

## The Existence of *al-Aql* in Quran and Its Articulation with the Text of Revelation in Islamic Law Interpretation

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### Abstract:

Humans are gifted with *al-aql* thus, they are special for Allah SWT as they have ability to think. Ironically, in the Islamic thinking discussion, *al-aql* and text of revelation are faced *vis a vis*. It is, as if using *al-aql* in text interpretation is considered religious crimes. The authors reveal the existence of *al-aql* in Quran and trace the interrelation with text of revelation in creating the prescription of Islamic law according to sharia purposes. This article's outputs are: *first*, *al-aql* existence with activity of reason is urgent. The proof is, the Quran highly appreciates it. No other *samawi* books appreciate *al-aql* as Quran does. Those dissipating *al-aql* will be tormented in hell. *Second*, the articulation of text of revelation and the activity of reason in interpreting Islamic law find its momentum when the Quran text composition shows imbalanced numbers, dominated by various *zhanni* texts more than the *qath'i* ones. Some roles of *al-aql* in activity of law deduction from text of revelation are 1) text comprehension combined with *maqashid al-syariah*, so the interpretation product is not vague, 2) the integration of text and context, in which *mufasssir* is not only demanded to understand *nash*, but also has sensitivity over social reality surrounding the issues to discuss, 3) the use of reverse logical understanding (*mafhum al-mukhalafah*).

**Keywords:** *al-aql*; interpretation; Islamic law; text of revelation.

### Pendahuluan

Humans are created perfectly by Allah SWT. This is a fact written in Surah at-Tin [95], exactly verse 4: "*We have certainly created man in the best of stature.*"<sup>1</sup> Through this verse, we know that human is a distinctive creature of Allah compared to other creatures such as animals, plants, and so forth. One proof differentiating human and other creatures is the existence of *al-aql*. With *al-aql*, humans are able to think, imagine, and control their lust so they do not fall into misbehavior. It is dissimilar with animals which are only gifted with instinct and lust without *al-aql*, so they cannot differentiate between the good and the bad. Hence, ulama agree on including *al-aql* in one of five basic principles which are urgent in sharia (*maqasid as-syariah / ad-dharuriyah al-khamsah*).

As explained by the authors before, that human is gifted with *al-aql* which makes them special compared to other Allah's creatures. Ironically, *al-aql* and the

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<sup>1</sup> Q.S. At-Tin [95]: 4.

holy text of revelation (In. *teks wahyu*) are faced *vis a vis*. It is as if, using *al-aql* in interpreting text is considered as religious crimes. There even some people who claim that to understand the holy text does not need the role of *al-aql* or logic (*ra'yu*). It is enough by reading and connecting one verse to another. This kind of thinking method is a result of paradigm "*al-Qur'an yufassiru ba'dluhu ba'dla* (Quran texts intepretes each other)".<sup>2</sup> Understanding Quran with *al-aql* (*ra'yu*) is often assumed as a deviation in religion, thus, it is dangerous. People claiming this often quote a hadith by The Prophet Saw:

مَنْ فَسَّرَ الْقُرْآنَ بِرَأْيِهِ فَلْيَتَّبِعُوا مَقْعَدَهُ مِنَ النَّارِ

"Those interpreting Quran with their *aql*, the hell is prepared for them."<sup>3</sup>

That this hadith is famous lets people to make it, textually, as a religious doctrine which must be accepted as it is. Unconsciously, this hadith creates intellectual crisis within Muslim society. Such condition inhibits the growth of knowledge and stagnates the civilization. As time goes on, Muslim will be left behind. No wonder did Syakib Arslan in his book entitled "*Limaadza Ta'akhara al-Muslimun wa Limadza Taqaddama Ghairuhum*", say that the disappearance of *al-aql* role and blind fanatic on certain opinion are factors of deterioration and slump of Muslim from other people.<sup>4</sup>

This article tries to reveal back the existence of *al-aql* in Quran discussion, as well as to trace the extent of the interrelation of text of revelation in creating the prescription of Islamic law according to the purposes of the noble sharia. It is because the law is not made for empty spaces, but to govern the life of humans on earth and the hereafter. The articulation between *al-aql* and text of revelation will determine to which extent it can appreciates the noble principle in a legal dictum to match its basic purposes. In this context, this simple article exists to discuss the relation terms between *al-aql* and *wahyu* (revelation).

## Method

This study is a library research. The methodology is a qualitative one. It is a research which aims to understand the phenomena experienced by the research subject holistically by describing in written or spoken words on a certain natural

<sup>2</sup> This paradigm is inspired by statement of previous *ulama*, one of them is Ibnu Katsir al-Dimasyqi, stating that the best *tafsir* (interpretation/exegesis) is done by interpreting Quran with Quran. Al-Dzahabi even tells about Imam Ibnu Katsir as a figure who is highly motivated to start the Quran-with-Quran *tafsir* activity. **See:** Ibnu Katsir, *Tafsir Ibn Katsir; Ikhtishar Muhammad Ali al-Shabuni* Juz I (Jeddah: Maktabah Jeddah, n.d.), 12; Muhammad Husain al-Dzahabi, *al-Tafsir wa al-Mufasssirun* Juz I (Cairo: Maktabah Wahbah, n.d.), 255.

<sup>3</sup> This hadith is *takhrij* (extracted) by Imam al-Tirmidzi in *Kitab Tafsir al-Qur'an*, exactly in Chapter *Ma Ja'a fi al-ladzi Yufassiru al-Qur'an bi Ra'yih*. **Read:** Abu Isa Muhammad ibn Isa al-Tirmidzi, *Sunan al-Tirmidzi; Tahqiq Duktur Mushthafa al-Dzahabi* (Cairo: Dar al-Hadis, 1999), Juz. 4, p. 43; Muhammad Afifuddin Dimyathi, *Ilmu Tafsir; Ushuluhi wa Manahijuhu* (Malang: Maktabah Lisan Arabi, 2017), 47.

