



Feedback on The Application of The Elements of *Maqasid Syariah* in Family and Marriage Counselling

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The application of religious elements in counseling has aroused different forms of feedback from various parties. This article presents the findings of a study conducted by the researchers on the feedback of the implementation of a religious approach, which is the elements of *maqasid syariah* comprising the concepts of *dharuriyyat*, *hajiyyat*, and *tahsiniyyat* in family or marriage counseling. The study was conducted qualitatively using a case study design. The data were collected through interviews involving 6 participants and observations during three counseling sessions. The data were analyzed using the 3C Lichtman Model. Based on the analysis data, it was shown that the application of the *maqasid syariah* is a clear and comprehensive approach which also possesses a Benchmark aspect that is proactive.

Keywords: family counselling; *dharuriyyat*; *hajiyyat*; *tahsiniyyat*; *maqasid syariah*



Introduction

Religious approaches in the intervention of counseling have started to gain attention among its practitioners. In Malaysia, for instance, religious approach such as the *Tazkiyah an-Nafs* (Hamjah & Akhir, 2014) has been applied either individually or being integrated with other approaches such as the Rational Emotional Behaviour Therapy (REBT). Besides, different religious approaches such as the Cognitive Psychology ad-Din (Mohamed, 2000), Quranic Soul Therapy (Al-Thani, 2012) and others have emerged as an alternative approach for the practitioners especially those who are inclined towards the utilization of religious approach in solving clients' problems especially when it is related to their emotions and behaviors.

The application of the *Maqasid Syariah* is also a religious-oriented approach that functions to guide the clients in making decisions based on the respective category of needs, namely *dharuriyyat*, *hajiyyat*, or *tahsiniyyat*. Based on this approach, the identification of these categories is conducted by evaluating the effect of a particular decision upon the reservation of the five main aspects of a human's life which are religion, lives, mind, descent, and property (Abu-Raiya, Pargament, Krause, & Ironson, 2015; Mohd & Kamarulzaman, 2016).

This study was conducted to gain feedback from the practitioners, especially on the application of the *maqasid syariah* approach in the family and marriage counseling (Hassan, 2015; Sidik, Saper, & Daud, 2017). It is because the *maqasid syariah* religious approach is relatively new; hence, the findings from this study are crucial as early feedback regarding its benefits and suitability to be practiced by the practitioners as well as the clients (Hussain, 2011). This study also aimed to benefit the practitioners for them to take proper actions in understanding more of the philosophy contained in the *maqasid syariah* approach. Hence, they will further conduct related studies, including developing an application module of the *maqasid syariah* approach as well as investigating the effectiveness of this application in various counseling settings (Mohamad, Yusoff, & Adli, 2013). It is due to the nature of the researchers' past studies which only emphasized on understanding the concept of *maqasid syariah* elements and how these elements are implemented about counseling.

Methods

This qualitative study was conducted using a case study design (Maxwell, 2012; Sidik et al., 2017). The collection of data was done through observations and interviews with the counselors, which was recorded during counseling sessions (Crowe et al., 2011; Unluer, 2012). The participants for this study are counselors who were servicing at the district religious departments and religious institutions conducting the counseling service and three clients. The sampling technique employed for this study is purposive sampling, where the counselors were purposively



selected among those who were carrying out their duty in assisting Muslim spouses in solving their marriage conflicts, while the clients were among those obtaining counseling service from the counselors.

The recordings of the interviews and observations were re-played for the researchers to write the verbatim form for data analysis. The analysis of data was carried out using the Three C's of Analysis technique, namely Coding, Categorizing, Concepts (Lichtman, 2012). This technique may assist researchers in providing in-depth understanding as well as comprehending the meanings informing the themes of a particular phenomenon effectively and precisely.

Results and Discussion

Based on the researchers' observations through the interviews conducted, it was found that the application of the *Maqasid Syariah* shows an overwhelming response. The theme that was formed based on the data analysis shows that the application of the *Maqasid Syariah* is a form of a comprehensive and clear approach, further explained in the following part.

The application of DHT is a clear approach.

Maqasid Syariah is an approach that focuses on the reservation of the essential aspects of human life (Kamali, 2011). Among the processes taking place during a counseling session are to discuss with the client on the logical sequences and to evaluate the advantages and disadvantages of a particular decision or action taken. The counselors who participated in the study claimed that the *Maqasid Syariah* approach is clear in guiding the clients' decision-making process. It can be further understood based on the statement by one of the counselors below:

" The DHT application is beneficial for both the counselor and the client in making decisions as the technique used is very clear and easily understandable."(*Counsellor F: 445-447 20/7/2016*)

The participants of the study found that the DHT application is a clear approach as any decision, matter, or action is taken based on a prior analysis according to the levels of needs namely *dharuriyyat*, *hajiyyat* or *tahsiniyyat* (Larbani & Mohammed, 2011; Rusydiana & Al Parisi, 2016). The categorization of the requirements is done after every decision, matter, or action is taken is to preserve the aspects of religion, lives, mind, descent, and property from being violated or affected.



An approach that contains benchmark aspects.

