

The Objectives of the *Sharia* and Their Impact on Judicial Rulings "An Applied Theoretical Study"

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Abstract:

This study clarifies Sharia's purpose and impact on judicial decisions. The topic is vital and needs careful study by mujtahidoon (Islamic jurisprudence academics capable of independent reasoning) and judges since it governs findings and ijthad and helps address new court cases. This study defined "Shariah goals" and "judiciary" (*al-qaza*) and addressed essential, complementary, and tahsiniyah goals (embellishments). The study focused on knowing the most important objective, zarooriyah (essential), as it occupies the first place among them, by explaining its meaning lexically and contextually and by mentioning the sayings of the scholars about the necessities related to Shariah objectives, which are *deen* (religion), *nafs* (life), *nasl* (progeny), *maal* (wealth) money, and *aql* (intellect). If necessary goals conflict, a judge should choose the most important. Sharia law tries to protect people from harm and offer well-being (*maslaha*). To achieve this, prioritize their needs and interests. The research cited articles, regulations, and court rulings to show that Saudi Arabian legislation considers Sharia's objectives. The study recommended distinguishing Sharia ordinances and laws through practical research and legal decisions.

Key Words: The objectives of Shariah – Rulings – Types of Objectives – Judicial Implementation

Research Limitations:

This study examines Sharia's three types: essential, complementary, and tahsiniyah (embellishments). The study also compares Sharia's goals to public welfare and judicial application. This study examined the Saudi Arabian judiciary system to learn about 2013 and 2014 AD articles, clauses, rules, and judicial judgments.

Research Problem:

Sharia rules were enacted to meet Sharia's goals of benefiting and protecting people from harm. A mujtahid or judge must have in-depth knowledge of these objectives because they play a significant role in understanding and interpreting texts and keeping a balance between them when they contradict. So, Sharia knowledge should be proportional to their demands. The essential goal, the order of the goals, and the goal to prioritize if they clash should be known. Answering the following questions identifies the research problem.

- What are the objectives of the *Sharia*?
- What are the types of objectives of the *Sharia* from the perspective of the purists or fundamentalists scholars (*al-usooliyyoon*)
- In case of conflict between the objectives of the *Sharia*, which objective should be given priority?
- What is the relation of "welfare" or "public interests" with the objectives of the *Sharia*?
- What is the extent of reflection of the objectives of *Sharia* in the judiciary systems of the Kingdom of Saudi Arabia?

Importance of the Subject:

- The Sharia's objectives are one of the most significant and beneficial issues that can address all the current judicial developments.
- Knowing Sharia's aims, how to employ them, and linking them to judicial judgments ensures that judges' rulings won't clash with them.
- It helps judges "draw inferences" by linking Sharia goals with court applications.
- It emphasizes the relevance of judicial purposes.
- It emphasizes the function of the court in Saudi society.
- It describes Saudi Arabian court judgments.
- It illustrates Sharia's compliance with Saudi Arabia's legislation.

Objectives of the Research:

- To clarify the concept of the "objectives of the *Sharia*."
- To highlight the types of objectives of the *Sharia*.
- To explain the relation of welfare or public interests with the objectives of the *Sharia*.
- To present some of the applications related to the objectives of the *Sharia* in the judicial courts of the Kingdom of Saudi Arabia.

Previous Studies:

I couldn't find an applied study on the Saudi court system, but there are theoretical ones. Important studies include:

Al-Zuhaili's study (1981) described Sharia's purposes, explained its benefit, and detailed the forms of welfare or public interests according to their relevance, the sequence of the objectives, and which objective should be given priority if they clash.

Al-Khadimi(1995) examined the concept, instances, extent, validity, and regulations of inductive purposes.

Four chapters comprised the study of Al-Raisouni, (1992). The first chapter explored goals from a purist and Maliki standpoint. Chapter 2 discussed theories. The third chapter presented and discussed themes such as rationale, benefits and disadvantages, and law-giver intentions (Al-Shaare). The fourth chapter evaluates the theory.

