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The Evidentiary Foundations of Imami Usul al-Fiqh and Their Role in Protecting Social Interests

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Abstract

This study examines how the Qur'an, the Sunnah, consensus, rational evidence, and the practical principles function within Imami *usul al-fiqh* in relation to the protection of social interests. For the purposes of the study, social interest denotes a legally cognizable collective benefit connected with justice, public order, the protection of rights, life, property, family relations, and stable social cooperation. It is not treated as an unrestricted independent source of legislation; rather, its legal significance must be established through the recognized evidentiary structure of Imami legal theory. The study adopts a qualitative doctrinal and analytical method based on selected Imami works of Qur'anic exegesis, jurisprudence, and *usul al-fiqh*, supplemented by modern scholarship on Twelver Shi'i legal theory. The analysis distinguishes evidence that reveals or establishes an actual legal ruling from practical principles that determine the legally responsible person's duty when revealing evidence is unavailable. The findings show that the Qur'an supplies the highest norma-

tive framework, while the Sunnah explains, specifies, and applies that framework in legislative, judicial, and governmental contexts. Consensus is authoritative only insofar as it reliably discloses the position of the infallible Imam and therefore cannot independently generate rulings through numerical agreement alone. Rational evidence operates through definitive judgment and necessary implication, not speculative assessments of expediency. The principles of exoneration, precaution, choice, and continuity do not disclose the actual ruling; instead, they regulate conduct under uncertainty and thereby indirectly support the continuity of transactions, rights, and social relations. The study concludes that the adaptability of Imami jurisprudence arises from the differentiated but integrated functions of its evidentiary foundations and from the limits that preserve the authority and stability of Sharia.

Keywords: Imami legal theory, *usul al-fiqh*, social interests, consensus, rational evidence, practical principles, public order

1. INTRODUCTION

Jurisprudential deduction in Imami legal theory begins with an ordered system of evidentiary foundations. The Qur'an and the Sunnah provide the principal revealed sources; consensus and rational evidence operate within defined doctrinal limits; and the practical principles determine the legally responsible person's practical duty when evidence revealing the actual ruling cannot be established. These foundations are not limited to the derivation of individual devotional duties. They also regulate transactions, family relations, public responsibilities, rights, and other matters whose consequences extend to the stability and welfare of society.

The social dimension of jurisprudential deduction requires particular conceptual care. An asserted benefit does not become legally authoritative merely because individuals, institutions, or a temporary majority regard it as useful. Within the Imami framework examined in this study, a claimed social interest must remain subject to the Qur'an, the Sunnah, and the recognized methods of deduction. The evidentiary system therefore performs two related functions: it enables the jurist to identify legally relevant benefits and harms, and it prevents the language of social welfare from becoming a vehicle for unrestricted or purely subjective legislation.

For the purposes of this article, *social interest* refers to a collective benefit or prevention of harm recognized within the legal order and connected with such matters as justice, public order, life, property, family relations, rights, social cooperation, and the continuity of lawful affairs. This definition does not treat social interest as an independent proof equivalent to the Qur'an or Sunnah. It describes an objective, protected condition, or consequence whose legal significance must be established through valid evidence. Social interest may therefore be reflected in the purpose, application, or social effect of a ruling without itself becoming an autonomous source of law.

The selected Imami sources discuss the Qur'an, Sunnah, consensus, rational evidence, and practical principles in extensive but largely separate doctrinal treatments. Modern studies have similarly examined the historical development of Imami *usul al-fiqh*, the *Usuli-Akhbari* debate, the epistemic categories of certainty and doubt, rational normativity, and the position of consensus [1–5]. What remains in need of clearer synthesis is the differentiated contribution of these foundations to social interests and the manner in which they operate together without losing their distinct evidentiary functions.