This technique is also deemed to have benchmark aspects that can be utilized in identifying priorities as well as having parameters in obtaining a particular decision. It can be seen in the statement made by the following participant who claimed that;

“The presence of the *Maqasid Syariah* does not only assist and ease counselors in guiding clients for their decision making aligned with the syariat, but it is also a technique that may ease counselors and clients in their evaluation as there are certain benchmark levels that will guide them in evaluating a particular decision that will be made.” (*Counsellor G: 662-666, 21/7/2016*)

Based on the excerpt above, the counselor stated that the use of the *maqasid syariah* in counseling sessions conducted is a useful approach in measuring the aim of a particular decision and the effect that comes along with the decision made (Maliki, Embong, Abdullah, Sultan, & Abidin, 2015). The *maqasid syariah* approach also helps him in guiding his clients to evaluate a particular action or decision that will be taken (Anas et al., 2017).

The *Maqasid Syariah* approach is also found to have benchmark aspects or parameters that are aligned with the syarak. The benchmark aspects are religion, lives, mind, descent, and property. Every decision that will be made should be based on the importance of preserving these benchmark aspects, and evaluation of a particular problem that is faced will refer to the impacts on these main aspects of life. This situation is in line with the five fundamental importance, which is that Allah desires to do good deeds to his servants (Haq, 2007). The aspect of religion is the most important as it determines the well-being in the world and the hereafter (Galen & Kloet, 2011; Park, Wortmann, & Edmondson, 2011).

An approach that emphasizes on priorities.

Based on a statement made by one of the participants, the application of *maqasid syariah* is an approach that highlights priorities in doing a particular action or decision. His following statement is feedback on the researchers' query on the use of this approach in assisting clients in making decisions.

The researcher: “Based on your experience in assisting your clients in making decisions, to what extent the *maqasid syariah* technique is needed in the counseling sessions?”.



The participant: "It is needed. They need to be aware of the consequences and have to see the priorities in doing a particular action or in making a particular decision". (*Counsellor A: 515-518, 11/04/2016*)

The counselor stated that a *maqasid syariah* approach is an approach that focuses on priorities. The researchers found that selecting priorities have to be done accordingly, which is initiated by the preservation of religion, followed by our lives, mind, descent, and properties. According to Al-Qardawi (2011), the religious aspect has to be the first and the most important, even more than our lives. The preservation of these aspects acts as a benchmark or parameter, while the primary mechanism in obtaining the aim is by putting a particular matter on the levels of needs of *dharuriyyat*, *hajiyyat*, and *tahsiniyyat*.

The aim and technique that used in evaluating a specific matter according to the priority are aligned with the need for syarak to suit the philosophy *maqasid syariah* itself. Based on the factors mentioned above, the application of this approach is a clear technique in assisting the client in making a particular decision, especially regarding family and marriage counseling. It is because any decision that is made by a member of the family would give impacts on all main aspects of the individual's life. The categorization order of the needs prioritizes the *dharuriyyat* as compared to the *hajiyyat* as much as prioritizing the *hajiyyat* compared *tahsiniyyat*. On the same trend, the preservation of religion is prioritized over the lives, mind, descent and finally properties and this clearly shows that a *maqasid syariah* approach is an approach that emphasizes priorities in making decisions

In addressing situations where there is an overlap between priorities, Auda (2015) divided the conditions of priorities into three states, which are based on time, energy, and properties. In terms of time, when there is an overlap while there is also a time constraint, hence the priority has to be given to the matter that would provide a clear impact religion, followed by the other four aspects accordingly. Meanwhile, in terms of energy, use energy should prioritize issues that involve the importance of the five elements according to order. The same goes for the property aspect whereby the priority should be given to the source of properties that may preserve the five main aspects of life according to its order. Other than teaching unity among Muslims, this will also prevent us from being poor and uneducated. Auda (Auda, 2015) also mentioned that today's main priority is the development of humanity itself by ensuring the policies introduced can preserve human rights through the preservation of the main aspects of life.

The approach of the *maqasid syariah* application also teaches the principles of *maslahah* and *mafsadah* in evaluating a particular priority of action or decision. The practice of these principles



in counseling is seen when several techniques in the priority *fiqh*, comparison *fiqh*, or the method of *fiqhiyyah* have been used in evaluating the need or priority of action and decision (As-Suyuti & Jalaluddin, 2012). In fact, in counseling sessions, principles *maslahah* and *mafsadah* are aligned with the principles of beneficence and maleficence become a part of the principles of counseling that need to be practiced in any counseling session.

An approach that produces proactive actions in preserving oneself and family well-being

The *Maqasid Syariah* approach produces decisions that are proactive in building a harmonious life in the future. This approach also emphasizes the act of evaluating the advantages and disadvantages will be obtained from any decision that will be taken. The following statement is given by one of the counselors;

"Even though they have made a decision, for instance, to get divorced, we have discussed with them on their planning in preserving the religious, education, and family's dignity aspects towards themselves and other family members." (*Counsellor B: 388-392, 13/04/2016*)

Feedback from the client found that any decision taken is to avoid any bigger risks that will affect the life of the person and family members. For instance, Client 02 considered that he might be doing harmful actions to someone if he could not manage the pressure, he had been facing for the past three years. It can be seen in his following statement:

Client 02: "For the past three years, I live in a hard life, and if this situation persisted, I might be acting unexpectedly by rebelling or even trying to kill her without any intentions. I am also worried if anything bad happens to my children". (Client 02: 189-192, 13/4/2016).