Al-Tunisi's(204) book's second section covers Sharia academics and the science of aims from jurists' writings. It also examined general purposes, public interests, norms of objectives and their types, legislative objectives (al-tashree), and why jurists should know them.

My study is applied and theoretical. This applied study wasn't covered before. The study explained the general purposes of Sharia, its types and their need, its relationship with welfare and public interests, and their impact on judicial judgments in Saudi Arabia.

Research Methodology:

The following are the strategies utilized in this study:

o **Inductive Approach:** By studying and emphasizing Sharia's goals and describing their reality and sorts.

o **Analytical Approach:** By finding the vocabulary and meanings associated with the aims of the Sharia, explaining the relation of public interests or welfare to the objectives, and correlating them with the applications before the judicial courts.

Concept of the Objectives of the Sharia

First Part: Definition of *al-maqaasid* (objectives)lexically and contextually.

1. **Definition of *al-maqaasid* (objectives) lexically:***al-maqaasid* is plural of *maqсад*,which is derived from the verb "*qasada*"which means "intend." The word has several meanings, includingjustice, fairness, mediation, straightening the way, dependence, and asking somebody to do something (Ibn Manzur, 1992).

2. **Definition of *al-maqaasid* (objectives) contextually:**The Islamic scholars of old age (purists –*al-usooliyyoon*) have no specific term for the word "al-maqaasid," but they had expressed it in their books using phrases likeissues with their intentions, getting rid of embarrassment and distress, the secrets of *Sharia*, the intention of law-giver (*al-shaare*) and reasons for jurisprudential rulings...etc. Contemporary scholars and jurists (*fuqahaa*) provided various similar definitions of al-maqaasid. The most important definitions are:

- *al-maqaasid*are the goals that the *Sharia* has set so that they can help people to get the welfare" (Al-Raisouni, 1992).
- *al-maqaasid*are meanings that are noted in the legal Sharia rulings, whether those meanings are a partial ruling, a total interest, or aesthetic features, and they are all gathered together for one purpose, which is subservience to Allah the Almighty and the human's interest in both worlds, this one and the next.(Al-Khadimi, 1995).

Thus, it becomes clear now that the meaning of the objectives of the *Sharia*, according to the scholars, revolves around the goals intended by the Law-giver (*al-shaare*) for the interest, welfare, and happiness of people in both worlds (here and the hereafter).

Second Part:Definition of *al-qaza* (judicature) lexically and contextually

1. **Definition of *al-qaza* (judicature) lexically:***al-qaza* is derived from the verb "*qaza, yaqzi, qazyān*," which means "judged" and "separated."*Al-Qazi*" means the one who judges, and "*ustuziyafulanun*"means he has been appointed as a judge to judge between people. (Ibn Manzur, 1992).

2. **Definition of *al-qaza* (judicature)contextually:** Some jurists (*alfuqaha*) defined it as "showing the *Sharia* ruling which must be executed regarding an incident" (Al-Sherbiny, 1994).The interpreters of regulations say that "*al-qaza*" is "a set of legal rules extracted from the rulings issued by the courts." Also, an "authority" can be attributed to these rulings: the authority extracted from judicial precedents. (Hijazi, 1970).Therefore, *al-qaza* is a judicial authority established by the state to adjudicate between two parties, deter the criminals, and restore rights to their real owners.

