

DNA Testing and Lineage in Muslim Societies: Yusuf al-Qaradawi's Perspective within Contemporary Islamic and Social Studies

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Abstract

The determination of lineage (*nasab*) is a foundational element of Islamic family law, shaping a child's legal rights and social status, including inheritance, maintenance, and guardianship. In recent decades, advances in biotechnology, particularly DNA (Deoxyribonucleic Acid) testing, have introduced new mechanisms for verifying lineage, prompting extensive global debate among Muslim jurists regarding its legal status and evidentiary authority. Although numerous studies address the broader fiqh and bioethical implications of DNA testing, few have examined in depth the methodological and jurisprudential frameworks employed by leading contemporary scholars in articulating their positions. This study seeks to fill this gap by critically analyzing Yusuf al-Qaradawi's approach to the legitimacy and evidentiary role of DNA testing in lineage determination, and by situating his reasoning within the wider spectrum of modern Islamic legal discourse. Employing a qualitative design through library-based research, this study utilizes *comparative fiqh analysis* and a *textual-hermeneutic approach* to investigate al-Qaradawi's writings alongside contemporary scholarship in tafsir, fiqh, and Islamic family law. The findings show that al-Qaradawi does not reject DNA testing; instead, he categorizes it as a strong corroborative indicator (*qarinah qawiyyah*) rather than the primary basis for establishing lineage, which he maintains should remain anchored in the institution of valid marriage. Nevertheless, in exceptional circumstances such as disputed lineage or cases of infant switching, DNA testing may serve as a decisive reference, provided it does not contravene Sharia principles and contributes to *maslahah* (public welfare). These insights clarify the methodological foundations of al-Qaradawi's position and highlight his contribution to contemporary Islamic legal responses to biomedical advancements.

Keywords

Lineage, DNA Testing, Yusuf al-Qaradawi, Sharia Law, Evidentiary

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1. INTRODUCTION

Advancements in modern science and technology have introduced new forensic tools that profoundly influence legal decision-making, particularly in matters involving family and personal status. Among these developments, DNA (Deoxyribonucleic Acid) testing has emerged as one of the most accurate scientific methods for establishing biological relationships (N. Tretyakova, 2013; J. Cadet, 2013). Its capacity to determine lineage (*nasab*) with near-certainty has significant implications for Islamic family law, where lineage constitutes a foundational element affecting inheritance, guardianship, marriage eligibility, and maintenance obligations (A. Dariyo, 2004). As DNA testing becomes increasingly utilized in legal contexts, Muslim jurists are confronted with critical questions regarding its legitimacy as legal evidence and its compatibility with classical jurisprudential principles.

The core legal tension arises from the potential conflict between DNA-based evidence and the long-standing juristic maxim *al-walad lil-firāsh* ("the child belongs to the marriage bed"), which has



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traditionally been relied upon to determine lineage in Islamic law (Wahyudin, 2022). While DNA testing offers a degree of accuracy unattainable through conventional evidentiary methods, Islamic law historically grounds lineage not solely in biological connection but also in moral, social, and legal constructs, most notably the presumption of legitimacy for children born within a valid marriage (Rosnidar, 2015). This clash has produced extensive scholarly debate, with some jurists viewing DNA testing as a tool that protects children from injustice, while others fear that its widespread application may destabilize deeply rooted family structures, particularly in cases of disputed paternity or infant switching, leading to complex legal and social consequences (Fahmi, 2019).

Although numerous studies have examined the broader fiqh and bioethical implications of DNA testing, a critical gap remains in understanding how prominent contemporary scholars articulate their methodological engagement with this legal-scientific conflict. Yusuf al-Qaradawi, one of the most influential modern Muslim jurists (Yusuf, 1999), is frequently cited for his openness to scientific advancements and his application of *maqāṣid al-shari‘ah* in addressing contemporary issues. However, much of the existing scholarship treats his perspective descriptively, often summarizing his acceptance of scientific tools without scrutinizing how his *maqāṣid*-driven approach specifically interacts with, reinterprets, or potentially challenges the classical maxim *al-walad lil-firāsh* in the context of DNA-based lineage determination. This lack of detailed methodological analysis limits our understanding of whether al-Qaradawi's approach reinforces, modifies, or departs from traditional evidentiary hierarchies.

