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Transformative Islamic Law: Fazlurrahman's Study of Islamic Law Interpretation Towards Islamic Theanthropocentrism

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ABSTRACT

Fazlurrahman's approach to reading the law differs from that of earlier interpreters; yet, his view of the law was essentially a concretization of the paradigm to which they subscribe. The purpose of this article was to examine Fazlurrahman's understanding on the transformation of Islamic law. Utilizing a literature review, the notion of Fazlurrahman's interpretation of Islamic theanthropocentrism was thoroughly analyzed. According to the findings of the study, Fazlurrahman constructed a worldview that simultaneously centered on God and people. His hypothesis was dubbed the twofold movement theory by Rahman. Rahman has a holistic view of Islamic law. Islamic law was a continuity of faith, Islam, and ihsan doctrines.

Keywords: Transformative Islamic Law; Fazlurrahman; Islamic Law; Theanthropocentrism

ABSTRAK

Teori Fazlurrahman dalam menafsir hukum cenderung berbeda dari penafsir-penafsir sebelumnya, tafsiran Fazlurrahman terhadap hukum pada dasarnya merupakan konkretisasi dari paradigma yang mereka anut. Artikel ini bertujuan untuk mengetahui kajian penafsiran Fazlurrahman terkait transformasi hukum Islam. Metode yang digunakan adalah studi kepustakaan untuk menganalisis secara komprehensif konsep penafsiran fazlurrahman menuju teoantroposentris Islam. Dari hasil penelitian ditemukan bahwa Fazlurrahman mengembangkan paradigma yang terpusat kepada Tuhan dan manusia sekaligus. Rahman mengistilahkan teorinya dengan teori *double movement*. Rahman melihat hukum Islam

dengan pendekatan yang holistik. Hukum Islam merupakan kontinum ajaran tentang iman, Islam, dan ihsan.

Kata kunci : Hukum Islam Transformatif; Fazlurrahman, Hukum Islam; Teoantroposentrisime

INTRODUCTION

In the second part of the nineteenth century, as the intellectual elite in the Islamic world grew more acquainted with the discoveries of contemporary science, religious scholars began to focus on the question of how to reconcile these discoveries to the religious truths found in revelation. Sayyid Ahmad Khan, a Muslim scholar from India who lived from 1817 to 1898, was the first to study this topic. He supported a kind of Islam that was compatible with modern natural sciences and had integrated many of the prevalent beliefs and ideals of the West at the time. (Troll and Khan, 1978) In the Middle East, Egyptian reformer Muhammad 'Abduh (1849–1905) followed a similar path. He intended to understand Islam so that it would not be an impediment to progress. Similarly to Sayyid Ahmad Khan, he contends that revelation and nature cannot be in conflict. This concept was described as follows: "God has sent down two books: one created, nature, and one revealed, the Qur'an." These works cannot be in competition with one another.. (Adams, 2013) In the event of apparent inconsistencies, the Qur'an must be understood symbolically (ta'wil) so as to be consistent with the results of natural science .(Adams, 2013) (Peters *et al.*, 1994).

Religion and reason (human knowledge) are always fascinating to discuss in the intellectual community. Religion originating from God and knowledge originating from human reason continue to be at odds. Islamic

law's influence is suffering a paradigm crisis. The interpretation of Islamic law is normative, morality-free, and detached from the reality of life. (Rohmanu, 2019)

Currently, the differentiation of Islamic disciplines, particularly theology and Islamic law, continues to develop. According to Abdul Aziz Abd al-Hussein Sachedina, this occurred due to the growth of Islamic theology and law, specifically an intentional dislocation between theology, ethics, and Islamic law within the Islamic scientific heritage. Islamic law is frequently viewed as a manifestation of Islam and is regarded by many as occupying a privileged place among Islamic scholarship. (Abid Rohmanu, 2019)

The supremacy of Islamic law has ramifications for the legal-formal behavior of Muslim society, which tends to disregard ethical and humanist traits. Most violent acts committed in the name of religion are the result of a formal and legalistic understanding of Islamic law. When it comes to how Islamic law is applied, it is also more universalist. Islamic law is usually applied in a traditional way that doesn't take into account where it is. This is despite the fact that Abid Rohmanu said that one of the features of Islamic law is to pay attention to the balance between universality and locality, non-normativity of tradition, and historicity. Fazlurrahman, who recognizes the significance of establishing an organic and interdependent relationship between Islamic theology and legislation. Rahman feels that religion and Islamic law have been separated thus far. This isolates theology and debate on Islamic law, ultimately diminishing Islam's universal message. While

ideally theology would become a collaborator in the creation of Islamic law, this is not the case.(Abid Rohmanu, 2019)