Types of Objectives of the Sharia

The Sharia's goals are zarooriyah (essential), haajiyah (complementary), and tahsiniyah (embellishments). People's lives depend on zarooriyah (essential). Therefore losing it will cause corruption and instability. Haajiyah implies what makes living easy and comfortable. If they lose it, their lives won't be disrupted or chaotic, but they'll be hard and embarrassing. Etiquette, gallantry, and polite and kind behavior are required for the success of tahsiniyah (embellishment). If it is lost, people's lives will not be disturbed as in "essential" or hard as in "complementary," but common sense and sound human nature will condemn such an existence. (Khallaf, 2002)

The most vital category is zarooriyah (essential), since if it is disrupted, life's order, people's interests and benefits, and chaos will ensue. Rules must be established, especially when disasters and accidents occur. The law-giver (al-shaare) wanted to address these essentials, and the Ummah agreed. This topic will emphasize this component. Al-Shatibi remarked, "All Muslim nations, in fact, all nations, agreed that Sharia was handed down to preserve the five necessities:

deen (religion), nafs (life), nasl (progeny), maal (wealth), money, and aql" (intellect). Ummah must know these. Data or a clear philosophy doesn't back these necessities. Their Sharia compliance is supported by various evidence (Al-Shatibi, 1997). According to the book 'Al-Taqreer Wal-Tahbeer': "The Sharia's goals are confined to this given faith and Sharia" (Al-Hajj, 1996).

These necessities can be explained through the following points:

First: The meaning of *zarooriyah* (essential) lexically and contextually:

- 1) **The meaning of *zarooriyah* (essential) lexically:** It came from the word *al-iztiraar*, which means "need for something." It is said: "*iztarra Ila amrin*," which means "compelled to do something," and "*rajulunzuzaroorah*," which means a man of necessity or having a need (Ibn Manzur, 1992).
- 2) **The meaning of *zarooriyah* (essential) contextually:** The opinions of the purists (*al-usooliyoon*) varied concerning the contextual meaning of "*zarooriyah*," but they agreed in terms of its reality. The more inclusive meaning is of Al-Shatibi, which is as follows: "the existence of this temporal world is considered to be based upon this, so much so that if they are disturbed, the temporal world will cease to exist - I mean what is specific to the subjects and their obligations. Likewise, the affairs of the next world cannot survive except by such preservation" (Al Shatibi, 1997).

Second: Types of *zarooriyah* (essential) objectives:

The scholars have differed regarding the types of the essential objectives and whether they are limited to a specific number or not. There are two points of view in this regard:

- 1) The majority of the purists' scholars (*al-usooliyoon*) believe that the *zarooriyat* are limited to a certain number. Still, they differed in that certain number, so most of them said that they were five, which are: *deen* (religion), *nafs* (life), *nasl* (progeny), *maal* (wealth), and *aql* (intellect), while others said that they are six and they include "*al-arz*" to that list (Al-Ghazali, 1993). They inferred this by extrapolating the texts of *Sharia*. So, the necessary objectives of the Sharia can't go beyond the necessities mentioned above, which is what the *Ummah* and all other religions have agreed upon (Al-Shatibi, 1997).
- 2) Some scholars (both old and contemporary) viewed that the necessities are not limited to a certain number (Al-Tunisi, 2004). Their evidence for this is the absence of correct evidence that the necessities are limited to a specific number. Other necessary objectives, such as justice and tolerance, are no less important than those stipulated (Al-Badawi, 1999). Perhaps the most appropriate and preferable – Allah the Almighty knows best – is the first view because the other objectives, such as tolerance, justice, unity, etc., are relevant to the five necessities mentioned above and complementary.

Third: Order of the Objectives of the *Sharia* in terms of importance

The *motaqaddimoon* scholars differed concerning the order of the objectives of the *Sharia* in terms of their importance. Some scholars preferred the religious necessities to the material ones, and others preferred the material necessities to the religious ones. Some other scholars did not consider the order of the objectives. At the same time, some of them criticized the idea of classifying the objectives of the *Sharia* into order in terms of their importance (Al-Razi, n.d.).

