

**CONVERGENCE OF USUL FIQH METHODOLOGY IN THE DYNAMICS OF LAW,  
TEMPO DEVELOPMENT AND CONTEXT SENSITIVITY**Muhammad Jefry<sup>1</sup>, Mahmud Mujahidin<sup>2</sup>, and Endah Tri Wisudaningsih<sup>3</sup><sup>1</sup> Zainul Hasan Genggong Islamic University, Probolinggo, Indonesia<sup>2</sup> Zainul Hasan Genggong Islamic University, Probolinggo, Indonesia<sup>3</sup> Zainul Hasan Genggong Islamic University, Probolinggo, Indonesia**Corresponding Author:**

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12, 2025**Abstract**

The main problem in contemporary ushul fiqh is how to maintain the authenticity of Islamic law based on the shari'a texts, while ensuring its relevance in the face of changing times, social dynamics, and global complexity. Classical methods are often viewed as too textual and rigid, making them less adaptable to empirical reality. Therefore, a more integrative and flexible methodological approach is needed. The purpose of this study is to explain the importance of the convergence of ushul fiqh methodologies through the integration of three main approaches: bayani, which emphasizes the power of texts; burhani, which prioritizes rationality and empirical analysis; and irfani, which emphasizes spiritual and ethical dimensions. This study also describes the tempo of ushul fiqh development from the classical, medieval, and contemporary periods, and emphasizes the importance of Islamic law's sensitivity to social, political, and cultural contexts. This study uses a library research method with descriptive-analytical analysis, which presents 20 conceptual discussions, supplemented by Qur'anic arguments and the views of classical and modern scholars. The research results show that methodological convergence is essential for Islamic law to remain vibrant, applicable, and progressive, and able to address modern challenges without losing its sharia legitimacy. Thus, ushul fiqh can serve as a dynamic, just, and oriented legal system for the benefit of the community.

**Keywords:** Contextual Sensitivity, Law, Tempo of Development, Usul Fiqh

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## INTRODUCTION

Usul al-Fiqh (Islamic jurisprudence) is a discipline that plays a central role in constructing the structure of Islamic law (Ahyani & Mutmainah, 2021; Hasniar, 2025; Rahmatullah & Musyahid, 2025). It serves as an epistemological tool that bridges the gap between Islamic texts and the ever-changing social reality. Over time, Islamic law is required to be based not only on normative texts but also to be able to interpret the broader, more complex, and diverse dynamics of societal life (Baihaqi, 2025; bin Muhammadiyah dkk., 2025). In this context, the need for methodological convergence arises as an integrative effort to present Islamic law that is more relevant, adaptive, and just. The development of ushul al-fiqh demonstrates a significant transformative process. In the classical period, greater emphasis was placed on the textual-bayani approach, which emphasized the literal interpretation of the Qur'an and Sunnah.

However, modern reality, with all its complexity, demands the emergence of more open, rational, and contextual methods, as reflected in the burhani and irfani approaches (Aisyah Elvina & Amril Mansur, 2025; Alkhadafi, 2024). The integration of these various approaches is not a methodological compromise that obscures the basic principles of sharia, but rather a scientific strategy to maintain the relevance of Islamic law in facing contemporary challenges. Furthermore, sensitivity to the social, political, and cultural context is a fundamental aspect that cannot be ignored. Without sensitivity to reality, Islamic law risks becoming trapped in normative stagnation, unable to meet the needs of modern society (Priyatna dkk., 2025; Suherli dkk., 2024; Suryantoro, 2025; Yazid & Andaryuni, 2025). Therefore, the convergence of the ushul fiqh methodologies is understood not merely as academic discourse, but also as an urgent practice to ensure the sustainability of Islamic law as a dynamic, progressive, and beneficial system (Marjuki dkk., 2024).

## RESEARCH METHOD

This study employed library research with a qualitative, descriptive-analytical approach. This method was chosen because the study of the convergence of ushul fiqh methodologies is conceptual-theoretical in nature. Therefore, the primary data sources were obtained from classical literature such as Imam al-Syafi'i's *al-Risalah*, al-Ghazali's *al-Mustashfa*, and al-Syathibi's *al-Muwafaqat*, as well as contemporary works discussing the dynamics of Islamic law. Secondary sources, including academic books, journal articles, and previous research, were used to strengthen the analysis. Data collection techniques included searching, recording, and classifying relevant literature. The collected data were then analyzed using content analysis to understand the core message of the text and comparative-critical analysis to compare the views of classical and contemporary scholars. The results of this analysis were synthesized to formulate how the convergence of ushul fiqh methodologies can address the dynamics of Islamic law, its pace of development, and its sensitivity to social context.