Accordingly, the study addresses four principal questions. First, how should social interest be conceptualized and limited within Imami legal theory? Second, what distinct role does each evidentiary foundation perform in relation to collective welfare and social order? Third, how do these foundations integrate in the process of *ijtihad* while preserving the stability of Sharia rulings? Fourth, what social function can legitimately be attributed to the practical principles when evidence revealing the actual ruling is unavailable?

The study argues that the five foundations do not perform identical tasks. The Qur'an establishes the highest normative framework; the Sunnah explains, specifies, and applies it; consensus is authoritative only through a reliable revelatory connection to the infallible; reason establishes definitive rational implications within recognized limits; and practical principles regulate responsibility under uncertainty without claiming to reveal the actual ruling. Their integration provides a disciplined capacity to address changing social circumstances while preventing unrestricted recourse to assumed expediency.

2. CONCEPTUAL FRAMEWORK, LITERATURE CONTEXT, AND METHODOLOGY

2.1. SOCIAL INTEREST WITHIN THE IMAMI EVIDENTIARY FRAMEWORK

The concept of social interest in this study is related to, but not identical with, general ideas of utility, welfare, or policy preference. It concerns a benefit or the prevention of a harm that has collective legal significance and can be connected to a recognized Sharia rule, purpose, or evidentiary implication. Examples include the protection of life and property, the maintenance of family and contractual relations, the prevention of public harm, and the preservation of the social order in which rights and duties can be exercised.

This conception contains both a positive and a restrictive element. Positively, it recognizes that many rulings have social consequences even when they are addressed to individuals. Restrictively, it requires the claimed interest to be assessed through the accepted evidentiary foundations. The Qur'an and Sunnah therefore remain normative controls rather than instruments subordinated to changing perceptions of advantage. Consensus cannot replace them through numerical agreement, reason cannot rely on conjectural benefit, and practical principles cannot be represented as evidence disclosing the actual ruling when their function is to determine conduct under uncertainty.

The distinction is essential to the central thesis. Social interest may explain why a ruling protects public order or may appear as the collective result of a rule's application. It may also be relevant to governmental or guardianship decisions whose application depends on circumstances. Nevertheless, the evidentiary authority of the ruling must arise from a recognized legal foundation. This prevents the concept from becoming an unrestricted legislative discretion.

2.2. LITERATURE CONTEXT AND RESEARCH GAP

The source corpus reflects several established lines of Imami scholarship. Qur'anic exegesis emphasizes the social orientation of Islamic legislation and the Qur'an's role as the governing measure of legal interpretation [6, 7]. Jurisprudential and theological works describe the protection of social order, justice, and human welfare as effects of Sharia rulings while maintaining the authority of revelation [8, 9]. Discussions of the Sunnah address its explanatory function and the distinction between general legislation and governmental or guardianship decisions issued for the management of collective affairs [10–12].

The works on consensus emphasize that agreement among jurists has no independent authority unless it reveals the position of the infallible Imam [13–15]. Positive jurisprudential works also illustrate how inherited legal principles are applied to concrete individual and collective relations [16]. The literature on rational evidence examines definitive rational implications and the correspondence between sound reason and Sharia, while rejecting conjectural or unrestricted assessments of expediency [17–19]. Finally, the literature on practical principles explains how exoneration, precaution, choice, and continuity determine practical responsibility after the search for revealing evidence has failed [20–22].

Modern scholarship provides a broader historical and analytical context. Modarressi maps the textual development of Shi'i law, while Gleave explains the distinctive history of Imami usul al-fiqh and the importance of the Usuli-Akhbari debate [1, 4]. Al-Hilli's early treatise, available in Naqavi's translation, demonstrates that questions of consensus, reports, interpretation, preference, and *ijtihad* form an interconnected legal-theoretical system [5]. Takim emphasizes the importance of certainty, probability, and doubt in the later development of Shi'i legal theory, particularly in the work of al-Ansari [2]. Bhojani, in turn, examines the theoretical place and epistemic limits of independent rationality in modern Shi'i usul al-fiqh [3].