The scholars disagree on this issue due to their difference concerning a very important issue: if there is a conflict between the rights of Allah the Almighty and the rights of human beings, whose rights will be given priority? Some scholars believe that religious issues will be prioritized over worldly or material issues. The book "*Sharh-al-Minhaaj*" has pointed out this difference: "Religious necessity will be given priority to worldly necessity, and that is because it will result in happiness in the hereafter, which is the greatest achievement and the greatest gain. So, if you say: "Rather, it should be the opposite because the right of a human being is based on selfishness, greed, and inconvenience while the right of Allah the Almighty is based on forgiveness and leniency, therefore, the right of a human being should be put ahead of the right of Allah the Almighty if they are conflicting with each other and it is no longer possible to meet both of them as the killing for apostasy, chopping off hands for theft, debt on the money of *zakat* and *fitrin* one of the sayings" (Al-Subki, 1982).

In case of conflict between the objectives of the *Sharia*, a Mujtahid, a judge, or a jurist should look into all objectives when issuing a *fatwa* or ruling because the relationship between the objectives is complementary and inseparable from each other. Also, *amuhtahid* or a judge must consider the conditions and circumstances surrounding the incident before prioritizing the most appropriate objective from his perspective.

Relation of the objectives of the *Sharia* with welfare or public interests

The general objectives of the rules of the *Sharia* are to achieve benefits for the people and ward them off harm, and that is by ensuring their necessities, needs, as well as their improvements and embellishments as human life, need things that are essentials, things that are needed and things that are required to improve their lifestyle. So, if all of these things get available to human beings, their interests will be fulfilled. The Islamic *Sharia* legislated for various matters so that the *zarooriyat* (essentials), *haajiyah* (complementary), and *tahsiniyah* (embellishments) can be achieved for individuals or groups.

The *Sharia* did not neglect the *zarooriyat* (essentials), *haajiyah* (complementary), and *tahsiniyah* (embellishments). She laid down all the rules & regulations to protect them. Still, these interests are not on the same level in terms of importance as some are necessary and related to basic needs that are essential for human life and its existence. Some of them are complimentary for those needs and help people to enjoy the different aspects of life, such as dealing with others,

displaying behavior, and establishing relationships. Some other interests are not related to the basic needs of human life. Still, the sound mind requires a good taste in manners, conduct, and noble morality to achieve human well-being and secure their luxuries (Al-Zuhaili, 1981).

Thus, it has become crystal clear that the rules are not made to achieve and protect the interests and welfare of people. The evidence for this is that when we extrapolate and investigate the *Sharia* rulings in various cases (total and partial) and search for the reasons behind them, we find that they were enforced to achieve and protect these three objectives (*maqasid*). Therefore, judges and jurists focus on clarifying the intent of rulings and laws, which helps them comprehend the law (Khallaf, 2002).

Judicial Implementations of objectives of the *Sharia* in the Kingdom of Saudi Arabia

I already indicated that there are three types of objectives of the *Sharia*, elaborated on their meanings, and mentioned the most important objective among them, which is "*zurooriyah*" (essential) followed by "*hajiyah*" (complementary) and then "*tahsiniyah*" (embellishment). It is concluded from this detail that the third objective, i.e., *tahsiniyah* will not be taken into account or given priority if it confronts the other two objectives, i.e., *zurooriyah* and *hajiyah*. In the same way, the *hajiyah* will not be taken into account or given priority if it confronts the objective "*zurooriyah*." So, these objectives will be given priority according to their importance. The above statements make it clear that knowing about the rulings requires knowledge of *Sharia*'s objectives with their order of importance.

Based on the above, the "legislative rules" laid down the legislative principles related to preventing harm and getting rid of trouble. Following are some examples of these rules, which are not limited to: the harm must be eliminated, the harm is not eliminated using another harm, specific harm is tolerated to prevent a more general one, greater harm is eliminated using lesser harm, repelling an evil is preferable to secure a benefit, necessity is estimated by the extent thereof and with hardship come to ease and so on (Al-Dosari, 2007).