## RESULTS AND DISCUSSION

Research results are presented in the form of graphs, tables, or descriptive. Analysis and interpretation of these results is necessary before they are discussed.

Table 1. Research Findings

Aspect	Focus	Explanation	The Quranic Verse	Figures/Ulama
Bayani Convergence	Textual	Focus on literal understanding of the Qur'an & Sunnah	QS. An-Nahl: 44	Imam al-Syafi'i
Burhani Convergence	Rational	Logical, empirical, maqashid analysis	QS. Al-Hasyr: 2	Al-Ghazali, Fakhruddin al-Razi
Irfani Convergence	Ethical-spiritual	Values of wisdom, justice, moral intuition	QS. Al-Baqarah: 269	Al-Syathibi, Jasser Auda
Development Tempo	Historical	Evolution of the methodology of ushul fiqh	QS. Ar-Rum: 54	Abduh, Qaradawi
Context Sensitivity	Social	Adaptive to time, space, culture	QS. Al-Hujurat: 13	Umar bin Khattab, Al-Syathibi

QS. An-Nahl: 44

وَأَنْزَلْنَا إِلَيْكَ الذِّكْرَ لِتُبَيِّنَ لِلنَّاسِ مَا نُزِّلَ إِلَيْهِمْ وَلَعَلَّهُمْ يَتَفَكَّرُونَ

“And We have sent down to you the Reminder (the Quran) so that you may explain to the people what has been revealed to them, and that they may reflect.”

QS. Al-Hasyr: 2

فَاعْتَبِرُوا يَا أُولِيَ الْأَبْصَارِ

“... So take heed, O people of insight (reason)..”

QS. Al-Baqarah: 269

يُؤْتِي الْحِكْمَةَ مَنْ يَشَاءُ ۚ وَمَنْ يُؤْتَ الْحِكْمَةَ فَقَدْ أُوتِيَ خَيْرًا كَثِيرًا

“Allah grants wisdom to whom He wills. And whoever is granted wisdom, he has indeed been granted much good.”

QS. Ar-Rum: 54

اللَّهُ الَّذِي خَلَقَكُمْ مِنْ ضَعْفٍ ثُمَّ جَعَلَ مِنْ بَعْدِ ضَعْفٍ قُوَّةً ثُمَّ جَعَلَ مِنْ بَعْدِ قُوَّةٍ ضَعْفًا وَشَيْبَةً ۚ يَخْلُقُ مَا يَشَاءُ ۚ وَهُوَ الْعَلِيمُ الْقَدِيرُ

Meaning: Allah, it is He who created you from weakness, then made you strong after weakness, then made you weak after strength and gray-headed. He creates what He wills, and He is the All-Knowing, the All-Powerful.

QS. Al-Hujurat: 13

يَا أَيُّهَا النَّاسُ إِنَّا خَلَقْنَاكُمْ مِنْ ذَكَرٍ وَأُنْثَىٰ وَجَعَلْنَاكُمْ شُعُوبًا وَقَبَائِلَ لِتَعَارَفُوا ۚ إِنَّ أَكْرَمَكُمْ عِنْدَ اللَّهِ أَتْقَاكُمْ ۚ إِنَّ اللَّهَ عَلِيمٌ خَبِيرٌ

. Meaning: O mankind! Indeed, We created you from a male and a female, then We made you into nations and tribes so that you may know one another. Indeed, the most noble among you in the sight of Allah is the most pious. Indeed, Allah is All-Knowing, All-Aware.<sup>1</sup> Usul fiqh arose from the need to interpret the sharia after the death of the Prophet Muhammad. ﷺ.