<sup>4</sup> Syakib Arslan, *Limadza Ta'akhara al-Muslimun wa Limadza Taqaddama al-Akharun* (Baerut: Dar al-Maktabah al-Hayat, n.d), 75

context.<sup>5</sup> The primary data of this study is verses in the Quran discussing about the use of *al-aql*. Meanwhile, the secondary data are from *kitab* (Islamic classic books), books, and journals related to the theme. The data is analyzed by thematic *tafsir* method. The data obtained from the Quran verses that have similar theme were then composed to be an organized and systematic structure. After that, those were comprehended in various perspectives. Besides verses from the Quran, some hadiths which have similar theme are also presented to get the comprehensive understanding.<sup>6</sup>

## Result and Discussion

### *Al-Aql* in Linguistics Perspective

The word *al-'aql* in English Linguistics is translated into several terms i.e. *reason*, *intelligence*, *intellect*, *understanding*, and *intellectual powers*. In French, it is *raison*, *intelligence*, and *intellect*. Meanwhile, Latin language calls it as *ratio* and *intellegentia*. Those many word matchings used to translate *al-'aql* show the complexity of the word meaning, so it cannot be represented only by one word.<sup>7</sup> In Indonesia, the word *al-'aql* is usually translated as "*akal*" that it is considered as standard term and is accepted absolutely without reserve. However, in a normal translation activity, "*akal*" does not represent the meaning of its original word.<sup>8</sup> For example, in Indonesian context, the word is always connected with rational reasoning or intellectual activity, or showing someone's comprehension potential. So, the term "*berakal* (Eng. ingenious)" is frequently used to describe someone who is able to grasp the situation or problem, and to communicate with others. At this point, the after effect of that activity sometimes is unclear. *Al-aql* in Indonesia only covers cognitive aspect and does not relate at all to any subject outside the intellectual activity.

It is different with Arabic – the original language –, *al-'aql* has various meanings based on its derivation. For example, the original word (*'aql*) means preventing (*al-hijr*) and wise (*al-nahyu*). In another form (following the pattern of *wazan ifti'âl*), it means prohibiting, stopping, interfering, hampering, and holding. In different side, it also means fine (*al-diyah*), master (*al-sayyid*), the most generous (*al-akramu*).<sup>9</sup> The word *'aql* which means holding and the like, was first used for camel, as a control to always follow the direction of its rider or shepherd, as written in an

<sup>5</sup> Lexy, J. Moleong, *Metode Penelitian Kualitatif* (Bandung: Remaja Rosdakarya, 2009), 6.

<sup>6</sup> Miftah Khilmi Hidayatulloh, "Konsep Dan Metode Tafsir Tematik (Studi Komparasi Antara Al-Kumi dan Mushthofa Muslim)", *Al-Bayan: Jurnal Studi Al-Qur'an dan Tafsir* Vol.3 No. 2 (December 2018): 130-142.

<sup>7</sup> Jamil Shaliba, *al-Mu'jam al-Falsafi bi al-Alfadz al-arabiyyah wa al-Firansiyyah wa al-Inkliziyyah wa al-Latiniyyah* (Baerut: Dar al-Kutub al-Bannani, 1982), Juz II, p. 84; Hodri, "Penafsiran akal dalam al-Qur'an", *Mutawatir: Jurnal Keilmuan Tafsir Hadis*, Vol. 3, No. 1 (Juni 2013): 2.

<sup>8</sup> John Walbridge, *The Science of Mystical Life: Quthb al-Dîn Shîrâzî and the Illuminationist Tradition in Islamic Philosophy* (Harvard: Harvard University Press, 1992), 58.

<sup>9</sup> Muhammad Bin Makram Bin al-Mandzûr, *Lisân al-'Arab* Vol. 11 (Beirut: Dâr al-Fikr, n.d.), 458- 466.

expression *'aql al-ba'ir* yang maksudnya *thanâ wadzîfuh ma' dzirâ'uh fasyuddahumâ fi wast al-dzirâ'* and it is explained that *dzalika al-hablu huwa al-'iqal*. The use of this word (*al-'aql*) has expanded meaning in different segment based on the spirit of the word.

From the aforementioned meanings, the understanding is improving that the meaning of *'aql* is not based on the material, but its potential and function. The Quran never writes *al-'aql* in the noun (*isim*) form. We can find Arabic expressions using *'aql* in the verb (*fi'il*) form which shows process, potential, and function at once. The function of *'aql* which means holding, preventing, or prohibiting is usually connected with controlling, managing, or directing to achieve the goals that are believed to be good and positive, for example: realizing *mashlahah*. The word is rarely used for negative-effect purposes, for example exploitation (*mafsadah*) and repression. However, in reality, the binding potential is not only seen on the good things but it might also be attached to bad things when *'aql* is not functioned optimally and perfectly.

