (RA)*, published at Yobe State University; *Application and Preservation of Maqasid al-Daruriyyah During the Caliphate of Ali (RA)*, published at Al-Qalam Islamic University, Katsina; and *Methodological Approach of Shaykh Abdul-Rahman al-Sa'di in Establishing the Aims and Objectives of the Shari'ah*, published in *Al-Nadhara* at the University of Jos.

Among his unpublished works is *Relationship between the Knowledge of Maqasid al-Shar'iyyah and the Qur'an*, alongside the broader study *Principles of the Aims and Objectives of the Shari'ah and Their Applications in Islamic Jurisprudence*. These works, among others, reflect the depth and breadth of his scholarly engagement with the field of Maqasid al-Shari'ah.

4.2.5. Impact of their Contributions on some Muslim Scholars and Students of Learning

Before the activities of these scholars particularly Dr. Zarewa as outlined in the paper, most of the Muslim students and even some Islamic teachers were not fully aware of the science of *Maqasid al-Shari'ah*. They could not differentiate between *Maqasid al-Shari'ah* and *Usul al-Fiqh* or *Qawa'id al-Fiqhiyyah*. With this development, a number of students and teachers who have been attending the various *Daurah* programs and lectures on the science are now equipped with the knowledge. Furthermore, some have bought and possessed a number of books on the science trying to teach it at their various places.

Similarly, a number of Muslims who follow the various programs of *Maqasid al-Sharia'ah* uploaded on the media channels by these scholars have developed the idea about the science and have benefited a lot from the programs. From the foregoing, we learnt that the science of *Maqasid al-Shari'ah* has gain tremendous development in Nigeria through the efforts of some of the graduates of Arabian universities. It is also clear that, their contributions have impacted positively on a number of Muslim scholars and students of learning in some states of the federation.

5. Conclusion

Maqasid al-Shari'ah has been gaining prominence in Nigeria through the efforts of some graduates of Arabian universities. According to the findings of this research paper, it was learned that prior to the efforts of these scholars as outlined in the paper, most Muslim students and even some Islamic teachers were not fully aware of the science of *Maqasid al-Shari'ah*. They could not differentiate between *Maqasid al-Shari'ah* and *Usul al-Fiqh* or *Qawa'id al-Fiqhiyyah*. With this development, a number of students and teachers who have been attending the various *Daurah* programs and lectures on the science are now equipped with the science of *Maqasid al-Shari'ah*. Furthermore, according to the findings, among these graduates so far, only one of them has attained full specialization in the science. However, a number of them are collaborating with him in teaching and disseminating the knowledge of the science in the country.

This has been achieved through organizing *Daurah* courses and through the various media channels. It is learned in this paper that a number of Muslim students and scholars who previously could not differentiate between the science and *Usul al-Fiqh* are now fully aware of it through these scholars. Courses on *Maqasid al-Shari'ah* should be incorporated into the curriculum of our *Islamiyyah* schools as an independent science, and teachers who are capable of teaching it should be assigned at the grassroots level. Additionally, competitions among students of learning should be organized on *Maqasid al-Shari'ah* to serve as encouragement for them to further their research on the science, this being due to the significance of the science in facing the challenges of the modern world.

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