Also, the *Sharia* law guarantees the preservation of the objectives of the *Sharia* and ensures their realization. For instance, the Islamic *Sharia* has been keen to protect the religion as it commanded that it must be acted upon and that everything that contradicts it must be rejected (Al-Ramani, 1994). Moreover, the *Sharia* law has also been keen to protect people by enacting several rules that guarantee their protection, including:

- Unlawful aggression against a person is prohibited.
- Retribution, blood, money, and penance are obligatory for those who killed a person.
- It must be paid for the damages done to a person.
- It is necessary to provide evidence in case of retribution.
- An imam or his deputy necessarily gives the punishments for a crime (*hudood*).
- It is obligatory to close all the doors that lead to killing or murder. (Qadri, 1985)

Concerning the protection of wealth, the *Sharia* law enacted some rules to protect the wealth, including the following:

- Prohibition of theft, punishment for the act of theft, and establishing evidence for that.
- Prohibition of destroying the property of others and compensating for the damages.
- Prohibition of cheating, treason, and consuming people's property unjustly.
- Put a mad or insane person into quarantine.
- Ward off the harm and prohibition of *al-riba* (interest).
- Avoid the forbidden earnings.
- Render the rights due to their owners.
- Prohibition of all forms of aggression against the property. (Al-Ramani, 1994)

To protect the progeny (*al-nasl*), Islam enacted some rules. After going through some of the following rules, we can understand how much Islam cares for the protection of *al-nasl*:

- Penalties and punishments for rape, adultery, and indecent assault
- Penalties and punishments for defamation. (Al-Ramani, 1994)

Also, the Islamic *Sharia* has been keen to protect the intellect (*al-aql*), as is evident from the following statements:

- The *Shariah* tells us that the intellect is one of the greatest blessings bestowed on human beings from Allah the Almighty.
- *Shariah* tells us that humans have been made *mukallaf* (legally competent) because of their intellect.
- *Shariah* forbade alcohol and intoxicants to protect the intellect from being corrupted.
- The *Shariah* protected the intellect from corrupt beliefs and harmful ideologies. (Qadri, 1985)

Apart from the above, many other rules and laws were derived from the legal evidence in the Qur'an and *Sunnah*. The rules mentioned above are just a few examples to protect the objectives of the *Sharia*. The *Sharia* policy of the Kingdom of Saudi Arabia considers all the rules enacted by the *Sharia* as the experts of the systems in the Kingdom laid out some standards and criteria which must be followed. They are as follows:

- The systems should achieve the purpose for which they were designed.
- The systems should not violate a rule of the *Sharia* or any objective of the *Sharia*.
- The systems should not contradict any evidence of the detailed evidence of the *Sharia*.
- The systems should not result in corruption (Al-Marzouqi, 2004).

The formulation of the systems in the Kingdom of Saudi Arabia shows very clearly that it takes into account the objectives of the *Sharia*. Following are some examples:

First: The following texts contained in the articles of the "arbitration regulation":

- It is mentioned in article 2: "If it doesn't contradict with the rules of the *Sharia* and the rules of international agreements to which the Kingdom is a party, the provisions of the Law shall apply to every arbitration, irrespective of the nature of the legal relationship around which the dispute revolves whether this arbitration takes place in the Kingdom or if it is an international commercial arbitration taking place abroad".
- Article 25 of the procedures of arbitration says: "The two parties of the arbitration may agree on the procedures to be followed by the "Arbitral Tribunal" including their right to subject these procedures to the rules in force in this organization, its commission, or an arbitration center in the Kingdom or abroad, provided that they do not violate the provisions of Islamic *Sharia*."
- Suppose there was no agreement found before this. In that case, the arbitral tribunal and the provisions of this system may choose the arbitration procedures they deem appropriate, taking into account the provisions of Islamic *Sharia*. (Arbitration Regulation/2022/AD/p.14).
- Article 38 of the adjudication procedures in arbitration case mentions: "while looking into the following dispute....The arbitral tribunal must consider that it doesn't contradict with the provisions of Islamic *Sharia* and the general system of the Kingdom of Saudi Arabia" (Arbitration Regulation/2022/AD/p.19).