Besides having various meanings, the word *'aql* also means “to understand the reality” and “to be able to differentiate” (*idrâk kulli syai' 'alâ haqîqatihâ wa mayyaza*).<sup>10</sup> On the other words, *'aql* can be understood as *potential preparedness* (*al-quwwah al-mutahayyi'ah*) – after one knows something and differentiates it, one can give positive effect to the subject. Another source states that *al-aql* is related to self-potential which is always prepared to accept knowledge, and sometimes it is also related to knowledge obtained by humans with their mind/intellect ability (*al-'aql yuqâl li al-quwwah al-mutahayyi'ah li qabûl al-'ilm, wa yuqâl li al-'ilm al-ladzi yastafiduhu al-insân bi tilka quwwah al-'aql*).<sup>11</sup> To conclude, linguistically, the word *'aql* shows potential and function of knowing something and ability to identify and to classify which affects to the activity of controlling and directing. Meanwhile, philosophy wise, when it is used in humans' activity, the word *'aql* shows the potential of intellectual reason that can stimulate or give feedback on the attempt of self-control based on the obtained knowledge. In this position, there is a functional metaphor between the word *'aql* which is used for camel and the one related to humans.<sup>12</sup>

### The Position of *Al-Aql* in the Quran

The Quran contains a phenomenal lesson i.e. an advice to optimize the role of *al-aql* in every human. The positive effect of this advice is that Muslim start to think about the universe and everything in it which are proofs of the greatness of Allah SWT (*al-ayah al-kauniyyah*). It is the main source of knowledge that is rapidly developing. From this reality, we can understand that the source of knowledge in Islam is not only from the text of revelation (*al-ayah al-qauliyyah*), but also from the empirical fact (*al-ayah al-kauniyyah*) both of which are actually from Allah SWT.<sup>13</sup>

<sup>10</sup> Ibrâhîm Mustafâ (ed.), *al-Mu'jam al-Wasît* Vol. 2 (Cairo: Dâr al-Ma'ârif, 1973), 616- 617.

<sup>11</sup> Muhammad Abû al-Qâsim al-Husain. *Fî Gharîb al-Qur'ân* (Beirut: Dâr al-Ma'ârif, n.d.), hlm. 444.

<sup>12</sup> Jamîl Salibâ, *al-Mu'jam al-Falsafî bi al-Alfâdz al-'Arabîyyah wa al-Firansîyyah wa al-Injliziyyah wa al-Lâtînîyyah*, 84.

<sup>13</sup> According to Babbie, there are two realities in this life. *First*, the agreement reality i.e. the thing considered real which is found in life. *Second*, a reality based on our own



When we read the Quran, we easily find verses commanding us to think and maximize the function of *al-aql*. Even, some word forms – a derivation of '*aql*' such as *la'allakum ta'qilun*, or another word with similar meaning e.g. *la'allakum tatadabbarun*, *la'allakum tatafakkarun* – are frequently found in the Quran.<sup>14</sup> Besides, there is also another word form i.e. *na'qilu* and *aqaluhu*, each is mentioned once.<sup>15</sup> The Quran highly appreciates knowledgeable people that their degree is guaranteed to raise. This is as what has been stated by Allah SWT in the Quran:

*“O you who have believed, when you are told, ‘Space yourselves’ in assemblies, then make space; Allah will make space for you. And when you are told, ‘Arise’ then arise; Allah will raise those who have believed among you and those were given knowledge, by degrees. And Allah is Acquainted with what you do.”*<sup>16</sup>

Even, someone dissipating *al-aql* will get torment in hell, as written in Q.S. al-Mulk [67]:

*“And they will admit their sin, so [it is] alienation for the companions of the Blaze.”*<sup>17</sup>

Using *al-aql* will bring the potential of intellectual to reach an understanding on certain thing, which later can make someone to have noble behavior. This category is called *al-'aql al-wazi'*, that is *aql* of booster. Besides, *al-aql* is functioned to observe and analyze something to reveal the hidden secrets to get the scientific conclusion and lesson. The activity of *al-aql* here results in the emergence of knowledge as well as lesson that makes the owner to obtain insight and to apply it. This is then what we call by *al-'aql al-mudrik*, that is *al-aql* of seeker (of knowledge).<sup>18</sup> In relation with the comprehension ability, '*aql*' and *qalb* have significant divergent meaning. The focus of '*aql*' is more on empirical-rational/concrete which optimizes the thinking ability of something, meanwhile *al-qalb* is more on emotional-rational prioritizing the power of *zikir* in understanding the spiritual reality. Both are spiritual skills of human to understand the truth. When both merges in one understanding to seek the truth by using each instrument, they will get the power of thought and *zikir*.

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experience (experienced reality), or others' experience that is claimed as reality. See: Babbie Earl, *The Practice of Social Research* (California: Wadsworth Publishing Company, 1989), 5.

<sup>14</sup> Both are written in the Quran as much as 22 and 24 times respectively. See: Muhammad Fu'ad Abd al-Baqi', *Mu`jam al-Mufahras li Alfadz al-Qur'an al-Karim* (Beirut-Lebanon: Dar Al-Ma'rifah, 2008), 1016, 367; Muhammad Quraishy Shihab, *Logika Agama* (Bandung: Lentera Hati, 2000), 57.

<sup>15</sup> Muhammad Fu'ad Abdu al-Baqi, *Mu`jam al-Mufahras li Alfadz al-Qur'an al-Karim*, 687

<sup>16</sup> Q.S. Al-Mujadalah [58]: 11.

<sup>17</sup> Q.S. Al-Mulk [67]: 11

<sup>18</sup> Muhammad Amin, "Kedudukan Akal dalam Islam; The Position of Reason in Islam, *Tarbawi: Jurnal Pendidikan Agama Islam*, Vol. 3, No. 1 (January-June, 2018), p. 83; Dadang Mahdar, "Kedudukan Akal dalam al-Qur'an dan Fungsinya dalam Pendidikan Hukum Islam", *Adliya*, Vol. 8, No. 1 (Januari-Juni, 2014), 60.