Within this literature, however, the five foundations are generally discussed according to their separate doctrinal problems. The present study contributes an integrated functional account. It asks not merely whether the foundations are authoritative, but how their different forms of authority relate to social interests and public order. In particular, it distinguishes the direct normative and revelatory functions of evidence from the indirect social consequences of practical principles.

2.3. METHOD AND SCOPE

The study adopts a qualitative doctrinal and analytical method. Its primary materials are the selected Imami works listed in the references, including Qur'anic commentary, jurisprudential texts, works of usul al-fiqh, and discussions of consensus, rational evidence, and practical principles. These materials were selected because they directly address at least one of the five evidentiary foundations and contain claims relevant to collective welfare, social order, legal uncertainty, or changing social circumstances.

The analysis proceeds in three stages. First, the doctrinal status and principal function of each evidentiary foundation are identified. Second, claims concerning social interest are examined to determine whether the foundation reveals an actual ruling, applies or specifies a revealed rule, establishes a definitive rational implication, or merely determines the practical duty of the legally responsible person under uncertainty. Third, the five foundations are compared within an integrated framework and applied illustratively to contemporary social problems.

The study does not claim to provide an exhaustive history of Imami usul al-fiqh, a complete survey of every view within the school, or an empirical measurement of the social outcomes of particular rulings. The translated titles and quotations are used through the editions cited in the manuscript, and the analysis remains limited by the accuracy and completeness of those bibliographic records. The contemporary applications are illustrative rather than complete independent fatwas.

3. THE QUR'AN AND SUNNAH AS NORMATIVE AND EXPLANATORY FOUNDATIONS

3.1. THE QUR'AN AS THE HIGHEST NORMATIVE FRAMEWORK

The Qur'an constitutes the highest normative reference from which Imami jurisprudential deduction begins. Its role is not confined to individual worship. It establishes general principles that regulate justice, cooperation, rights, economic relations, public responsibility, and the preservation of life. The command to justice and beneficence (Qur'an 16:90), the instruction to cooperate in righteousness rather than aggression (Qur'an 5:2), the protection of life associated with retribution (Qur'an 2:179), the prohibition of consuming property unjustly (Qur'an 4:29), and the concern that wealth should not circulate only among the rich (Qur'an 59:7) illustrate the Qur'an's direct relevance to collective order. These verses are illustrative rather than exhaustive, but they show that the Qur'anic legal framework cannot be reduced to an exclusively individual or devotional sphere.

Al-Tabataba'i presents Islamic legislation as giving systematic attention to social life and treats the Qur'an as the principal measure by which legislation and interpretation are assessed [6]. In this account, the welfare of society is not

an incidental effect of the law but part of the framework within which legal duties are organized. Al-Madrassi similarly emphasizes the social and historical patterns presented in the Qur'an and their relevance to changing conditions [7]. Such patterns do not authorize the jurist to disregard the text; rather, they provide a structured basis for understanding the movement of society and the types of problem to which legal principles may apply.

The Qur'an therefore performs at least three functions in relation to social interest. First, it establishes substantive principles such as justice, protection of life, lawful exchange, and collective responsibility. Second, it provides the normative standard against which claimed benefits and harms are tested. Third, it supplies general rules whose detailed application may be explained by the Sunnah and developed through valid jurisprudential reasoning.

The controlling character of the Qur'an is especially important. In the Imami perspective presented by the cited authors, social interest is not equivalent to unrestricted material benefit. A customary, governmental, or juristic claim of benefit cannot override an explicit Qur'anic text or a definitive legal rule. Al-Jawahiri's description of the Qur'an as the governing proof against which reports are assessed reflects this hierarchy [8]. Al-Muzaffar likewise connects Sharia rulings with the preservation of social interests and the prevention of corruption while maintaining the Qur'an as their foundational source [9].