Second: The following texts are contained in the articles of the "Legal Pleadings" system:

- It was stated in article 1: "Courts shall apply to cases before them provisions of *Shariah* laws, under the Qur'an and *Sunnah* of the Prophet (peace be upon him), and laws promulgated by the state that do not conflict with the Quran and *Sunnah*, and their proceedings shall comply with the provisions of this law. (Research Center/Sharia pleadings system, 2021).
- Article 3 stated: "any request made by a person and does not have a legitimate interest for him shall not be accepted. However, the potential interest is sufficient if the purpose of the request is to ward off imminent harm or to get evidence for his rights which are feared to vanish when disputed about that".
- If it appears to the court that the lawsuit is malicious or fictitious, it must reject it, and the court has the right to rule against the relevant person (Research Center/Sharia pleadings system, 2021).

Following this article, the regulations are as follows:

- The court will review the request to make sure if the applicant has an interest, bring benefits or ward off harm, and reject the request which has no interest for the applicant, whether the request is original or incidental.
- The request will be accepted if the applicant intends to ward off imminent harm and the presumptions indicate that the harm may occur very soon.
- The request related to establishing a right whose proof is likely to disappear at the time of the litigation (al-*istisaaque*) will be accepted even without the presence of the other litigant, and this includes a request for inspection to establish the case or to prove a testimony that is feared to be lost. This will follow the provisions of the summary jurisdiction.
- The court reserves the right to reprimand whoever is proven to be complicit in the fictitious or malicious lawsuit, such as the witness, the expert, and the heirs.
- In fictitious or malicious lawsuits, the aggrieved party may claim compensation for the damage incurred by an incidental request or an independent lawsuit with the same court. The judgment is subject to the methods of objection" (Research Center/*Shariah* Pleadings System, 2021).

Third: The articles of the "Criminal Procedure" system:

- Article 1 stated: "Courts shall apply to cases before them provisions of *Shariah* laws, under the Qur'an and *Sunnah* of the Prophet (peace be upon him), and laws promulgated by the state that do not conflict with the Quran and *Sunnah*, and their proceedings shall comply with the provisions of this law. (Research Center/criminal procedure system, 2021).
- Article 131 states: "The place of the crime will be considered every place where one of its actions occurred or the abandonment of an act that was must to be done and this abandonment caused the bodily injury or harm" (Research Center/criminal procedure system, 2021).
- Article 187 stated: "Every procedure that contradicts the provisions of Islamic *Sharia* or the systems derived from it shall be void" (Research Center/criminal procedure system, 2021).
- Article 147 stated: "whoever has been harmed by the crime - and his heirs after him - may claim his right before the court in whatever state the case was, even if his request was not accepted during the investigation" (Research Center/criminal procedure system, 2021).

- Article 148 stated: "If the person harmed by the crime is incompetent and does not have a guardian or trustee, the court in which the criminal case was registered must appoint a guardian to claim his right"(Research Center/criminal procedure system, 2021).

Fourth: The article "Combating Narcotics and psychotropic Substances":

Article 3 stated: The following will be considered criminal acts:

- 1) Illegal import of narcotic drugs and psychotropic substances or receiving them from smugglers.
- 2) Import, export, manufacture, extraction, transfer, acquisition, sale, purchase, distribution, delivery, transfer or trade-off, used, cared for, facilitated, calmed, financed or supplied the narcotics or psychotropic substances, except in the circumstances that stated it in the law and accordance with the conditions and procedures provided therein.
- 3) Cultivate plants included in table (4), which is mentioned in this law, or import, export, possession, acquisition, or disposal of such plants. Besides, their entire record growth and seeds trade or participation in any such act aside from the circumstances stated in the approved law. Also, growers are all those who have done the necessary work to grow seeds or seedlings or oversee planting until they have matured and harvested.
- 4) Manufacture, sale, transport, or distribution of equipment or substance for an illegal purpose in the cultivation, production, or manufacture of narcotics and psychotropic substances.
- 5) Laundering the money obtained due to the crimes mentioned in this law.
- 6) Participation or aiding in any acts is stated in this article's paragraphs (1- 2-3- 4- 5).
- 7) Attempt to commit any of the acts stated in this article's paragraphs (1 -2-3 -4-5 -6).(Law of Combating Narcotics and Psychotropic Substances, 2005)