Based on the excerpt above, the researchers found that through the act of evaluating priorities by projecting possible expectations through cause and effect, any action or decision will create a proactive situation.

The application of *Maqasid Syariah* is a proactive approach as the clients are guided to evaluate and anticipate the cause and effect of a particular decision on the main aspects of life. With the evaluation that is conducted based on the cause and effect, this will provide some space for the clients to evaluate a particular action or decision; either it brings about advantages or disadvantages. It will provide chances for the client to avoid any harm or violation of the main aspects of life. This is aligned with the opinions of *fiqh* scholars such as Al Qarafi (passed away in 684H/1285M) who stated that *maqasid syariah* has a long term aim in providing goodness as



well as avoiding harms (Auda, 2015). Hence, the foundation to this technique is to fulfill the need in the *maqasid syariah* which is to preserve the main aspects of life, hence the application of DHT technique is an approach that goes beyond today's need; in fact, it is still relevant for more generations in the future.

Other than that, by evaluating the matters that will happen, the clients will also have the opportunities to prepare themselves earlier should any risks that might occur following the decision that will be taken. Through the religious approach, an individual is guided to have a positive attitude towards God, who always plans goodness for all man kinds. Therefore, by having such an attitude, individuals will be taking proactive actions that are hoped to produce good as well as avoiding any harmful consequences in the future.

The *Maqasid Syariah* approach is also found to be a holistic approach that can build life's well-being as it takes into account the main aspects of life that are inter-connected to each other, be it the worldly or the hereafter aspects. All the five aspects discussed in this study are the basic (*fitriah*) needs of humans. For instance, humans need religions to assist the managing their actions and behaviors, which eventually will influence their life in the hereafter (Young & Cashwell, 2011).

Religions also demand all humans to preserve ourselves from being killed or doing any kind of actions that may threaten ourselves. Religions also demand all humans to preserve our minds as with a healthy mind, and humans may act accordingly and work for a proper life. Religions also demand humans to preserve their descents to ensure an organized social system. At the same time, religions also demand humans gain our properties and righteously preserve them. Humans need properties to survive in various conditions, including for education, as well as to perform their religious demands (*ibadah*). With properties, humans will also feel happy in their life and the hereafter if they are utilized in the right ways. Hence, the *maqasid syariah* approach that prioritizes the preservation of the main aspects of life is seen as an approach that can form a harmonious life in the world and the hereafter.

Humans who can fulfill their basic needs will have a healthy emotion, thought, and behavior. This healthy and happy life will eventually allow humans to attain self-actualization, as explained by Abraham Maslow. The basic needs or physiological needs here refer to the needs that cannot be missed, such as food, drinks, shelter, or home, which are humans' basic needs. According to Maslow (2011), after fulfilling all the physiological needs, humans will then seek for their safety from any threats. When their safety needs are fulfilled, they need to socialize with others, and they need to be cared for by their social circle to undergo their routines. When these social needs are fulfilled, there comes another need that has to be attained, which is self-esteem,



the need to feel appreciated, and appreciate others. Eventually, the highest need that is dreamt by every humankind is the need for self-actualization.

The objective of the *Maqasid Syariah* is similar to Maslow's Hierarchy, but the benchmark aspects in the DHT technique are very clear, and it fulfills the need of syarak as compared to the Malsow's Hierarchy (Cao et al., 2013; Ugah & Arua, 2011). It is also clear that the application of DHT is an approach that covers both the worldly and hereafter needs. It is also relevant based on the needs that emphasize on the preservation of religion, lives, mind, descent, and properties as the benchmark aspects as compared to Maslow's Hierarchy that only refers to the basic needs and fulfillment per se; without relating it to the syarak demands (Cao et al., 2013).

The Islamic approach is clearer as it emphasizes on making decisions collectively as compared to the Western approach that is more individualistic. In this study, the aspects of psychology and physiology are the matters that involve a complete practice of the religion for the sake of a safe life here and the hereafter, a harmonious life that is contributed by a healthy mind and body, and assurance for a safe and harmonious life and social system that acknowledges the life of every human (Dagang, Zirwatul, Raja, & Bakar, 2015; Saper, Daud, & Ahmad, 2016). All these are formed by the preservation of life aspects that have been discussed throughout the study. It is a networking system that is intertwined and related to one's life. This physiological system becomes the element that has to be preserved in ensuring the well-being of a particular individual.

Conclusion

Based on the findings of this study, it is shown that the feedback on the application of this approach is positive, and it has to be implemented in counseling sessions, especially the ones related to family and marriage. The application is suitable for counseling practitioners in guiding their clients in making decisions. The findings also found that this application has to be practiced as it emphasizes on the priorities in decision making. It is because the application takes into account other individual's roles in the family and the partners in particular marriage.



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