This study addresses this gap by providing a systematic and critical examination of al-Qaradawi's *istinbāt* methodology in responding to the legal challenges posed by DNA testing. His emphasis on *maṣlahah* (public welfare) and contextual legal reasoning (Setowara, 2020) offers a potentially significant framework for mediating the tension between scientific certainty and the normative foundations of Islamic family law. Accordingly, this research is guided by three central questions: (1) How does al-Qaradawi conceptualize the evidentiary status of DNA testing within Islamic legal methodology? (2) In what ways does his approach reinterpret or recontextualize the maxim *al-walad lil-firāsh*? (3) What theoretical contributions does his methodology offer to contemporary debates on integrating scientific evidence into Islamic legal rulings?

By engaging critically with both al-Qaradawi's writings and broader contemporary literature in fiqh, tafsir, and Islamic family law, this study aims to contribute to ongoing academic debates concerning the relationship between Islamic legal principles and technological advancements. The findings are expected to provide a more nuanced understanding of how Islamic jurisprudence can respond constructively to scientific innovation while safeguarding foundational values, offering insights relevant for policymakers, jurists, and legal practitioners navigating the ethical and legal dimensions of DNA-based lineage determination.

DNA testing technology also challenges several established principles (qawa'id fiqhiyyah) in Islamic jurisprudence that have been applied for centuries. Traditionally, the lineage of a child born within a valid marriage is determined based on the legal maxim *al-walad lil-firāsh* (the child belongs to the marriage bed) (Wahyudin, 2022). However, with the emergence of DNA testing, this maxim may be questioned, particularly in cases where the test results indicate that the husband is not the biological father of the child. At this point, Yusuf al-Qaradawi's *istinbat* approach, rooted in the *maqasid al-shari‘ah*, plays a crucial role in providing a relevant interpretation of Islamic law that aligns with contemporary developments.

This study aims to address these questions through a comprehensive analysis of Yusuf al-Qaradawi's perspective on the use of DNA testing in determining lineage. By examining the *istinbat* methodology he employs, this paper aims to explore how Islamic law can respond to technological advancements while upholding its foundational principles. The study is expected to contribute to the development of Islamic law that remains relevant to contemporary societal needs, particularly in safeguarding the rights of children and families. Furthermore, this research explores the social

and moral implications of using DNA testing in lineage determination and how the maqasid al-shari'ah framework can be applied to balance scientific advancement with the preservation of a just and stable social order. In this way, the study aims to provide policymakers and legal practitioners with valuable insights for formulating regulations and fatwas that harmonize technological progress with the universal values of Islam.

2. METHODS

This study employs a qualitative library research design (Murdijanto, 2020), with a strong emphasis on critical textual analysis and fiqh-based hermeneutical interpretation. The qualitative approach is well-suited for exploring the interpretive and normative dimensions of Islamic law, allowing for an in-depth examination of the application of DNA testing in determining lineage (nasab) within the framework of Islamic jurisprudence. Library research was chosen to systematically collect and analyze secondary data from relevant scholarly sources, legal documents, and religious texts (Mestika, 2004). The study specifically focuses on Yusuf al-Qaradawi's *istinbāt* methodology and his maqāsid al-shari'ah framework, which provide the normative lens for evaluating the legitimacy of DNA evidence in lineage determination.

Primary Data Sources

Primary sources comprise Al-Qaradawi's writings, which contain his explicit arguments on legal derivation, public welfare (maslahah), and contemporary ijтиhad relevant to lineage and modern technology. To maintain analytical focus, this study concentrates on chapters and sections discussing marriage, family law, and principles of ijтиhad, particularly where technological or scientific evidence intersects with fiqh rulings. Key texts include:

- a. *Al-Halal wa al-Haram fi al-Islam* – sections on marriage and family obligations
- b. *Fatawa Mu'ashirah* – relevant fatwas addressing contemporary issues, including biomedical or legal evidence
- c. *Al-Ijtihad fi al-Shari'ah al-Islamiyyah* – discussion on methodological approaches to legal reasoning
- d. *Fiqh al-Islami bayn al-Asalah wa al-Tajdid* – analysis of adaptation and renewal in Islamic law

These sources provide the primary evidence base for tracing how Al-Qaradawi engages with emerging scientific techniques, such as DNA testing, and how he reconciles them with established principles, like *al-walad lil-firāsh*.