Following are some judicial implementations of the objectives of the *Sharia* in the Kingdom of Saudi Arabia:

- The lawsuit number (3474572), subject: dishonesty, misappropriation of funds (Research Center, 2013, 2015), was based on the *sharia* source, the saying of the Prophet Mohammad (May Allah's peace and mercy be upon him): "Verily your blood, your property is sacred for you" (Al-Bukhari, 2001) and "All of a Muslim is inviolable to another Muslim: his blood, his wealth and his honor" (Al-Nawawi, 2009).
- The lawsuit number (33491322), subject: theft and breaking the windshield (collection of judicial rulings for the years 2013, 2015 AD, 14/26) was based on the sharia source, verses of the Holy Quran in which Allah the Almighty says: " **And cause not corruption upon the earth after its reformation**"(Al-Araaf, 56) "**do not transgress. Indeed. Allah does not like transgressors.**" (Al-Baqra,190) and the saying of the Prophet Mohammad (May Allah's peace and mercy be upon him): "All of a Muslim is inviolable to another Muslim: his blood, his wealth and his honor" (Al-Nawawi, 2009).
- The lawsuit number (3473010), subject: compensation for injury/trauma (collection of judicial rulings for 2013, 2015 AD, 82/28), was based on Article 148 of the criminal procedure system.
- The lawsuit number (32328746), subject: Compensation for losses resulting from loss of benefit (collection of judicial rulings for the years 2013, 2015 AD, 100/28), was based on Article 26 of the arbitration system.
- The lawsuit number (3458674), subject: compensation for imprisonment for a malicious lawsuit (collection of judicial rulings for the years 2013, 2015 AD, 5/28), was based on the sharia source, verses of the Holy Quran in which Allah the Almighty says: " **and for [all] violations is legal retribution**" (Al-Baqra, 194) "**And the retribution for an evil act is an evil one like it**" (Ash-Shura,40)
- The lawsuit number (24350280), subject: delivery of current installments for the price of a car (collection of judicial rulings for the years 2013, 2015 AD, 325/2), was based on the sharia source, the saying of the Prophet Mohammad (May Allah's peace and mercy be upon him): "No harm should be inflicted, nor reciprocated" (Al-Nawawi, 2009).
- The lawsuit number (34350997), subject: failure to complete the construction of a warehouse - a request for refund of the payment - termination of the contract, was based on a jurisprudential maxim which is "harms must be eliminated" (collection of judicial rulings for the years 2013, 2015 AD, 6/4).
- The lawsuit number (33306860), subject: Evacuation of property - non-delivery of rent, was based on the *sharia* source, the sayings of the Prophet Mohammad (May Allah's peace and mercy be upon him): "No harm should be inflicted, nor reciprocated" (Al-Nawawi, 2009) and "All of a Muslim is inviolable to another Muslim: his blood, his wealth and his honor" (Al-Nawawi, 2009) and a jurisprudential maxim "harms must be eliminated" (collection of judicial rulings for the years 2013, 2015 AD, 394/4).
- The lawsuit number (35352249), subject: Auction on real estate - non-fulfillment of the price - submission of nets without credit, was based on article 1 of the "Sharia pleadings system" (collection of judicial rulings for the years 2014, 2017 AD, 349/5).
- The lawsuit number (33611548), subject: Damage resulting from a claim - wrongful claims, was based on article 3 of Sharia Pleadings System and the sharia source, the verses of the Holy Quran in which Allah the Almighty says: " **Allah has permitted trade and has forbidden interest**" (Al-Baqra, 274) "**But if you repent, you may have your principal - [thus] you do no wrong, nor are you wronged**" (Al-Baqra, 279) (collection of judicial rulings for the years 2014, 2017 AD, 138/2).
- Lawsuit number (2756), subject: "proof of liability - a general right - a run-over accident, the death of the person who was run over," was based on the verses of the Holy Quran in which Allah the Almighty says: "And never is it