3.2. THE SUNNAH AS EXPLANATION, APPLICATION, AND GOVERNANCE

Within Imami legal theory, the Sunnah comprises the statements, actions, and approvals of the infallible authorities. It extends the Qur'anic framework by explaining general provisions, specifying their scope, applying them to concrete circumstances, and demonstrating how legal principles operate within social life. Its relevance to social interest therefore arises not from replacing the Qur'an but from authoritatively interpreting and implementing it.

The cited literature indicates that the Sunnah must be analyzed through more than one legal capacity. Some reports state enduring legislative rules; others concern adjudication between parties; and still others record governmental or guardianship decisions issued in response to particular circumstances. Al-Subhani's treatment of governmental and guardianship rulings emphasizes their role in organizing public affairs and protecting collective interests [10]. Such decisions are context-sensitive in application, but their legitimacy remains connected to the authority and legal capacity in which they were issued.

Al-Ashkanani similarly distinguishes between a permanent general prohibition and an organizational decision taken by the Prophet in the exercise of public authority for a specific social interest [11]. This distinction prevents every context-dependent administrative measure from being converted automatically into an unchanging universal rule. It also shows how the Sunnah can preserve legal stability while allowing the authorized application of general principles to changing circumstances.

The rule of no harm and no reciprocating harm provides a further example of the Sunnah's social function. As treated in the cited jurisprudential literature, the rule limits the exercise of individual rights where that exercise causes legally cognizable harm to others or to the community [12]. Its significance lies not in a general invitation to legislate according to perceived utility, but in an authoritative legal principle that mediates between individual freedom and the protection of others.

The Sunnah's relation to social interests may therefore be organized into three functions. It explains and specifies Qur'anic principles; it supplies practical models for resolving social and legal disputes; and it records governmental or guardianship measures whose operation may depend on circumstances. These functions allow the legal order to respond to social conditions without dissolving the distinction between permanent legislation and context-dependent administration.

4. CONSENSUS AND RATIONAL EVIDENCE: AUTHORITY AND LIMITS

4.1. CONSENSUS AS REVELATORY RATHER THAN INDEPENDENTLY LEGISLATIVE

Consensus occupies an evidentiary position in Imami *usul al-fiqh* only under a specific condition: it must reveal the position of the infallible Imam. Its authority does not arise from the number, status, or social influence of the jurists who agree. Kashif al-Ghita defines consensus in terms of an agreement capable of revealing the infallible's view, whether through inclusion or a form of definite intuitive disclosure [13]. The evidentiary value lies in that revelatory connection rather than in agreement considered by itself.

Al-Muzaffar expressly rejects the independent authority of abstract human agreement [14]. Jurists may agree because of custom, psychological inclination, inherited assumptions, or shared conjecture. None of these motives establishes that the Lawgiver holds the same judgment. The protection of social interests therefore cannot be based on collective approval alone. Consensus is probative only when the jurist can establish the recognized connection through which it discloses the infallible's position.

This requirement resolves an important ambiguity in the social use of consensus. Contemporary agreement among senior jurists on a new economic, political, or social problem may possess substantial persuasive value. It may promote

interpretive stability, reduce arbitrary individual opinions, and guide institutions toward coordinated action. Nevertheless, such agreement does not become a conclusive Sharia proof merely because unanimity appears socially beneficial. Its binding authority still depends on the doctrinal conditions of revelation.

The classical formulation attributed to al-Allama al-Hilli—that consensus is authoritative because the infallible Imam is included within it—expresses the same principle [15]. Positive jurisprudential works may demonstrate how jurists applied inherited rules to collective matters, but those applications do not transform consensus into an alternative source that generates law whenever direct verbal evidence is absent.

The social contribution of consensus should therefore be stated precisely. When its revelatory conditions are satisfied, it can confirm a ruling with authoritative force. When those conditions are not satisfied, broad juristic agreement may still support coherence, predictability, and institutional confidence, but it remains persuasive rather than independently legislative. This distinction preserves both the potential social value of agreement and the doctrinal limits imposed by Imami legal theory.