Secondary Data Sources

Secondary sources complement the primary texts by providing contextual, comparative, and empirical perspectives. These include:

- a. Books and monographs on Islamic family law, nasab, and forensic science
- b. Peer-reviewed journal articles discussing DNA testing in legal, ethical, and Islamic contexts (Cadet, 2013; Tretyakova, 2013; Fahmi, 2019)
- c. Legal documents, fatwas, and government regulations regarding lineage verification and technological evidence
- d. Previous research on *istinbāt* methodology and maqāsid-based jurisprudence (Setowara, 2020; Dariyo, 2004)

Analytical Framework

To move beyond descriptive summarization, this study applies a multi-layered analytical framework combining:

- a. Hermeneutical Analysis: Close reading of Al-Qaradawi's texts to extract his reasoning on nasab, ijтиhad, and maqāsid principles. This involves identifying explicit arguments, legal maxims, and normative claims.

- b. Critical Discourse Analysis (CDA): Examining how Al-Qaradawi frames the interaction between scientific evidence (DNA testing) and Islamic legal norms, paying attention to the ethical, social, and legal implications.
- c. Comparative Fiqh Approach: Comparing Al-Qaradawi's positions with classical *qawā'id fiqhiyyah* (e.g., *al-walad lil-firāsh*) and the opinions of other contemporary scholars, highlighting both consensus and divergence.
- d. Thematic Coding: Systematic coding of recurring themes, such as lineage verification, child welfare, legal legitimacy, and technological adaptation, to ensure rigor and replicability in interpretation.

Data Collection Procedures

The data collection process involved:

- a. Identification of Research Themes: Defining the focus on DNA testing, *nasab*, and Al-Qaradawi's *ijtihad* methodology.
- b. Focused Literature Review: Systematic retrieval of primary and secondary sources from academic databases, libraries, and authoritative online repositories.
- c. Extraction of Relevant Passages: Isolating sections of Al-Qaradawi's works where legal derivation intersects with modern scientific evidence.
- d. Documentation of Legal and Ethical Contexts: Collecting related *fatwas*, statutes, and judicial rulings to situate Al-Qaradawi's interpretations within broader Islamic and contemporary legal discourse.

Data Analysis Techniques

The analysis proceeds through structured qualitative steps:

- a. Data Organization: Categorizing textual evidence based on legal, ethical, and social dimensions of DNA testing in lineage determination.
- b. Thematic Interpretation: Applying hermeneutical and CDA methods to elucidate the rationale, logic, and *maqāsid*-aligned objectives in Al-Qaradawi's reasoning.
- c. Fiqh Comparative Assessment: Evaluating the alignment or tension between Al-Qaradawi's interpretations and classical/legal maxims.
- d. Synthesis and Conclusion: Integrating findings to present a nuanced understanding of how DNA testing can be considered within Islamic law, emphasizing children's rights, social welfare, and jurisprudential innovation.

The results are presented narratively and systematically, supported by tables or diagrams where necessary, to clarify complex legal-ethical intersections and provide insights relevant to scholars, jurists, and policymakers.

3. FINDINGS AND DISCUSSION

3.1 The Use of DNA Testing in Determining a Child's Lineage from the Perspective of Yusuf Al-Qaradawi

Allah has legislated the law of *qadhf* (false accusation of adultery) to regulate claims of *zina*, requiring that individuals, whether men or women. These present four eyewitnesses who directly witnessed the act (Yusuf al-Qaradawi, 2009). The Qur'an provides an exception in cases where a husband accuses his wife of adultery but cannot produce the required witnesses. In such cases, the husband may perform *li'ān*, swearing four times by Allah that he speaks the truth, followed by a fifth oath invoking Allah's curse upon himself if lying. The wife, conversely, may absolve herself by performing four oaths declaring her husband a liar and a fifth invoking Allah's wrath upon herself if he speaks the truth. This legal mechanism, rooted in Surah al-Nur (verses 6–10), has been recognized in Islamic jurisprudence as a substitution for eyewitness testimony.

Al-Qaradawi extends this classical framework to address modern questions regarding DNA testing in lineage determination, specifically in li'ān cases. He frames DNA technology as a form of scientific progress capable of clarifying lineage while recognizing its limitations in fully replacing shari'ah-mandated evidentiary procedures. Importantly, Al-Qaradawi distinguishes between the purpose of DNA testing to determine lineage and the purpose of qadhf and li'ān to establish proof of adultery. He explicitly rejects the application of DNA testing when requested by the husband, emphasizing that it cannot substitute for the Qur'anic requirement of four witnesses.