So, we can say that there is *ziker* inside of thought, and there is thought inside of *ziker*.<sup>19</sup>

Because of the urgency of these skills for human, the Quran highly appreciates it. No other *samawi* books give similar appreciation or even higher for *'aql* as the Quran does. This is because *'aql* is a thinking skill in human's self by which everything is reachable. It is a gift from Allah SWT and no other creatures of Allah possess it. With it, human can differentiate right and wrong, clean and dirty, *mashlahah* and *mudharat*, good and bad. Abbas Mahmud al-'Aqqad states that *'aql* has full control on lust, to understand mandate and obligation, comprehension and thinking which constantly change based on the problems we face, and to classify the guidance and the digression, as well as to achieve inner consciousness which can cover beyond eyes' vision.<sup>20</sup>

Sometimes in the Quran, *'aql* is related to the word *lub* (a singular form of *al-albab*). So, the word *ulu al-albab* can be defined as "people who has intellectual (*aql*)". This can be found in the Q.S. Ali Imran [3]: 190-191:

*"Indeed, in the creation of the heavens and the earth and the alternation of the night and the day are signs for those of understanding. Who remember Allah while standing or sitting or [lying] on their sides and give thought to the creation of the heavens and the earth, [saying], 'Our Lord, You did not create this aimlessly; exalted are You [above such a thing]; then protect us from the punishment of the Fire.'"*<sup>21</sup>

From the above verses, we understand that people who has *al-aql* (*ulu al-albab*) is the ones who combine two things, i.e. *tadzakkur* which means remembering (Allah) and *tafakkur* which means thinking about Allah's creatures. Meanwhile, Imam Abi al-Fida Ismail<sup>22</sup> explains that the term *ulu al-albab* is every human whose mind is perfect and clean with which one can uncover various privileges and nobility of something, unlike the dummies who cannot use their mind. When someone thinks, they can get the hidden wisdom behind the activity of *tadzakkur* and *tafakkur*, that is to know, to understand, and to deepen, that behind the natural events and everything in it are the proofs of The Creator's existence. Through the understanding gained by the *mufassir* on the mentioned verses, we can clearly comprehend the position and the function of *'aql*. The objects understood by *'aql* in the verses cover several things, those are: **first**, *al-khalq* which means limitation and determination showing harmony and foresight. **Second**, *al-samawat* means every entity on the sky and is visible to people's eyes. **Third**, *al-'ardl* means the habitat (place) of human and animate creatures. **Fourth**, *ikhtilaf al-lail wa al-nahar* means the regular alternation of the day and the night. **Fifth**, *al-ayat* means *dalil* (evidences) which represent the existence of Allah and His power.

<sup>19</sup> Harun Nasution, *Aqal dan Wahyu dalam Islam*, (Jakarta: UI Press, 1986), 47

<sup>20</sup> Abbas Mahmud Aqqad, *Al-Insan fi al-Our'an al-Karim*. (Cairo: Dar al-Islam, 1973), 18

<sup>21</sup> Q.S. Ali Imran [3]: 190-191.

<sup>22</sup> Abi al-Fida Ismail Ibn Katsir al-Qurasyi al-Damasyqi, *Tafsir Ibnu Katsir* Jilid I (Makkah al-Mukarramah: Al-Maktabah al-Tijariyah, 1986), 184.

### *Al-Aql* Articulation and Text of Revelation in Islamic Law Interpretation

The previous discussion explains that *al-aql* and its activity of reason is human characteristics, which differentiate them with other creatures. In Islamic thinking history, human's reason and God's revelation (*wahyu*) are often faced *vis a vis*. In fact, in several verses, Allah SWT has delegated human's common sense/reason in solving various issues which are profane. The logic conquest under the revelation authority once reached its climax in the mid century. This can be proven by the rise of blind imitation (*taqlid*) that the use of *ijtihad* reason is considered *haram* (forbidden).<sup>23</sup> As a result, the role of religion is isolated from the social life of community.

On the contrary, the position of reason is central and strategic in the current digital era, and it is beyond the justification of religious values. A series of industrial revolution since generation 1.0 until generation 4.0 in this digital era has changed the special position of religion so that it is equal to the ordinary social phenomena. As a result, the presence of modernity in certain limitations can distort the ethical and moral problems that are highly upheld by Islamic teaching. Thus, in this disruption era, a glimpse of hope to put the identity of religion back to its more rational performance occurred. The authority of the holy revelation is incorporated with the interpretation of objective reason in order to respond to the rapid advancement of era, which is unavoidable.<sup>24</sup> This attitude is necessary to be implemented to instigate a self-actualization for overcoming any problems regarding religion or Islam, primarily the foremost legal segment. Therefore, the exquisite bond of the text of revelation and *al-aql*-logics becomes very interesting to be theologically understood to create long-awaited public legal dictums.

The function optimization of *al-aql* for the absolute legal advancement is essential since the texts of revelation occurred in its diverse performances, namely: **first**, it is *nash-nash juz'iyah tafshiliyyah* that specifically manages particular problems directly, such as the essential of compulsory prayers, the prohibition (*haram*) of adultery, and other problems. **Second**, it is *nash* in form of general principles (*qawa'id kulliyyah*) as what the word of Allah the Almighty says: "*Allah intends ease for you, not hardship.*"<sup>25</sup> The principle of giving ease (*wujud al-taisir*) is the basic principle of Islamic law in general. For example, in economic sector, the action of ignoring the aspect of ease in a transaction will inhibit the economic growth in the macro scale. Al-Khaladi affirms that the economic wheel will be unstable and a bigger negative impact will be created if there is no effort to nurture

<sup>23</sup> Syah Waliyullah ad-Dahlawi states that Muslim in the first and second century did not agree on *taqlid* (imitation) of certain *mazhab* (Islamic scholars). In the next two centuries, there was a system to follow (to believe in *mazhab* of) certain *mujtahid*. Very few people did not follow the *mazhab* and this is an obligation. **See:** Syah Waliyullah ad-Dahlawi, *al-Inshaf fi Bayan Asbab al-Ikhtilaf* (Baerut: Dar al-Nafais, 1977), 65.