4.2. RATIONAL EVIDENCE AND DEFINITIVE LEGAL IMPLICATION

Rational evidence has a recognized role in Imami usul al-fiqh, but it is not a substitute for revelation or a general authorization to legislate through perceived utility. Its probative force depends on the type and certainty of the rational judgment. The cited literature emphasizes non-independent rational implications: reason may identify a necessary relationship between an established legal duty and another requirement, such as the relationship between an obligation and the indispensable means of fulfilling it [17, 18].

This function may be illustrated by the protection of public order. If a valid legal rule establishes a duty whose fulfillment requires a necessary means, reason may recognize the obligation of that means within the accepted limits of the doctrine. The conclusion does not arise from political preference or a general claim of convenience. It arises from the necessary relationship between the established rule and its implementation.

The cited literature also presents a close relationship between sound reason and Sharia [19]. Modern scholarship confirms that Shi'i legal theory contains a theoretical space for rational normativity while imposing substantial epistemic limits on its practical use [3]. Accordingly, rational evidence should not be described as a general power to prohibit every activity that appears socially undesirable.

Reliable expert knowledge may establish factual consequences relevant to a new legal case. Where serious harm is established with sufficient certainty and a necessary connection exists between that harm and an authoritative legal principle, reason may assist in applying the rule. The factual evidence and the normative evidence must nevertheless remain distinct. Scientific or social expertise establishes the factual subject; jurisprudential evidence establishes the legal consequence.

Reason contributes to social interests by identifying necessary implications, testing the coherence of conclusions, and connecting stable rules to newly emerging factual forms. Its limit is equally important: conjectural utility, transient political preference, and uncertain factual claims do not become definitive rational evidence merely because they are described as public welfare.

5. PRACTICAL PRINCIPLES AND SOCIAL STABILITY UNDER LEGAL UNCERTAINTY

The practical principles (*al-usul al-amaliyyah*) apply after an adequate search has failed to establish evidence revealing the actual ruling. They do not disclose reality in the same manner as the Qur'an, the Sunnah, or a valid rational proof. Instead, they determine the practical duty of the legally responsible person in a state of uncertainty [2, 20–22]. Their social significance is therefore indirect: by providing an operative rule, they prevent doubt from producing paralysis, arbitrary conduct, or the collapse of settled relationships.

Four principal practical principles are examined here: exoneration (*al-bara'a*), precaution (*al-ihhtiyat*), choice (*al-takhyir*), and the presumption of continuity (*al-istishab*). Each applies to a distinct configuration of knowledge and doubt, and none should be used before the conditions for its operation are satisfied.

5.1. THE PRINCIPLE OF EXONERATION (AL-BARA'A)

The principle of exoneration applies where the existence of an obligation or prohibition is initially doubtful and no valid evidence establishes liability after an adequate search. It relieves the legally responsible person from an unproven burden [23]. Its social importance lies in legal predictability and the avoidance of excessive hardship. If every new activity were treated as prohibited or obligatory without evidence, ordinary economic, technological, and social development could be unnecessarily obstructed.

This consequence should not be confused with the cause of the principle. Exoneration is not valid merely because facilitation is socially desirable. It is a recognized procedural rule whose application has the consequence of preventing

unproven duties from restricting life. It also does not apply where reliable evidence, a valid general rule, or a definitive assessment of legally relevant harm establishes the ruling.

5.2. THE PRINCIPLE OF PRECAUTION (AL-IHTIYAT)

Precaution applies where the structure of uncertainty and the importance of the possible obligation require conduct that secures discharge of responsibility. The cited sources connect precaution with the protection of weighty interests where error could affect life, property, family status, or other serious rights [24]. In such cases, the preference for avoiding a potentially grave violation may outweigh ordinary facilitation.