However, Al-Qaradawi demonstrates a nuanced methodological reasoning (istinbāt) in permitting the wife to request DNA testing. This differential treatment can be understood through several shari'ah principles:

1. *Maslahah* (public welfare): Al-Qaradawi considers the wife's petition as safeguarding her legal and moral rights, preventing unjust punishment, and clarifying the child's lineage, which aligns with the *maqāṣid al-shari'ah* objectives of justice ('adl) and protection of lineage (*hifz al-nasl*).
2. *Sadd al-Dharā'i'* (blocking the means of harm): By allowing the wife's DNA request, Al-Qaradawi prevents potential disputes and social harm that may arise from wrongful accusations, without contravening explicit Qur'anic injunctions.
3. *Istihsān* (juridical preference): His acceptance reflects a contextual preference that balances the rigid procedural requirements of li'ān with contemporary scientific evidence, favoring practical justice for the wife while preserving the sanctity of traditional evidentiary rules.

This analytical lens clarifies that Al-Qaradawi does not challenge the foundational qadhf-li'ān rules but rather interprets them in light of modern epistemic tools. Notably, his selective acceptance of DNA testing for the wife but not the husband reveals a deliberate harmonization of classical maxims such as *al-walad lil-firāsh* (the child belongs to the husband's bed) with considerations of public welfare. The husband's request cannot override the explicit Qur'anic stipulation, whereas the wife's request serves a protective and corrective function that aligns with the *maqāṣid al-shari'ah*.

Comparatively, Al-Qaradawi's position diverges from other contemporary Islamic legal bodies, such as the OIC Fiqh Academy, which generally exercise caution in integrating modern scientific evidence into classical hudud and li'ān rulings. By situating his reasoning within principles of *maslahah* and juridical preference, Al-Qaradawi demonstrates a distinctive jurisprudential methodology that combines fidelity to textual sources with adaptive responsiveness to scientific and societal developments.

In sum, Al-Qaradawi's treatment of DNA testing exemplifies a modern application of *istinbāt* methodology, wherein classical evidentiary requirements are preserved for the husband's accusation, while scientific tools are judiciously incorporated to protect the rights of the wife and ensure lineage clarity. This approach highlights the broader objective of Islamic law: striking a balance between textual fidelity and contemporary realities, guided by principles such as justice, harm prevention, and public welfare.

3.2 Yusuf Al-Qaradawi's Legal Methodology Regarding DNA Testing

Yusuf al-Qaradawi's selective approach to DNA testing in li'ān cases illustrates a systematic application of *istiṣlāhiyyah* (public welfare methodology) rather than a purely descriptive legal stance. While he rejects a husband's request for DNA testing to maintain the wife's privacy and dignity values grounded in *maqāṣid al-shari'ah* such as protection of honor, family integrity, and social harmony he permits a wife to request testing to defend herself and verify the child's lineage (Surah An-Nur, verse 19; Al-Bukhari and Muslim; Yusuf al-Qaradawi, 2009). This differential treatment is explicitly justified through *maslahah* (public benefit): protecting the wife and child from social harm, preventing stigma, and preserving family

cohesion. Al-Qaradawi thereby overrides the traditional maxim *al-walad lil-firāsh* in favor of the wife's welfare, demonstrating a context-sensitive jurisprudential reasoning.

Critically, Al-Qaradawi's reasoning relies on the *istiṣlāhiyyah* principle, where Qur'anic and prophetic guidelines on concealing faults ('aib) inform his ethical framework (Al Yasa, 2016). DNA testing is treated as a defensive tool, supplementing the wife's *li'ān* oath rather than establishing automatic legal *nasab* for the child. Even if testing confirms biological paternity, the child's legal attribution remains with the mother, reflecting a deliberate prioritization of social welfare over rigid evidentiary formalism.

Compared to other contemporary Islamic authorities, such as the OIC Fiqh Academy, which often recognizes DNA testing as definitive evidence for *nasab*, Al-Qaradawi's stance is distinctive: it prioritizes preventive justice and protection of individual dignity over automatic lineage restoration. This positions his methodology as a modernist yet ethically constrained *istinbāt*, demonstrating both adherence to *sharī'i* textual principles and responsiveness to contemporary scientific realities.