## 1. Dynamics of Usul Fiqh Methodology

Usul fiqh, as the methodology of Islamic law, arose from the need for the community to formulate sharia rules systematically after the death of the Prophet Muhammad (peace be upon him) (Khotimah, 2025). During the Prophet's time, laws were established directly through his revelations or sayings. However, after his death, various new issues arose, not all of which had explicit texts. This prompted the Companions to conduct *ijtihad*, using reason and consideration of the public interest in deciding legal matters. The development of the methodology of *ushul fiqh* occurred gradually, following the dynamics of Islamic society from the early days to the contemporary era (Ahmad Mu'is, Sainawi dkk., 2024; Almadison & Basri, 2024). During the pioneering period (1st–2nd centuries AH), the *ijtihad* of the Prophet's Companions was practical and directly referred to the Qur'an, Sunnah, and *ra'yu*, or rational opinion when an explicit text was not available. Figures like Umar ibn Khattab are renowned for their *ijtihad*, which considered the public interest, for example when he postponed the execution of amputation during a time of famine. As the Islamic realm expanded and legal issues became more complex, the need arose to develop a standard legal methodology so that the determination of Islamic law would have a clear and systematic basis. The next period was the early codification period (2nd–3rd century AH), marked by the emergence of Imam al-Shafi'i's monumental work, *Al-Risalah*. In this work, al-Shafi'i laid the foundations of the science of *ushul fiqh* by emphasizing the four primary sources of Islamic law: the Qur'an, Sunnah, *Ijma'*, and *Qiyas*. The texts of the Qur'an and Sunnah were positioned as the highest normative sources, *Ijma'* served as a binding consensus of scholars, while *Qiyas* provided space for legal analogies to address new issues for which no texts could be found. A key characteristic of this period was the dominance of the *bayani* approach, which focused on text and language as sources of legal legitimacy.

Subsequently, during the later development period (4th–6th century AH), *ushul fiqh* thought became richer through the integration of philosophy, logic, and rationality (Arif Fitria dkk., 2024). Scholars such as al-Ghazali in *al-Mustashfa*, al-Amidi in *al-Ihkam*, and Fakhruddin al-Razi added a rational approach to the development of legal methodology. On the other hand, al-Syathibi, through his work, *al-Muwafaqat*, introduced the concept of *maqasid al-shari'ah*, namely the objectives of sharia, which encompass the protection of religion, life, intellect, descendants, and property. From this period on, *ushul fiqh* was no longer solely normative-textual, but also considered the objectives and benefits of law for society.

Entering the late classical period to the modern era (7th–19th centuries AH), two major schools of law emerged in *ushul fiqh* (Harimawan & Sopingi, 2024). First, the *Mutakallimin* school (Shafi'iyah and Malikiyyah), which is deductive and emphasizes theory and text. Second, the *Fuqaha* school (Hanafiyyah), which is inductive and prioritizes legal practice in the field. In subsequent developments, some scholars attempted to develop a method of convergence between these two schools of law to maintain Islamic law's systematicity while remaining flexible in the face of social change.

The contemporary era (20th–21st centuries) is marked by the emergence of reformist thinkers such as Muhammad Abduh, Rasyid Ridha, Fazlur Rahman, Yusuf al-Qaradawi, and Jasser Auda (Husnu Shidqiah dkk., 2025). They proposed a reconstruction of the methodology of *ushul fiqh* by emphasizing three main principles: first, Islamic law must be based on *maqasid al-shari'ah* or the objectives of sharia; second, law must be sensitive to the social, political, and cultural context; and third, law needs to integrate modern disciplines, including social sciences, science, and philosophy, to remain relevant to current developments. This long journey is inseparable from several key driving factors. Socio-political changes resulting from the expansion of Islam into various regions brought new cultural and legal challenges that required *ijtihad* responses. The development of science, especially the entry of Greek philosophy and logic into the Islamic world, encouraged the enrichment of the methodology of *ushul fiqh*. Furthermore, the need for the welfare of the community demands that Islamic law

not only be normative but also provide solutions to real societal problems. The scholars' own internal criticism of the rigidity of classical methods also gave birth to a new approach that was more inclusive and adaptive.

## **2. Convergence of Bayani, Burhani and Irfani Approaches**

In the study of ushul fiqh methodology, three main epistemological approaches are recognized, each with its own distinctive characteristics: bayani, burhani, and irfani (Ulliyah dkk., 2024). These three initially developed within different Islamic scholarly traditions, but over time, they have complemented each other in the process of legal istinbat (conclusion). The bayani approach focuses on text, language, and normative arguments derived from the Qur'an, Sunnah, Ijma', and Qiyas. This approach emphasizes grammatical and linguistic analysis of texts to derive the meaning that best aligns with the intent of sharia. The bayani approach's strength lies in its ability to maintain the authenticity of Islamic teachings, ensuring they are not separated from their foundation in revelation. However, its weakness is its tendency toward a textual-legalistic approach, often making it insensitive to social changes and empirical realities on the ground.