According to Abdullah Saeed, the conviction of Muslims in the exact representation of the words of God in the texts and scripts of the holy book causes them to establish a clear distinction between the words of God and the words of man. Consequently, efforts to contextualize Islamic law become a theological burden and a tough conundrum, specifically between grounding Islamic law in reason and emotion in order to preserve the sanctity of religion.

Inspired by the ideas of Fazlurrahman, this article will go more into the conceptual framework of the organic relationship between theology and Islamic law in light of this explanation. Fazlurrahman's approach to reading the law differs from that of earlier interpreters, yet his view of the law is essentially a concretization of the paradigm to which they subscribe. In this instance, legal theory is derived from Islamic theology (kalam) as a paradigm source. This is due to the fact that theology relates to the extent to which the initial assumptions and expectations of religious thinkers influence the understanding and pattern of interpreting legal laws (the Koran and Hadith). (Soroush and Reason, 2000) It is envisaged that the integration of theology and law within the context of a humanistic approach to legal studies will serve as a model for inter-disciplinary research into Islamic sciences.

RESULTS AND DISCUSSION

Theoanthropocentric paradigm

Paradigm is a perspective; a paradigm is like glasses that control what may be seen and the outcome. like the spectacles of a horse, which can only see objects in front and cannot see objects to the sides. A paradigm is essentially a perceptual lens that governs what is believed and, eventually, what is done. (Rakhmat, 2007)

The paradigm determines how a scientist perceives something, including what is deemed an issue, what problems must be solved, and what procedures are employed to tackle the problem. Not only is a paradigm a worldview, but it is also a worldview that has been converted into scientific approaches, theories, and methodologies. According to Hedi Shri Ashima-Putra, a paradigm is:

“a collection of concepts that logically link to one another, forming a conceptual framework that is used to comprehend, analyze, and explain reality and/or encountered difficulties..”(Susanto, 2016)

The conclusion that can be drawn from this description is that a paradigm is a collection of concepts that are logically related to comprehending, defining, and determining reality. It becomes a mental state.

The methodologies, ideas, and procedures utilized are influenced by a researcher's or legal examiner's paradigm, which consists of their common perspective, fundamental assumptions, and beliefs. Approach is the analytical tool used to examine the topic or main research. According to this

perspective, normative, empirical, and integrative methods of legal studies are recognized to exist. Due to this, the phrases "monodisciplinary," "interdisciplinary," and "multidisciplinary" legal studies are also commonly used. (Rohmanu, 2019)

The term theanthropocentric derives from the Greek words *teo* (god), *anthropos* (human), and *centrum* (center). Therefore, the theanthropocentric paradigm is one that sets God and people at its heart. Kuntowijoyo pioneered the theanthropocentric concept in social science, dubbed prophetic social science. Therefore, the theanthropocentric paradigm represents a shift from theocentrism (God as the center) to anthropocentrism (man as the center). With the theanthropocentric paradigm, Kuntowijoyo intends to provide a synthesis of science (a normative and empirical synthesis). This approach necessitates the study of law to be not only inter- and multidisciplinary, but also inter- and multidisciplinary.

Kuntowijoyo has proposed a novel idea relating religion (theology) and science (scientific facts): the theanthropocentric paradigm (Azizah, 2018) This notion emphasizes the convergence of human-reason-based science or knowledge and the texts of the Qur'an, which are revelations from Allah SWT. (Mujiati and Yunus, 2020) Gagasan Kuntowijoyo bukan Islamisasi pengetahuan, tetapi menjadi "pengilmuan Islam" dari reaktif menjadi proaktif. Pemikiran Kuntowijoyo tentang tentang paradigma profetik tidak jauh dari sifat universal para Nabi-nabi yang menjadi panutan umat manusia.

The concept of Kuntowijoyo is not the Islamization of knowledge but rather the transformation of "Islamic study" from reactive to proactive. Kuntowijoyo's views on the prophetic paradigm are consistent with the universal nature of the prophets, who serve as examples for humanity.