However, this approach introduces legal ambiguity regarding the child's formal status and civil rights post DNA testing, highlighting a tension between ethical considerations and juridical clarity. Al-Qaradawi's framework thus exemplifies the trade-off inherent in integrating modern technologies into classical Islamic law, privileging *maslahah* to safeguard social and familial welfare while deliberately limiting the juridical consequences of scientific evidence.

3.3 DNA Testing as Legal Evidence in the Determination of Lineage

Yusuf al-Qaradawi's approach to DNA testing in lineage (*nasab*) cases demonstrates a methodical *istinbāt* grounded in *istiṣlāhiyyah* (public welfare) rather than a mere descriptive application of Islamic or national legal frameworks. While the International Islamic Fiqh Academy (IIFA) permits DNA testing as *qarīnah qawiyyah* to support lineage determination in ambiguous cases, it does not allow DNA results to override established lineage via *al-firāsh*. Al-Qaradawi adopts this principle selectively: he permits a wife to request DNA testing to defend against accusations of adultery and to clarify the child's biological affiliation, yet rejects the husband's request, citing the potential harm to the wife's privacy, family integrity, and social standing (Yusuf al-Qaradawi, 2009; Al Yasa, 2016).

This differentiated stance exemplifies Al-Qaradawi's integration of *maqāṣid al-sharī'ah* with modern scientific tools, where DNA testing functions as a defensive mechanism (*qarīnah*) for the wife without automatically altering the legal *nasab* of the child. In this framework, even a positive DNA result does not confer legal paternal attribution, preserving the child's protection and preventing social harm a key concern in both classical fiqh and contemporary jurisprudence.

Comparatively, the Indonesian Constitutional Court Decision No. 46/PUU-VIII/2010 extends broader evidentiary weight to DNA testing, allowing paternity recognition for children born out of wedlock. While this contrasts with Al-Qaradawi's cautionary approach, it underscores the compatibility of his reasoning with the principle of harm prevention (*dar' al-mafāsid*) and *maqāṣid al-sharī'ah*, emphasizing ethical and social welfare over rigid evidentiary enforcement. His *istinbāt* thus reconciles modern scientific possibilities with *sharī'ah* constraints, highlighting a unique jurisprudential contribution: DNA testing may be utilized, but its application must prioritize protection of individual dignity and social order, particularly in cases of *li'ān*.

In this light, Al-Qaradawi's methodology provides a nuanced bridge between traditional Islamic evidentiary rules, contemporary scholarly consensus, and modern scientific capabilities, offering a framework that is both legally principled and socially sensitive. This approach not only differentiates his position from global fiqh authorities but also illustrates a model for harmonizing *sharī'ah* with evolving technological contexts.

3.4 The Implementation of DNA Testing in the Determination of Child Lineage in Indonesia

The implementation of DNA testing in Indonesia illustrates a complex intersection between scientific advancement, social norms, and legal pluralism. While DNA testing offers near-perfect accuracy in establishing biological kinship, its legal and ethical application cannot be divorced from jurisprudential and social considerations (Anderson, 2014; Harun, 1995). In this context, Yusuf al-Qaradawi's fiqh perspective provides a nuanced framework for understanding the limitations and permissible use of DNA as evidence. He permits DNA testing as a *qarīnah* (supporting evidence) when requested by the wife to defend against accusations of adultery or clarify disputed lineage; however, he prohibits unilateral requests from the husband, emphasizing that such use may violate the wife's privacy, family integrity, and social welfare (Yusuf al-Qaradawi, 2009; Al Yasa, 2016). This selective approach reflects his application of *istiṣlāhiyyah* and *maqāṣid al-shari‘ah*, prioritizing harm prevention (*dar’ al-mafāṣid*) over technological determinism.

Comparatively, Indonesian positive law, especially following Constitutional Court Decision No. 46/PUU-VIII/2010, permits the use of DNA testing to establish paternity for children born outside marriage, reflecting a progressive evidentiary approach that directly contrasts with Al-Qaradawi's cautionary stance. Similarly, the Majelis Ulama Indonesia (MUI) fatwā allows DNA testing under conditions of necessity, particularly to uphold *hifz al-nasl* and *hifz al-ḥaqq*, yet it does not prescribe the restrictive, case-specific limitations emphasized by Al-Qaradawi (MUI, 2019). The comparison highlights a key divergence: while MUI and Indonesian law prioritize scientific certainty and children's civil rights, Al-Qaradawi balances these objectives against ethical, social, and familial considerations, limiting the use of DNA testing in ways that prevent potential social harm or violation of personal dignity.