The social contribution of precaution is the protection of vulnerable rights under uncertainty. Nevertheless, precaution is not a general invitation to impose the most restrictive possible rule. Its conditions, feasibility, and relationship to competing obligations must be established. Excessive or indiscriminate precaution may itself create hardship and disorder.

5.3. THE PRINCIPLE OF CHOICE (AL-TAKHYIR)

The principle of choice operates in a technical situation in which the legally responsible person faces mutually exclusive possibilities—commonly a rotation between obligation and prohibition—and cannot achieve certain compliance through precaution. In that circumstance, reason or the recognized practical rule permits choice between the available courses [25–27].

Choice is an apparent practical function, not a declaration that both alternatives possess the same actual legal value. Its immediate purpose is to remove irresolvable hesitation where action and omission cannot be combined. Its broader social consequence is to prevent legal uncertainty from suspending daily conduct. Discussions of choice in judicial or dispute-resolution contexts should be kept conceptually separate from this technical *usuli* principle unless a specific doctrinal connection is demonstrated [28].

5.4. THE PRESUMPTION OF CONTINUITY (AL-ISTISHAB)

The presumption of continuity directs the jurist or legally responsible person to maintain a previously established state when its continuation becomes doubtful. Al-Muzaffar summarizes its basic logic as preserving what previously existed, while the other cited sources formulate it as the continued operation of prior certainty in the face of later doubt [29–32].

The principle has evident implications for social stability. Ownership, contractual obligations, marital status, and other legal relationships would become insecure if they could be displaced by mere suspicion. Where a marriage has been validly established and no reliable evidence proves its dissolution, continuity prevents doubt alone from destroying the relationship. Likewise, established property and contractual rights remain operative until a legally sufficient change is shown [33].

Here again, the principle does not reveal the actual state with certainty. It supplies the legally operative position. Its social value lies in continuity, predictability, and the protection of settled expectations, all of which are consequences of a recognized practical rule rather than independent grounds of legislation.

Taken together, the four practical principles demonstrate that Imami legal theory contains an organized response to uncertainty. Exoneration prevents unsupported liability; precaution protects weighty interests where the governing conditions require caution; choice prevents insoluble conflict from suspending action; and continuity protects established legal relationships against mere doubt. Their contribution to social stability is procedural and indirect rather than a claim to reveal the substantive social interest in every case.

6. INTEGRATED ANALYTICAL FRAMEWORK

The five foundations examined above do not occupy the same evidentiary level, nor do they perform interchangeable functions. Their integration depends precisely on maintaining their differences. Table 1 summarizes their respective roles.

The integrated process can be stated in a sequence. The jurist first defines the new factual problem and verifies its relevant circumstances through competent knowledge. The Qur'an and Sunnah are then examined for direct texts, general rules, specifications, and authoritative applications. Any claimed consensus is assessed according to its capacity to reveal the position of the infallible rather than the number of agreeing jurists. Rational evidence is used where a definitive judgment or necessary implication can be established. Only when revealing evidence does not determine the ruling do the relevant practical principles define the person's conduct under doubt.

This sequence shows why adaptability does not require the abandonment of textual authority. New facts can be examined through stable legal methods. It also shows why the system should not be described as five equal sources independently producing social welfare. The Qur'an and Sunnah provide the primary normative and explanatory foundation; consensus and reason operate under defined evidentiary conditions; and the practical principles regulate uncertainty after the search

for revealing evidence has failed.

The social interest emerges from this disciplined interaction. It may be identified as a protected value in revelation, preserved by a jurisprudential rule, confirmed through a valid proof, connected to a ruling by definitive reason, or indirectly supported through a practical principle. The form of the connection must always be stated. Failure to identify that form leads either to excessive rigidity or to an uncontrolled appeal to utility.