<sup>24</sup> This is in line with al-Syathibi's message conveyed in his wise words below:

اجْعَلِ الشَّرْعَ فِي يَمِينِكَ وَالْعَقْلَ فِي بَسْرِكَ

"Put Islamic law on your right hand and *al-aql* on your left hand"

**See:** Abu Ishaq Ibrahim bin Musa al-Syathibi, *al-I'tisham* Juz III (Baerut: Dar al-Fikr, 1984), p. 408

<sup>25</sup> Q.S. Al-Baqarah [2]: 185.

people's buying power through a facilitating policy.<sup>26</sup> Another example is reflected on the word of Allah the Almighty: "*Surely the most noble of you in the sight of Allah is the most righteous among you. Allah is truly All-Knowing, All-Aware.*"<sup>27</sup> The aforementioned verse is the foundation of the principle of equality before the law (*al-taswiyyah/al-musawah*) among all human beings. According to Muhammad Ibn Asyur, this principle is derived from the origins of the creation of human. He asserts that the all human beings are equal because of the existence of humanity aspect. Therefore, no one has the right to discriminate against another, whether it concerns skin color, race, ethnicity, or nation.<sup>28</sup>

**Third**, the general *nashs* become the reference of secondary *dalil* (evidence) within the *istinbat* (the power of decision making of Islamic law) of Islamic law such as *nash* regarding *ijma'* (consensus of the Muslim community) and *qiyas* (analogical reasoning). **Fourth**, the general *nash* becomes the reference of *maqashid al-syari'ah*. As a result, the general *nashs*, that become the reference of both secondary evidence and *maqashid al-syari'ah*, are the legal sources that will prevail throughout the ages. However, the elaboration requires the creativity power and hard work of humans' reason and *al-aql*. Without the immersion of humans' *al-aql*, those *nashs* will not possibly function as how it should be. Among the interrelation between reason, *al-aql* and revelation is visible through the interpretation of activity or the establishment of law based on the *nash* (*istinbath al-ahkam min al-nushush*). It is an urgency that all *mufasssirs* (the interpreter of the Quran) or *mujtahids* relate every *nash* they studied to *maqashid al-syari'ah*. Abdul Wahhab Khallaf states that the study of *lafal* (articulation) that has interrelation with *maqashid al-syari'ah* can produce a legal prescription that is conforming to the objectives of its conception, which are humans' justice and welfare.<sup>29</sup>

Beside those abovementioned four texts of revelation, there is a typology of text of revelation that is mostly dominated by the *nashs* that are *dzanni* (speculative). As expressed by Abdul Wahhab Khallaf, there are at least four types of *nash*, as reviewed from the quality of the evidence. **First**, it is *nash* that is *qath'i* (definitive) as seen from the *wurud* aspect (the validity is trustworthy) and its *dalalah* (the meaning is firm/has monointerpretation). **Second**, it is *nash* that is *qath'i al-wurud* but is also *dzanni al-dalalah* (the meaning is not firm/has multiinterpretation). **Third**, *nash* that is *dzanni al-wurud* (the validity is assumed to be strong), but it is *qath'i al-dalalah* (the meaning is firm). **The fourth**, it is *nash* that is *dzanni* both in its *wurud* or *dalalah* aspects.<sup>30</sup> As the logical consequence of the presence of the text of revelation, which is a combination between *nash-nash qath'i* and *dzanni*, and between *juz'i* and *kulli*, the acknowledgement of the role of *al-aql* within the Islamic law interpretation activity is undoubted. Sometimes, the role of *al-aql* is not too

<sup>26</sup> Abdul Majid al-Khaladi, *Maqshad Rawaj al-Amwal wa Madzahirihi fi Uqud al-Mu'amalat* (Aljazair: Jami'ah al-Amir Abdul Qadir li al-Ulum al-Islamiyyah, 2016), 223.

<sup>27</sup> Q.S. Al-Hujurat [49]: 13.

<sup>28</sup> Muhammad Thahir Ibn Asyur, *Maqashid al-Syariah al-Islamiyyah* (Egypt: Dar al-Salam, 2007), 280

<sup>29</sup> Abdul Wahhab Khallaf, *Ilmu Ushul Fiqh* (Kuwait: Dar al-Qalam, 1978 ), 117

<sup>30</sup> Abdul Wahhab Khallaf, *Ilmu Ushul Fiqh*, 42



significant; however, it becomes too dominant in particular situations. It greatly depends on the *nash* of revelation that is going to be studied and the problems that will be discussed.

The articulation of the text of revelation and the activity of the reason of Islamic law interpretation is getting closer to its momentum when the composition of the Quranic text shows an imbalanced number, which is dominated by various types of *dzanni* text rather than the *qath'i* text. Yusuf Qardlawi, one of the contemporary Islamic scholars, affirms that less than ten percent of the holy teaching text are provided in form of constant *qath'i* legal postulates. This segment is immutable (it is not able to adapt to the changes) and should be accepted as it is (*taken for granted*). The basic issues related to the pillars of Islam are also included in this segment. Meanwhile, the rest (90%) is presented in form of texts of revelation containing the global regulations that are *dzanni*. This second segment has an adaptable characteristic (opens up to the access of change) as long as it still appertains to the moral messages that are globally conveyed in the holy teaching. The typology of this segment also comprises the operational laws that are directly associated with the social phenomena.<sup>31</sup>

The combination of *nash* typology demands a blend of several things. **First**, those are *nushush al-syari'ah* and *maqashid al-syari'ah* that are needed for the establishment of the ideal legal products.<sup>32</sup> These are mentioned in the interpretation of the Quran verses concerning the persuasion to do Jumah prayer as follows: "*O believers! When the call to prayer is made on Friday, then proceed diligently to the remembrance of Allah and leave off your business. That is best for you, if only you knew.*"<sup>33</sup> The aforesaid verse does not merely talk about the prohibition or demand to leave off the buying and selling activity when the time for Jumah prayer comes, just exactly like how the *dzahir* meaning says,<sup>34</sup> but it also prohibits all kinds of other transaction activities, such as working in the office, doing manual labor, and others. Without noticing the *maqashid* (purposes) in interpreting the *nushush* (marital discord), we will not be able to understand the prohibition of doing works during the Jumah prayer time.