This analysis demonstrates that Al-Qaradawi's *istinbāt* methodology offers a distinctive contribution: it does not reject modern scientific tools but interprets their use within a framework of social ethics, *shari‘ah* objectives, and contextual harm prevention. Applying this lens to the Indonesian experience reveals both the potential and the limitations of his approach. While DNA testing is legally recognized and socially beneficial in Indonesia, Al-Qaradawi's methodology would constrain its use in cases where exercising scientific authority might undermine family harmony or personal honor. Thus, the Indonesian context serves as a critical case study, illustrating the practical tension between technological capability, social welfare, and Islamic legal ethics.

In conclusion, integrating DNA testing into Indonesia's legal system underscores the necessity of interdisciplinary regulation one that reconciles scientific accuracy, legal validity, and ethical responsibility. Al-Qaradawi's position, when measured against this landscape, illuminates how *shari‘ah*-based reasoning can selectively accommodate modern technology while maintaining fidelity to *maqāṣid al-shari‘ah* and social protection objectives. His jurisprudence offers a cautionary model for balancing scientific evidence with societal and ethical imperatives, particularly in cases of disputed lineage arising from *li‘ān*.

3.5 Implications of DNA Testing in Determining Child Lineage

The implementation of DNA testing in lineage disputes presents both significant social benefits and ethical challenges; however, its implications can be critically understood through the lens of Yusuf al-Qaradawi's jurisprudential methodology. Al-Qaradawi permits DNA testing as *qarīnah* (supporting evidence) in specific cases, particularly in *li‘ān* or situations where a wife seeks to clarify disputed lineage, but restricts its use when requested unilaterally by the husband (Yusuf al-Qaradawi, 2009; Al Yasa, 2016). This differentiated approach demonstrates a deliberate balance: it maximizes social benefits, such as reducing stigma for children born under uncertain circumstances, ensuring their rights to acknowledgment,

inheritance, and social identity, while simultaneously mitigating potential harms, including privacy violations, family disruption, or unethical coercion (Utami, 2016; Nurfieni, 2022).

In contrast to broader Indonesian practice, where DNA testing is legally admissible to establish paternity for children born outside marriage and can fully determine civil rights (Constitutional Court Decision No. 46/PUU-VIII/2010), Al-Qaradawi's framework introduces *maqāṣid*-driven limitations. By conditioning DNA testing's use on ethical necessity and social welfare, his methodology ensures that the scientific certainty provided by DNA does not override fundamental family values or *sharī'ah* principles, particularly the presumption of legitimacy under *al-walad lil-firāsh*. Consequently, his fiqh reasoning provides a model for responsible integration of scientific tools into legal and social practice, one that preserves both child protection and family integrity.

From a policy perspective in Indonesia, applying Al-Qaradawi's approach would mean that DNA testing could be employed to support child rights and reduce social stigma, while simultaneously embedding ethical safeguards against privacy infringement and family disruption complementing existing legal protections such as the Personal Data Protection Law (Tapobali, 2021). In this way, his differentiated stance is not merely a theoretical restriction but a pragmatic tool for guiding the ethical application of modern technology in pluralistic legal and cultural contexts.

In conclusion, the social and legal advantages of DNA testing, clarifying lineage, securing inheritance rights, and reducing discrimination, can be enhanced rather than compromised by Al-Qaradawi's *maqāṣid*-based restrictions. His methodology illustrates how Islamic legal reasoning can provide nuanced, ethically grounded guidance, reconciling empirical scientific evidence with social welfare, family protection, and the broader objectives of justice within contemporary pluralistic societies.