Table 1. *Functional relationship between the evidentiary foundations and social interests*

Foundation	Primary doctrinal function	Relationship to social interests	Principal limit
Qur'an	Establishes the highest normative framework and definitive textual controls	Identifies and regulates values such as justice, protection of rights, collective responsibility, and public order	A claimed interest cannot override an explicit and definitive Qur'anic rule
Sunnah	Explains, specifies, and applies the Qur'anic framework; may include context-sensitive governmental decisions	Provides concrete rules and applications for recurring social problems and prevention of harm	Authenticity, context, legal capacity, and scope of each report must be established
Consensus	Reveals the position of the infallible Imam when the recognized conditions of disclosure are satisfied	May confirm legal authority and promote interpretive stability	Numerical agreement alone is not an independent source of law
Rational evidence	Establishes definitive rational judgments and necessary implications	Connects established legal principles with necessary means and reliably demonstrated consequences	Conjectural expediency and unverified claims of benefit are insufficient
Practical principles	Determine practical responsibility when revealing evidence is unavailable	Prevent legal paralysis and support continuity of rights, transactions, and social relations under uncertainty	They do not disclose the actual ruling or independently identify substantive social interests

7. ILLUSTRATIVE CONTEMPORARY APPLICATIONS

7.1. PUBLIC-HEALTH HARM AND A NEWLY IDENTIFIED NARCOTIC SUBSTANCE

Consider a newly developed narcotic substance whose long-term effects were unknown at the time of its introduction but are later established through reliable medical and social evidence. The example is methodological and does not constitute a fatwa.

The first stage is factual identification. Qualified scientific evidence must determine the nature, severity, and probability of harm. Public fear or media description alone is insufficient. The second stage is textual and jurisprudential analysis. The Qur'anic protection of life and the Sunnah-based prohibition of legally recognizable harm supply the normative framework. The jurist then examines whether the general rules apply to the established facts.

Reason may identify necessary implications where the harm is definitive and the connection to an established legal principle is certain. Consensus cannot be invoked merely because contemporary jurists broadly disapprove of the substance; its conclusive authority would still depend on the conditions recognized in Imami legal theory. If the evidence remains genuinely insufficient to establish prohibition or obligation, the jurist must determine whether exoneration applies or whether the gravity and type of possible harm satisfy the conditions for precaution.

The example demonstrates that social protection results from a sequence of evidentiary operations. Scientific knowledge establishes facts, while legal proofs determine the ruling or practical responsibility. The concept of social interest helps explain the collective importance of the issue, but it does not replace the evidentiary analysis.

7.2. UNCERTAINTY CONCERNING THE CONTINUATION OF MARITAL OR CONTRACTUAL STATUS

A different type of case concerns uncertainty after a legal relationship has already been established. Suppose a valid marriage or contract is certain, while its later termination is alleged but not proved. The relevant problem is not the initial creation of the legal status but whether the prior status continues.

Here, the presumption of continuity may determine practical responsibility under its recognized conditions [29–31, 33]. The principle protects the parties from losing established rights through mere doubt and prevents social and economic relationships from becoming unstable. If reliable evidence later establishes termination, the presumption yields to that proof.

This example clarifies the distinction between a revealing proof and a practical principle. *Istishab* does not claim to discover with certainty that no termination occurred; it directs legal conduct on the basis of the previously established

state until valid evidence proves change. Its social value lies in continuity and legal security, but its authority remains procedural.

8. DISCUSSION

The analysis answers the first research question by defining social interest as a legally cognizable collective benefit or prevention of harm whose authority must be established through the recognized evidentiary framework. This definition distinguishes social interest from an independent, unrestricted appeal to expediency. It also explains why the collective effects of a ruling may be legally important even where the ruling is formally addressed to an individual.

The second research question concerns the distinct contribution of each foundation. The Qur'an supplies normative principles and controls; the Sunnah explains and applies them; consensus confirms a ruling only through disclosure of the infallible's position; reason establishes definitive judgments and implications; and practical principles determine conduct under uncertainty. The foundations support a common legal order, but they do not possess the same evidentiary status or perform the same task.