Kuntowijoyo endeavors to investigate and enhance science by merging something transcendent with secular science, so that knowledge originating from the human mind is not obliterated but instead connected to the revealed thought of God. Human philosophy, or anthropocentrism, which develops into science and generates a secular environment, is the source of secular science. Anthropocentrism asserts that people are the only source of truth, thereby denying revelation. Humans are the creators, implementers, and consumers of their own goods. Furthermore, there was a distinction or split between knowledge and revelation. in order to prevent the association of any human endeavor with religion.

According to Amin Abdullah, both secular and religious sciences are experiencing a crisis of relevance; therefore, it is time for a rapprochement movement (willingness to accept each other's presence with grace) between the two scientific camps. To predict complicated and unforeseen developments, the reformulation movement or the movement for the integration of scientific epistemology is important. (Abdullah, 2002) According to Amin, religion in contemporary religious discourse has more than one face and is complex (has many faces). Religion is now considered not only in a normative-doctrinal sense that is purely related to concerns of divinity, beliefs, and worldviews but also in a historical-cultural sense that is extremely close. (Amin, 2012)

Fazlurrahman's Theanthropocentric Paradigm in the Constellation of Islamic Law Interpretation

Fazlurrahman is a theanthropocentric Muslim scholar. In contrast to the theocentric paradigm, which centers on God (from the top down), Rahman constructs a paradigm that centers on both God and humanity. Rahman referred to his theory as the theory of double movement, specifically the theory of two double movements: first, the movement from the contemporary situation to the present stage of the Qur'an's revelation. Second, the transition from the state of revelation to the state of the present. The double movement theory aims to establish a connection between the past and the present, attempting to establish a connection between the normativity of tradition and the requirements and challenges of current society. (Rahman, 2009)

The first movement of the twofold movement theory consists of two stages: first, an interpreter must comprehend the Qur'anic teachings by examining the specific and general historical contexts or difficulties surrounding the text. (Rahman, 2009) Second, generalizing Qur'anic responses to particular situations into general moral-social statements (justice, equality, freedom). This moral-social assertion is extracted from specific texts by studying their sociohistorical context in depth. This context is referred to as the *rationes legis* of the passage (Rahman, 1984).

Rahman sangat menekankan kepada pemahaman al-Quran secara utuh. Ia mengkritik metode penafsiran al-Quran yang sebelumnya memakai pendekatan atomistik yang memahami pesan al-Quran secara parsial dan mengabaikan kesatuan pesan dari al-Quran.

Rahman emphasized a comprehensive study of the Koran. He questioned the method of interpreting the Koran, which previously employed an atomistic approach that only partially comprehended the Koran's meaning and neglected its oneness. The second movement of the twofold movement hypothesis is the transition from a revelatory to a contemporaneous circumstance. General Islamic values, such as the ideals of equality and justice, are extracted from particular books and then modified to fit the sociohistorical context of modern Muslim society. Past texts, according to Rahman, can be generalized into a principle. With the theory of the Double movement, Rahman demonstrates how to comprehensively comprehend legal texts. Rahman encourages differentiation between the ethics of the Koran and the law. Traditional interpretations have thus far focused on the literal legislation rather than the underlying moral foundations. The Islamic legal paradigm proposed by Rahman results in a relational epistemology of law. Islamic law is not an entity or institution that exists in isolation from other social institutions. In light of this, Rahman views Islamic law holistically. Islamic law is a continuity of faith, Islam, and Ihsan doctrines. Islamic law is founded on faith, which leads to moral conduct. Some simplify this by saying that if you wish to study Islamic morals, you must study fiqh (Islamic law). Because Islamic law is a representation of Islamic belief in practice, In addition to a holistic perspective, theanthropocentrism provides the theological justification for Islamic law's constant development and self-regulation. Using a term coined by Max Weber, there is a progressive expansion of Islamic law. The formation of Islamic law as we know it now took centuries.

Islamic law contains a historical dimension; however, it is frequently subordinated to its normative dimension. In the history of the establishment of Islamic law, it is evident how Islamic law interacts with the surrounding social reality. In reality, many technical Islamic laws (i.e., laws of a material nature) are continuations of pre-Islamic traditions. (Rohmanu, 2019)

According to Rahman, the process of revelation is a meeting between two worlds: the world of divinity and the world of mankind, the uncreated world and the created world. (Rahman, 2009) During this meeting, the Prophet received inspiration from the Holy One, but Rahman underlined that the Prophet's environment and his community had the greatest influence on the linguistic products that resulted. The Qur'an thus reflects the expectations, hopes, concerns, and interests of the Prophet and his community.