<sup>31</sup> Yusuf Qardlawi, *al-Ijtihad wa Tajdid baina al-Dlawabith al-Syar'iyyah wa al-Hayah al-Mu'ashirah*, translated: *Dasar Pemikiran Hukum Islam* (Jakarta: Pustaka Firdaus, n.d.), 75

<sup>32</sup> Muhammad bin Husain al-Jizany, *Manhaj al-Salaf fi al-Jam'i bayna al-Nushush al-Maqashid wa Tathbiqatuha al-Mu'ashirah* (Riyadl: al-Mamlakah al-Arabiyyah al-Su'udiyyah Wizarah al-Ta'lim al-Aly, 2010), 42.

<sup>33</sup> Q.S. **Al-Jumu'ah** [62]: 9.

<sup>34</sup> Etymologically, -according to mutakallimin *mazhab- al-dzahir* is the *lafal* (articulation) containing a clear meaning that does not need any interpretation; on one hand, - according to hanafiyyah *mazhab-* this contains meaning that can be understood by only listening and no effort to have a thorough thinking is needed since the topic it contains is clear. **See:** Badruddin bin Bahadir bin Abdullah Zarkasyi, *al-Bahr al-Muhith fi Ushul al-Fiqh: Ta'liq al-Duktur Muhammad Tamir: Kulliyah Dar al-Ulum Qism al-Syari'ah* (Baerut: Dar al-Kutub al-Ilmiyyah, 2000), Juz III, p. 25; Abu Bakar Muhammad bin Ahmad bin Abi Sahl Al-Sarakhsi, *Ushul al-Sarakhsi Tahqiq Abi Wafa' al-Afghani* Juz I (Baerut: Dar al-Kutub al-Ilmiyyah, 1993), 163-164.

**Second**, it is the incorporation of text and context. A *mufassir* is required not only to understand *nash*, but also to possess a sensitivity towards social reality surrounding the problems that are going to be solved.<sup>35</sup> It is understandable that any dilemma that has *qath'i al-wurud* and *al-dalalah* evidence does not need any involvement of the interpretation of reason. However, the thing that does not need or is even forbidden to do is the interpretation of reason in the *takhrij al-manath* segment (the legal implementation of the holy revelation). On one hand, the role of reason is still absolutely needed for the *tahqiq al-manat* segment (the legal implementation on the reality) since the legal implementation in the real life needs some scientific, political, sociological, and psychological considerations so that the legal implementation will not seem black and white or vague.

Therefore, a *mufassir* is required not only to have a great understanding about *fiqh al-nushush*, but also to master *fiqh al-waqi'* (social reality). These also include diverse field of studies related to the law that will be implemented, such as political, economic, and health science.<sup>36</sup> If, unexpectedly, a *mufassir* does not possess any competence in these fields of study, then it is natural that the experts of each field of study are needed. Accordingly, a mutualistic symbiosis involving a *mufassir* and *khubara'* (other experts of studies) is then created. The following is the example of the role of the reason interpretation in a real case: a thief should have his/her hand cut; it is done because the evidence is clear and steady. However, the question whether the hands of this person stealing a bunch of vegetables must be cut or not requires a study. The study has to cover the motive of stealing, what situation that instigates the person to steal, how much the bunch of vegetables cost, and whom the vegetables belong to.

Moreover, the role of reason is frequently used to interpret and understand several texts of revelation. One of the approaches representing the function of *al-aql* in the activities of legal conclusion drawing is the understanding of reverse logic (*mafhum al-mukhalafah*). Basically, understanding only some parts of the Quranic texts should not solely rest upon the textual approach, but also upon an implicit understanding underneath the external meaning. An instance of the reverse understanding of the Quranic text is a verse saying "*if they are pregnant, then maintain them until they deliver*."<sup>37</sup> The meaning of this verse indicates the obligation of a man to provide living expense for the wife, who is given a *thalaq* (divorce), if she is pregnant. Nonetheless, this verse contains an implicit meaning as a form of its reverse, which is the absence of obligation to provide living expenses for the wife if she is not pregnant when the *thalaq* is pronounced.<sup>38</sup>

Although the use of reverse logics is unavoidable during the action of interpreting several texts of revelation, some *ulama* or Islamic scholars have different opinions about this *mafhum mukhalafah* (the contrary understanding), primarily on the detailed operational level. Hence, a more intensive discussion is

<sup>35</sup> Abdurrahman al-Zayudiy, *al-Ijtihad bi Tahqiq al-Manath wa Sulthanah fi al-Fiqh al-Islamy; Dirasah Ushuliyyah Fiqhiyyah Muqaranah Tabhatsu fi Kayfiyyah Tanzil al-Ahkam al-Syar'iyyah 'ala al-Waqi'* (Cairo: Dar al-Hadis, 2005), 193-196.

<sup>36</sup> Abdurrahman al-Zayudiy, *al-Ijtihad bi Tahqiq al-Manath*, 193-196.

<sup>37</sup> Q.S. Al-Thalaq [65]: 6.