for a believer to kill a believer except by mistake. And whoever kills a believer by mistake - then the freeing of a believing enslaved person and a compensation payment presented to the deceased's family [is required] unless they give [up their right as] charity" {until} "And whoever does not find [one or cannot afford to buy one] - then [instead], a fast for two months consecutively, [seeking] acceptance of repentance from Allah. And Allah is ever Knowing and Wise. (An-nisaa, 92) (Collection of judicial rulings for 2014, 2017 AD, 90/10).

- The lawsuit number (3328847), subject: "drug addiction," was based on Article 3 of the "Combating Narcotics and psychotropic Substances." (Collection of judicial rulings for the years 2014, 2017 AD, 556/11).
- Lawsuit number (352383), subject: "Possession of drugs - prohibited pills - addiction - driving a car under the influence," was based on Article 131 of the "criminal procedures system." (Collection of judicial rulings for the years 2014, 2017 AD, 35/12).

Above mentioned articles, regulations, and judicial rulings in the Kingdom of Saudi Arabia systems demonstrate the Kingdom's commitment to Islamic law and the objectives of the *Sharia*. The system and law of the government in the Kingdom are based on the Qur'an. The *Sunnah* as the objectives of the *Sharia* is adopted, and the interests of people as well as warding them off all types of harm are taken into consideration, and that is through extrapolating and searching for the *sharia* rules which can guarantee the realization of the objectives of the *Sharia* as previously stated.

Conclusion:

All praise is due to Allah, by whose favor good deeds are accomplished, and peace and mercy of Allah be upon the best of creation Mohammad, his family, and all of his companions.

The most important results and recommendations of the study are as follows:

1. According to the scholars, the meaning of the objectives of the *Sharia* revolves around the goals, objectives, and outcomes intended by the Lawgiver (*al-shaare*) for the interest, welfare, and happiness of people in both worlds (here and the hereafter).
2. The objectives of the *Sharia* are divided into three types which are *zarooriyah* (essential), *hajiyyah* (complementary), and *tahsiniyah* (embellishments).
3. The general objectives of the *Sharia* rules are to achieve benefits for the people by ensuring their necessities, needs, and requirements for embellishments. This we came to know through extrapolating some of the *sharia* rules in the essential (*zarooriyah*) objectives of the *Sharia*, such as the protection of *deen* (religion), *nafs* (life), and *nasl* (progeny).
4. The system in the Kingdom of Saudi Arabia succeeded in preserving the objective of *deen* (religion) by setting the rules and regulations that necessitate enforcing the *deen* provisions and rejecting all that contradicts it.
5. The system in the Kingdom of Saudi Arabia succeeded in protecting *deen* (religion), *nafs* (life), *nasl* (progeny), and *al-aql* (intellect), and that is through setting the rules and regulations which make it necessary to achieve those objectives through their application in the judicial courts, such as the articles related to the arbitration system, the legal pleadings system, the criminal procedures system, combating Narcotics and psychotropic Substances and so on.
6. The laws in the Kingdom of Saudi Arabia are derived from the *Sharia* rules and objectives as they restore a codified scientific method for deduction and inference, ensuring an epistemological system with fixed laws for the country.
7. The articles, regulations, and judicial rulings in the Kingdom of Saudi Arabia came under Islamic *Sharia*, which guarantees the realization of the objectives of the *Sharia*.

Recommendations:

The researchers should be motivated to discern the laws and systems from a *Sharia* perspective through applied research and study of judicial rulings.

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