Meanwhile, the burhani approach relies on rationality, logic, and scientific methods in understanding Islamic law (Muhammad Syarif, 2022). The term burhani is derived from the word burhan, meaning proof or logical argument. Through this approach, Islamic law is not based solely on texts, but also considers rational arguments, empirical evidence, and inductive studies to ensure the resulting law is relevant to current developments. This approach is very helpful in bridging normative texts with the complex and dynamic needs of modern society. On the other hand, the irfani approach focuses on the inner dimension, moral intuition, and spirituality in the process of establishing law. This approach is often associated with ethical values and maqasid al-shari'ah, namely the universal goals of Islamic law that are oriented towards welfare and justice. Through the irfani approach, Islamic law goes beyond formal and rational aspects, but also considers the wisdom, substantive justice, and human values contained in sharia texts. The convergence of these three approaches is crucial for producing comprehensive Islamic law. Bayani ensures that law remains rooted in revealed texts; burhani guarantees that law can be justified rationally and scientifically; while irfani provides ethical and spiritual depth so that the law does not lose its human spirit. The integration of these three approaches is the answer to the challenges of the times which demand that Islamic law is not only normative, but also contextual, rational and oriented towards the welfare of the people.

## **3. The Development of Usul Fiqh**

The development of ushul fiqh (Islamic jurisprudence) occurred gradually in accordance with the historical, social, and intellectual dynamics of the Muslim community. In the early period (1st–2nd centuries AH), Islamic law was established through ijhtihad (intelligence) of the Companions and successors, who directly referred to the Qur'an and Sunnah. During this period, ijhtihad was practical, simple, and lacked a standard methodology because the legal sources were still alive in the collective memory of Muslims and the problems faced were relatively limited. Entering the early codification period (2nd–3rd centuries AH), the need arose to formulate a systematic legal methodology in line with the expansion of Islamic territory and the complexity of societal issues. Imam al-Shafi'i, through his work al-Risalah, became a central figure in this period. He established the framework of ushul fiqh by emphasizing four primary sources of law: the Qur'an, Sunnah, Ijma', and Qiyas. This period was characterized by the dominance of the bayani approach, which emphasized text and language as the primary sources of legal determination.

During its later development (4th–6th centuries AH), ushul fiqh underwent methodological enrichment. Scholars such as al-Ghazali, al-Amidi, and Fakhruddin al-Razi began integrating logic, philosophy, and rationality in legal development. Meanwhile, al-Syathibi introduced the concept of maqasid al-shari'ah (the principles of Islamic law) through his work *al-Muwafaqat*, which emphasized that the primary objective of sharia is to achieve public welfare by safeguarding religion, life, intellect, lineage, and property. Furthermore, from the late classical to modern periods (7th–19th centuries AH), a significant shift occurred with the emergence of two major schools of thought in Islamic jurisprudence (ushul fiqh). First, the Mutakallimin school, which is deductive-theoretical and focuses on the integrity of the principles of ushul fiqh. Second, the Fuqaha school, which is inductive-practical, emphasizes the suitability of ushul principles to the legal reality on the ground. Several scholars then attempted to combine these two approaches through the convergence method to ensure that Islamic law remains systematic and responsive to change. Entering the contemporary era (20th–21st centuries AD), modern thinkers such as Muhammad Abduh, Rasyid Ridha, Yusuf al-Qaradawi, Fazlur Rahman, and Jasser Auda emerged, pushing for a reconstruction of the methodology of ushul fiqh. They emphasized the importance of the maqasid approach, sensitivity to social context, and the integration of modern science in legal determination. In this phase, Islamic law is expected to be not only textual and normative, but also rational, inclusive, and able to address the challenges of globalization, human rights, technology, and societal plurality. This tempo of development demonstrates that ushul fiqh is not a static science. From the classical period to the contemporary era, the methodology of ushul fiqh continues to evolve to maintain the relevance of Islamic law to the needs of the times without losing its normative roots.