<sup>38</sup> Saifuddin Abu al-Hasan Ali bin Abu Ali bin Muhammad al-Amidi, *Al-Ihkam fi Ushul al-Ahkam* Juz III (Baerut: Dar al-Kutub al-Ilmiyah, 1980), 100.

required to discover the ins and outs of the use of this logic. Principally, *mafhum al-mukhalafah* is the opposite of *mafhum al-muwafaqah* approach (the implied meaning of a pronunciation). Etymologically, the word *mafhum* is derived from Arabic language that means an understanding or something that can be understood, whereas, the word *mukhalafah* possesses the opposite meaning. Terminologically, *mafhum al-mukhalafah* is the ruling of *lafal* to determine the law that is not mentioned implicitly, and that law is contrary to the law that is mentioned explicitly through the *lafal*.<sup>39</sup> It is named *mafhum al-mukhalafah* because the implicit meaning is opposed to the explicit meaning. Al-Syaukani asserts that this approach is also called *dalil al-khithab* since what leads to *mafhum al-mukhalafah* is one of the types of utterances (*khithab*) or because *khithab* provides the same understanding as what *mafhum al-mukhalafah* contains.<sup>40</sup>

The study of text interpretation methodology comprises several types of *mafhum al-mukhalafah*. First, it is *mafhum al-shifah* which mentions a name that is still general and is accompanied with the special characteristic or another understanding that confines a *lafal* containing numerous meanings (*musytarak*) and another *lafal* in particular. The example of the Quranic verse is as follows: “But if any of you cannot afford to marry a free believing woman, then let him marry a believing bondwoman possessed by one of you”.<sup>41</sup> The character stated in the Quranic verse is “devout.” Thus, its *mafhum al-mukhalafah* is an irreligious bondwoman that is prohibited to be married to. The *ulama* of Syafii, Hambali and Maliki *Maddhab* also declare that this verse conveys the prohibition to marry bondwomen who are not devout Muslims.<sup>42</sup> Second, it is *Mafhum al-Syarhi*, which is a *lafal* that contains a legal indication related to a particular requirement. This *lafal* points out the opposite law that prevails when that particular requirement is not found. This is shown in the word of Allah the Almighty below: “If they are pregnant, then maintain them until they deliver..”<sup>43</sup>

The legal indication of this verse is the obligation of a man to provide living expense for the wife, who is given a *thalaq*, if she is pregnant. Therefore, the *mafhum al-mukhalafah* indicates that the husband has no obligation to provide living expenses for the wife if she is not pregnant when the husband pronounces a *talaq*.<sup>44</sup> Third, it is *Mafhum al-Ghayah*, which is a *lafal* that has a legal indication connected

<sup>39</sup> Syamsuddin Muhammad bin Ahmad Al-Mahalli, *Syarh al-Mahalli ‘ala Matn Jam’ al-Jawami’*, simultaneously printed with: al-Allamah al-Bannani, *Hasyiyah al-Bannani* Juz I (Egypt: Musthafa al-Bab al-Halabi wa Awladuh, 1937), 245.

<sup>40</sup> Muhammad bin Ali Al-Syaukani, *Irsyad al-Fukhul ila Tahqiq al-Haq min Ilmi al-Ushul ;Tahqiq wa Ta’liq Sya’ban Muhammad Ismail* (Egypt: Mathba’ah al-Madani, 1992), Juz II, p. 56; Abu Hamid Muhammad bin Muhammad al-Ghazali, *al-Mustashfa min Ilmi al-Ushul* (Baerut: Dar al-Kutub al-Islamiyyah, 2014), 413.

<sup>41</sup> Q.S. al-Nisa’ [4]: 25

<sup>42</sup> The verse above contains another meaning that can be considered as a consequence of the *mafhum al-mukhalafah* approach, which is a prohibition for men, who are able to marry devout and independent women, to marry bondwomen who are devout Muslims. See: Wahbah al-Zuhaili, *Ushul al-Fiqh al-Islamy* Juz II (Damascus: Dar al-Fikr, 2019), 350; al-Zuhaili, *al-Wajiz fi Ushul al-Fiqhi* (Damascus: Dar al-Fikr, 1995), 172. \

<sup>43</sup> Q.S. Al-Thalaq [65]: 6

<sup>44</sup> Saifuddin al-Amidi, *Al-Ihkam fi Ushul al-Ahkam* Juz III, 100.

to particular time restraint. This *lafal* points to the opposite law that will prevail whenever the time restraint has ended as depicted by the word of Allah the Almighty: “*And eat and drink until the white thread of dawn becomes distinct to you from the black thread (of night)*”.<sup>45</sup> The legal indication of the aforementioned verse is the flexibility to eat and drink at night, for Muslims who are fasting, before the dawn comes. Hence, its *mafhum al-mukhalafah* is the prohibition, applied for the fasting people, to eat and drink as the dawn ascends. Another example illustrated through the word of Allah the Almighty is shown below: “*And if he has divorced her (for the third time), then she is not lawful to him afterward until (after) she marries a husband other than him*”.<sup>46</sup>