The third question concerns integration and social change. The analysis shows that new facts can be addressed without converting social need into a free-standing source. General texts, contextual applications, reliable expert knowledge, rational implication, and practical rules for doubt together create a structured path from new circumstances to legal responsibility. Adaptability therefore arises from methodological differentiation rather than the suspension of textual authority.

The fourth question concerns the social function of practical principles. Their contribution is procedural rather than revelatory. They prevent unsupported liability, protect weighty interests, resolve otherwise paralyzing alternatives, and preserve established relationships. These consequences are significant for social order, but they do not justify presenting the practical principles as direct evidence of the actual social interest intended by the Lawgiver.

The study's principal contribution lies in this functional distinction. It resolves the internal inconsistency that would arise if contemporary agreement were treated as binding consensus, if conjectural benefit were treated as definitive reason, or if practical principles were described as revealing actual rulings. It also provides a framework for future applied studies that can identify the precise evidentiary pathway through which a collective interest is recognized or protected.

Several limitations remain. The study relies on selected works and does not survey every Imami position on consensus, reason, governmental rulings, or practical principles. Some bibliographic titles are translated from Arabic and should be checked against the exact editions used by the authors. The contemporary applications are illustrative and should be developed through fuller examination of primary narrations, juristic opinions, and reliable expert evidence.

9. CONCLUSION

This study has argued that the Qur'an, Sunnah, consensus, reason, and practical principles can be understood as an integrated evidentiary system only when their different functions and epistemic ranks are preserved. The expression "social interest" is useful for describing collective benefits and protected conditions such as justice, security, rights, family stability, lawful exchange, and public order. It should not, however, be treated as an independent and unrestricted source of legislation.

The Qur'an provides the controlling normative framework and sets limits within which claims of benefit and harm must be assessed. The Sunnah explains and applies that framework and includes both enduring legal guidance and context-sensitive governmental decisions. Consensus is authoritative in the Imami theory considered here only insofar as it reveals the position of the infallible Imam; mere agreement among jurists cannot independently convert a policy preference into divine law. Reason contributes through definitive judgments and necessary implications, not speculative assessments of convenience.

The practical principles perform a different function. Exoneration, precaution, choice, and continuity do not reveal the actual ruling in the same manner as authoritative evidence. They determine practical responsibility after the jurist has been unable to establish that ruling. Their regulated use nevertheless has important social consequences: it prevents unsupported liability, protects weighty interests, resolves otherwise paralyzing alternatives, and preserves established legal relationships against mere doubt.

The integrated framework developed in this article answers the research problem by showing that social interests are protected through different legal pathways. Some are directly grounded in revealed norms; some are specified or applied through the Sunnah; some may be confirmed by a valid revealing consensus; some follow through definitive rational implication; and some are indirectly preserved by procedural principles under uncertainty. Stating the pathway is necessary to avoid doctrinal confusion.

The capacity of Imami jurisprudence to address social change therefore does not require transcending the texts or granting unrestricted authority to perceived utility. It arises from the ability of a structured legal methodology to apply

stable evidentiary rules to changing facts. Future research should test the framework through detailed case studies in public health, digital privacy, environmental harm, finance, and family law, using verified primary narrations, clearly documented juristic opinions, and relevant expert evidence.

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Data are available from the corresponding author upon reasonable request.

DECLARATION OF GENERATIVE AI AND AI-ASSISTED TECHNOLOGIES IN THE WRITING PROCESS

During the preparation and revision of this manuscript, the authors used ChatGPT to assist with language editing, structural organization, and the drafting of revisions. The authors reviewed and edited the resulting text, checked the cited legal and scholarly sources, and accept full responsibility for the accuracy, originality, interpretation, and integrity of the final manuscript.

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