#### 4. Sensitivity to Context

Sensitivity to context in ushul fiqh (Islamic jurisprudence) is the ability of Islamic legal methodology to understand the ever-evolving social, cultural, political, economic, and scientific realities (Nurhartanto, 2023; Siti Nurhidayati dkk., 2025). Since its inception, Islamic law has been derived from universal revelation, but its implementation has always been intertwined with the dynamic realities of human life. Without sensitivity to context, Islamic law risks becoming rigid and unable to address modern problems. Therefore, scholars developed an approach that considers factors of space, time, and situation in formulating fatwas or legal decisions, as reflected in the principle of "taghayyur al-ahkam biitaghayyur al-azman wa al-amkinah" (law changes with changing times and places).

In the classical period, sensitivity to context was already evident in the *ijtihad* of the Companions, such as Umar ibn al-Khattab's policy of postponing the punishment of amputating hands during famine. This demonstrates that the text of sharia was understood proportionally, taking into account both the public interest and social conditions. In the following period, the concept of maqasid al-shari'ah, introduced by al-Syathibi, became an important foundation for Islamic law's sensitivity to changing times. With its focus on protecting religion, life, intellect, lineage, and property, Islamic law is viewed not only from its normative texts but also from its objective of realizing human well-being. In the contemporary context, sensitivity to context is increasingly necessary due to the emergence of global issues such as human rights, democracy, bioethics, the environment, digital technology, and modern Islamic economics.

Modern thinkers such as Yusuf al-Qaradawi and Jasser Auda emphasize that ushul fiqh (Islamic jurisprudence) needs to integrate social analysis, modern science, and humanitarian values to ensure Islamic law remains relevant and solution-oriented. This approach does not abandon the basic principles of sharia but strives to make them flexible, adaptive, and oriented toward universal well-being. Thus, sensitivity to context affirms that Islamic law is not a static system, but rather a dynamic and progressive one. By integrating the normative values of

revelation with changing social realities, ushul fiqh is able to provide a law that is responsive, just, and relevant throughout time.

### 5. The Relevance of the Convergence of Usul Fiqh Methodology

The convergence of ushul fiqh methodologies, which integrate the bayani (textual), burhani (rational), and irfani (spiritual-ethical) approaches, is crucial in addressing the complexity of Islamic legal issues in the modern era. The bayani approach maintains the authority of revelation and sharia texts as primary sources of law, ensuring they do not lose their normative legitimacy. Burhani allows for reason, logic, and empirical analysis to ensure that the resulting laws align with scientific developments and social needs. Meanwhile, irfani adds spiritual and ethical dimensions so that Islamic legal products are not only normatively and rationally correct but also reflect the values of justice, humanity, and moral wisdom.

In the modern context characterized by technological developments, globalization, and challenges to human rights and the environment, this methodological convergence is key to maintaining Islamic law's relevance, flexibility, and adaptability. For example, when dealing with bioethical issues such as organ transplantation or genetic engineering technology, the bayani approach may not explicitly identify texts that discuss them, but through burhani, the law can be analyzed scientifically and rationally, and then irfani ensures that legal decisions remain oriented towards humanitarian values and maqasid al-shari'ah. Thus, the convergence of ushul fiqh methodologies enables the birth of legal products that are normative, because they are based on revelation; rational, because they are based on science; and ethical-spiritual, because they are oriented towards the noble values of the welfare of the people. This relevance makes Islamic law a living, dynamic legal system, capable of providing appropriate answers to contemporary problems without losing its sharia identity.

## CONCLUSION

Based on the above description, it can be concluded that the development of ushul fiqh is a dynamic process that has taken place from the pioneering period to the contemporary era, influenced by social and political changes and scientific advancements. The convergence of bayani, burhani, and irfani methodologies provides an important foundation for producing comprehensive Islamic legal products, based not only on normative texts but also rationally and oriented towards humanitarian values and the maqasid al-shari'ah (the principles of Islamic law). The tempo of ushul fiqh development demonstrates that Islamic law is capable of adapting to the various challenges of the times, while sensitivity to context ensures the law's relevance amidst the complexity of modern issues. Thus, the integration of these three approaches provides a new direction for the development of Islamic law, ensuring it remains responsive, inclusive, and equitable in meeting the ever-changing needs of global society.

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