The legal indication of the verse above is the prohibition for the ex-husband to remarry a woman whom he has given *talaq* to and whose waiting period (*iddah*) has ended unless she has previously married to another man. Thus, its *mafhum al-mukhalafah* is the *halalness* (permission), for a man, to remarry his ex-wife who has been given *talaq* for the third time if she got divorced from her second husband.<sup>47</sup> Fourth, it is *Mafhum al-Adad*, which is a *lafal* that has a legal indication associated with certain counting numbers. This *lafal* points to the absence of law beside any laws within those total numbers as what Allah the Almighty pronounces: “*As for female and male fornicators, give each of them one hundred lashes..*”<sup>48</sup> The *Mafhum al-mukhalafah* of the verse’s meaning is the prohibition to punish the fornicators by lashing them for less or more than a hundred times.<sup>49</sup> Fifth, it is *Mafhum al-Laqaab*, which is connecting the legal indication to a name such as the utterances: “*Brother Ahmad is coming*” or “*Muhammad is the Messenger of Allah the Almighty*”. Accordingly, the reverse understanding that can be made is that anyone except Ahmad is not coming or anyone except Prophet Muhammad PBUH is not the Messenger of Allah the Almighty. This type of *Mafhum al-mukhalafah* is actually considered ineligible to be determined as the evidence of law. It is caused by the fact that it is not impossible that anyone beside Ahmad is coming, and it is not only Rasulullah that becomes the Messenger of Allah the Almighty because He has many Messengers. Consequently, the ulama reject the implementation of this type of reverse logic, but a few ulama such as Abu Bakar al-Daqqaq, Malik, Dawud, and some members of the Syafiiyyah group accept this.<sup>50</sup> Sixth, it is *Mafhum al-Hashr* that is the restraint of the law to prevail on particular problems. For instance, ما (no) is put alongside the *lafal* لا (except) such as the one found in a sentence ما قام إلا محمد (no one is standing except Ahmad). It’s *mafhum al-mukhalafah* is that the law of

<sup>45</sup> Q.S. Al-Baqarah [2]: 187

<sup>46</sup> Q.S. Al-Baqarah [2]: 230

<sup>47</sup> Muhammad Afifuddin Dimiyati, *Mawarid al-Bayan fi Ulum al-Qur’an* (Sidoarjo: Lisan Araby, 2014), 88; Jalaluddin al-Suyuti, *al-Itqan fi Ulum al-Qur’an* Juz II (Baerut: Dar al-Fikr, 2008), 342.

<sup>48</sup> Q.S. Al-Nur [24]: 2

<sup>49</sup> Wahbah al-Zuhaili, *Ushul al-Fiqh al-Islamy*, Juz II, 352; Saifuddin al-Amidi, *Al-Ihkam fi Ushul al-Ahkam*, Juz III, 101.

<sup>50</sup> Al-Syaukani, *Irsyad al-Fukhul ila Tahqiq al-Haq min Ilmi al-Ushul; Tahqiq wa Ta’liq Sya’ban Muhammad Ismail*, Juz II, p. 66- 67; Abu Hamid Muhammad bin Muhammad al-Ghazali, *al-Mustashfa min Ilmi al-Ushul*, 421; Saifuddin al-Amidi, *Al-Ihkam fi Ushul al-Ahkam*, Juz III, 100 & 137.



“standing” is applied only for Ahmad. Another example involving *lafal* إنما (*truly*) is inscribed in the Quranic verse: “Of all of Allah’s servants, only the knowledgeable of His might are truly in awe of Him. Allah is indeed Almighty, all-Forgiving...”<sup>51</sup> The *Mafhum al-mukhalafah* shows that no human community, except the ulama, fears Allah the Almighty.<sup>52</sup>

The discourse regarding its *mafhum al-mukhalafah* shows us the urgency of the role of *al-aql* alongside the activities of reason in attaining a law from the holy texts of revelation. Nonetheless, the jurists of the Mutakallimin and Ahnaf groups have an argument concerning the interpretation of each Quranic verse containing legal contents, as recorded in the history. On one hand, the fact that Mutakallimin ulama acknowledge the existence of *mafhum al-mukhalafah* as an evidence needs to be appreciated. This acknowledgement can broaden the horizon and insight of thinking to be more creative and dynamic in interpreting texts and attaining law (*istinbath al-ahkam*) based on the expressions written in the Quran. In a substantive point of view, the ulama of the Ahnaf group do not instantaneously deny this approach. As a proof, a few cases grounded in the same source of revelation, in fact, generate the same legal conclusion. The only difference is the fact that the Ahnaf group uses another evidence such as *al-bara’ah al-ashliyyah* or *istishhab*.<sup>53</sup>

## Conclusion

The existence of *al-aql* alongside the activity of reason is urgent. It is proven by the high appreciation the holy Quran gives them, and no other Samawi holy books show a bigger appreciation that is greater than Quran. It happens because Quran is humans’ thinking skill tool, which makes everything possible to accomplish. Also, the act of uselessly employing *al-aql* will lead someone to get punished in the underworld. Using *al-aql*, humans will be able to differentiate the correct and the decent things, the clean and the dirty things, *maslahat* and *madharat* (harm), as well as the good and the evil things. The interrelation between revelation and the reason of thinking within the Islamic law establishment process is truly undoubted. Some of the articulations within the interrelation between *al-aql* and revelation in the process of making legal conclusion based on the texts of revelation are as follows: (1) It is the text understanding, which is combined with *maqashid al-syari’ah* (the objectives of Islamic law) so that the product of interpretation does not seem to be vague; (2) It is the incorporation of text and context. A *mufassir* is indeed required not only to be able to understand *nash*, but also possess sensitivity towards social reality surrounding the problems that need to be dealt with; (3) It is the implementation of reverse logic understanding (*mafhum al-mukhalafah*).

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<sup>51</sup> Q.S. Fathir [35]: 28

<sup>52</sup> Abu Hamid Muhammad bin Muhammad al-Ghazali, *al-Mustashfa min Ilmi al-Ushul*, 423.

<sup>53</sup> For the detail, see: Abu Bakar Ahmad bin Ali al-Jashshash al-Razi, *Ushul al-Jashshash; al-Furu’ fi al-Ushul* (Baerut: Dar al-Kutub al-Ilmiyyah, 2000), Juz I, 154.

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