3.6 Opportunities and Challenges in the Implementation of DNA Testing for Lineage Determination

The use of DNA testing in lineage determination undoubtedly offers opportunities for justice and legal clarity; however, its practical implementation in Indonesia faces notable social, ethical, and cultural challenges, including societal resistance, privacy concerns, and potential psychological distress for families (Rahayu, 2022). Yusuf al-Qaradawi's differentiated fiqh methodology provides a constructive framework for navigating these challenges. By permitting DNA testing as *qarīnah* only in cases where the wife seeks to clarify disputed lineage or in *li'ān* proceedings, while restricting its use for unilateral accusations by the husband, his approach simultaneously maximizes social and legal benefits such as reducing stigma for children, securing inheritance rights, and protecting familial legitimacy while mitigating potential harms, including privacy violations, family disruption, and emotional trauma (Yusuf al-Qaradawi, 2009; Al Yasa, 2016).

In the Indonesian context, where DNA testing is legally recognized to establish paternity even for children born outside marriage (Constitutional Court Decision No. 46/PUU-VIII/2010), Al-Qaradawi's *maqāṣid*-driven restrictions offer a complementary ethical lens. His methodology highlights the need for careful, context-sensitive application, emphasizing the balance between scientific certainty and the preservation of social norms, moral values, and psychological well-being. By integrating these considerations, his fiqh reasoning provides a model for harmonizing empirical evidence with ethical and social safeguards, ensuring that the use of DNA testing promotes justice without undermining family cohesion or individual dignity.

In conclusion, Al-Qaradawi's nuanced stance demonstrates that a restricted, purpose-driven application of DNA testing, accepting it as supporting evidence for the wife's defense but not as a tool for husband-initiated accusations, can serve as a practical model for modern

legal systems. It shows how Islamic legal reasoning can mediate between scientific advancements and social realities, offering both ethical guidance and legal utility in pluralistic settings like Indonesia.

4. CONCLUSION

This study critically examines Yusuf al-Qaradawi's perspective on the use of DNA testing in lineage determination, highlighting his differentiated stance that permits the wife to request DNA testing while prohibiting the husband from using it to support an accusation of adultery. This position reflects Al-Qaradawi's careful application of the *istiṣlāhiyyah* principle, prioritizing the preservation of lineage, family harmony, and individual dignity over rigid adherence to new technological evidence when it conflicts with established *shar'i* rules, particularly the principle of *al-walad lil-firāsh*. By framing DNA testing as a complementary form of evidence (*qarīnah*) rather than a replacement for foundational legal proofs, Al-Qaradawi demonstrates a nuanced approach that harmonizes modern scientific advancements with the objectives of Islamic law (*maqāṣid al-shari'ah*). This study reveals that Yusuf al-Qaradawi's perspective on DNA testing in lineage determination exemplifies a *maqāṣid*-driven and *istiṣlāhiyyah*-informed approach. By allowing a wife to request DNA testing while prohibiting a husband from using it to substantiate adultery claims, Al-Qaradawi balances scientific advancements with the foundational principle of *al-walad lil-firāsh* and the protection of lineage (*hifz al-nasl*). His stance demonstrates that modern technology can be integrated into Islamic jurisprudence as a complementary tool, enhancing justice and protection of individual dignity without undermining established *shar'i* rules. His methodology shows that Islamic jurisprudence can accommodate technological developments responsibly, using the principles of *istiṣlāhiyyah* to assess the social, ethical, and legal implications of emerging tools like DNA testing. Importantly, this approach avoids undermining the legitimacy of marriage-based lineage while providing a practical mechanism to protect the rights and dignity of women and children. By distinguishing between defensive and accusatory uses of DNA evidence, Al-Qaradawi provides a balanced framework that addresses potential conflicts between scientific certainty and established legal presumptions, offering guidance for contemporary legal systems seeking to integrate ethical and technological considerations.

In sum, Al-Qaradawi's *maqāṣid*-driven model serves as a pragmatic and ethically grounded paradigm for modern family law, illustrating how Islamic jurisprudence can navigate complex social and legal challenges without compromising core principles. His approach not only preserves the integrity of lineage and family structures but also provides a template for incorporating modern technology in a manner consistent with moral, social, and legal responsibilities, demonstrating the enduring relevance of Islamic legal reasoning in contemporary contexts. Al-Qaradawi's framework provides a practical and ethically grounded model for contemporary family law, showing how Islamic legal reasoning can navigate tensions between scientific certainty and traditional legal presumptions. By prioritizing social harmony, family integrity, and ethical responsibility, his approach offers a policy-relevant paradigm for incorporating technological tools in a manner consistent with both moral and legal principles.

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