Human engagement in the aforementioned revelation process does not diminish the veracity of revelation. Wahyu require human media in order for Muslims to understand the message of revelation. The revelation process evolves from the heavenly to the *basyari* levels. (Rohmanu, 2019) It is a creative process of prophetic thinking, according to Rahman (Saeed, 2006). This is bolstered by the fact that the content of revelation is essentially a response to the living situations of Arab society at the time; revelation does not occur in a cultural vacuum. In addition to a normative paradigm, law is also understood empirically. (Rohmanu, 2019)

The problem of inheritance is an example of the interpretation of the double movement, which is a modern concern in the hazanah of Islamic thinking. Because there is a contrast between classical techniques, which

tend to be normative values, and current methodologies, which tend to be progressive values, the subject of inheritance distribution is intriguing to address. According to the Islamic nomadic theory, the inheritance is divided equally between men and women. This is in conformity with the Qat'i verse regarding inheritance, leaving no space for ijthad. In this instance, Fazlurrahman proposed a different interpretation than normative inheritance. (Humami, 2005) Based on the idea of double movement, the 2:1 inheritance ratio between males and females can be adjusted to 1:1. (Hermanto, 2018)

This is due to the fact that the condition of women has evolved. Examining the sociocultural factors of Arab society at the time of the revelation of the inheritance verse reveals that the 2:1 decision was a sort of adaptation to the culture of the time, which valued ethnicity through the male line. (Supena and Fauzi, 2002) Obviously, if guys are provided with larger quantities, Deeper examination reveals that the situation and state of the Arab country have a substantial impact on the concept of 2:1 inheritance. At the time of the Prophet Muhammad, the need to make a living was solely imposed on men, as women were deemed incapable of doing so. Women are likewise entitled to support from their spouses (if they are married). However, if we examine the current state of women, we find that they have a great deal of autonomy in carrying out activities, and not a single one of them is more competent than men at performing occupations in the public sector. On the basis of this dialectic, it is vital to reinterpret the problem of inheritance distribution while preserving the Koranic values of justice and equality of rights between men and women. (SYAHRUR, no date)

Therefore, Rahman's idea of double movement in the issue of inheritance distribution begins with specific verses in the Koran referring to "roseis." Examining the historical setting or problem to which the Qur'anic declaration is the solution reveals the verse's meaning. The split of inheritance between men and women is believed to impart the values of fairness and equality due to Rahman's initial action. However, the implementation of these ideas was heavily influenced by the circumstances of Arab culture at the time, which led to the establishment of the Wari split (2:1). When cultural situations are different, such as the current situation, a mujtahid is obligated to find legal alternatives that are consistent with the current circumstances. Second, in an effort to find alternative forms of law that must be formulated in accordance with the current socio-historical context, it was determined that the reality of women's existence at this time differed from their condition at the time of the revelation, so it was interpreted that the share of inheritance received by women was the same as that accepted by men (1:1).(Muttaqin, 2013).

Based on these examples and explanations, the significance of people in Rahman's theory is evident. In Rahman's idea of the creative process of naf and experiencing sunnah, the human role in grounding revelation is quite apparent. The purpose of human engagement is not to diminish the Koran as revelation, but to adapt its messages to the realities of human life. As it is well known that the Qur'an was revealed in response to social issues at the time of its revelation, contemporary society may face a new set of issues.

Islamic law is more integralistic as a result of Fazlurrahman's philosophy of reasoning and interpretation, which is not only controlled by legal-formalistic or textual thinking. This technique also makes Islamic law *slihun likulli zaman wa makan*.

CONCLUSION

Fazlurrahman is one of the individuals who advanced a new understanding of Islamic law. First, the migration from the modern situation to the current state of the Qur'anic revelation. Second, the transition from the state of revelation to the state of the present. The double movement theory attempts to establish a connection between the past and the present, as well as between the normativity of tradition and the requirements and challenges of modern society. In the history of the establishment of Islamic law, it is evident how Islamic law interacts with the surrounding social reality. Many technical Islamic regulations (i.e., laws of a material nature) are in fact continuations of the customs of pre-Islamic communities.

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