

Rationalism in Harun Nasution's Epistemology of Islamic Law

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ABSTRACT

The term 'epistemology' is a term directly related to the field of philosophical debate. As one of the branches of philosophy, it studies science in terms of its definition, the establishment of its types, the determination of its sources and channels and the identification of its limits and limitations. Although these epistemological questions are commonly used in the disciplines of philosophy and the sciences, they are also relevant and valuable in Islamic law. The following brief study will elaborate on the epistemological theory of Islamic law by analyzing the thoughts of a prominent Islamic scholar, Harun Nasution, an expert in Islamic philosophy and theology.

ABSTRAK

Istilah 'epistemologi' adalah istilah yang berhubungan langsung dengan bidang perdebatan filosofis. Sebagai salah satu cabang filsafat, ia mempelajari ilmu pengetahuan dari segi definisinya, penetapan jenis-jenisnya, penentuan sumber dan salurannya serta identifikasi batasan dan batasannya. Meskipun pertanyaan-pertanyaan epistemologis ini biasa digunakan dalam disiplin ilmu filsafat dan sains, pertanyaan-pertanyaan tersebut juga relevan dan berharga dalam hukum Islam. Kajian singkat berikut ini akan menguraikan teori epistemologi hukum Islam dengan menganalisis pemikiran seorang ulama Islam terkemuka, Harun Nasution, seorang ahli filsafat dan teologi Islam.

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1. Introduction

Throughout the twentieth century, the development of Islamic thought in Indonesia was filled with various themes with very diverse approaches (M. T. Rahman, 2021). Thus, as Fauzan Saleh (Saleh, 2004, p. 260) reported, this development has brought about several independent and liberal figures that are not tied to any mass organizations, such as Muhammadiyah and NU.

These developments also accelerated with the emergence of the modernist movement (Nata, 2001, pp. 153-169). The meaning of modernism here is a movement back to the Qur'an and the Al-Sunnah, two sources of Islamic fundamentalism (Iqbal, 2009; M. T. Rahman & Saebani, 2018). This teaching is principled, outlined, and believed to apply to all places and times so that it is always

modern. It is never worn out and therefore does not need to be renewed. It needs to be revived because tradition has obscured it, a custom not keeping with the basic teachings (Nor, 1989, p. 83).

In the renewal of Islamic thought in Indonesia, the name of Harun Nasution is no stranger to Indonesian society, especially to academics. Harun Nasution is an admirer of Muhammad Abduh's figures and thinking. The history of contemporary Islamic thought is known as an important man to rationality and science. Because of his solid scientific reasoning, Abduh is often referred to as one of the "Modern Islamic Fathers". In this case of modernism, Harun Nasution is popular in academic circles, especially in IAIN Jakarta (Munawar, 2001, p. 278).

As a Muslim intellectual who was deeply committed to Islam, Harun Nasution was not only concerned with the fields of thought, such as theology, philosophy, mysticism, and law (*fiqh*), but encompassed all aspects of Muslim life (Tebba, 1989, p. 134). But Harun Nasution's focus on the development of Islam was more on theology, philosophy, and mysticism. At the same time, his attention to Islamic law is relatively low compared to those three thoughts. This may be due to a growing misconception that Islamic law seems to be static, while Harun Nasution focuses more on dynamic, rational reasoning (Tebba, 1989).

Although his attention to the law (*fiqh*) is small, it has profoundly impacted the development of Islamic thought. According to him, there are two central teachings in Islamic law and Islamic teachings: *qat'i* and *zanni* (Nasution, 2000, p. 294). There must be a distinction between the two. In the book of jurisprudence, there is little *qat'i*. There are portions of the Qur'an and the Hadith that cannot be adapted to the time. That means the teaching is absolute. For example, usury is illegal. It cannot be changed and adapted to the times because it is already the law of God (Thaha, 1989, p. 54). While the exchange is not absolute, it is not *qat'i*, but *zanni*. This law can be adapted to the development of the times; its meaning is adjusted (Thaha, 1989). This is where he was allowed to perform *ijtihad*. In Harun Nasution's view, *ijtihad* does not apply only to *fiqh* but all aspects of life. The reason Nasution says this is *ijtihad* is the key to Islamic dynamics. History proves that since the door of the Islamic jurisprudence was closed by scholars in the middle of the 4th century, the Islamic mind has retreated, either in the teachings or in the culture of Islam (Nasution, 1988, p. 113). As a result the people suffered a setback in all areas, while Europeans who took over the spirit of the *ijtihad* were making great progress fast. In addition, the problems faced by Muslims are increasingly complex as a result of advances in science and technology. As a result, religious thought is also becoming more complex.

The renewal of Islamic law besides reviewing key concepts such as *qat'i*, *zanni*, *naskh* and *mansukh*, as well as from the nature of Islamic law which has been formulated in the rules of *fiqh*, such as: "It is undeniable that the law has changed due to the changing times" (Bagir, n.d., p. 113). In addition, the development of Islamic law in the eyes of Harun Nasution does not seem to be progressing today. This is evident in the division of the developmental stages of Islamic law. Harun Nasution divides the periodization of the development of Islamic law into four stages, namely the Prophet's period, the Companion's period, the period of Jihad and its progress, and the period of *taqlid* and recession (Harun, 1986, p. 10).

Nasution's opinion on the decline of Islamic law differs from many Islamic law writers, either from the Muslims themselves or the orientalist. Islamic law writers generally believe that from the early 14th-century Islamic law entered a new phase in its development, the stage of revival after hundreds of years of decline (Ash-Shiddieqy, 1971, p. 13; Mahmasani, 1977, p. 37). The new phase is marked by the emergence of reformists in Islam such as Jamaluddin Al-Afghani, Muhammad Abduh, and Rashid Rida.

The following brief essay will attempt to unravel the epistemological theory of the existing philosophy for applying Islamic law by adopting Harun Nasution's dominant thought in his theology and philosophy. Studying his thoughts is interesting because he is aware that Islamic law does not stand on its own without the help of other disciplines. Amir Mu'allim and Yusdani say that Islamic law stands on a solid theological basis, as *fiqh* and *fiqh* scholars acknowledge that Islamic law is the movement essence of science. Theological doctrines fundamentally influence critical legal concepts in Sunni jurisprudence (Mu'alimin, 2001, p. 20). In addition, classical Islamic theory states that the law

originates with the Divine Will. Thus, the Lawgiver (*al-Judge*) in Islam is the All-Wise God (Khalaf, 1968, p. 96).

2. Individuals are responsible for the birth of Rational Islamic ideas

Referring to the word Islamic Rationale, it is one of the patterns of understanding Islam in the eyes of those demanding higher education, especially those pursuing college in the West. Their emergence was initially suspicious, as it was feared that they would bring religious peace to their own free will (Nata, 2001). Sometimes rational words can be interpreted as thoughts, views, and opinions in line with common sense. Whereas the sense of the intellect is the thinking that exists in the human being and is one of the powers of the soul and contains the mind (Dkk, 1999, p. 466).

In the history of philosophy, rationalism has reached its pinnacle. The flow of philosophy that glorifies the truth of human thought as scientific fact has existed throughout history. Scientific truth at that time was not yet determined by rational truth plus empirical truth as it is today. That's when Islam was born and flourished. Therefore, some Islamic leaders seek to rationalize the teachings of Islam that they adhere to so that Islam is also considered to have scientific truth. They took the rationale of Greek philosophy that they already knew to formulate religious teachings.

In the early days of the idea of Islamic studies, the rigid Islamic Rational model with its philosophical nuances sparked by Harun Nasution was controversial and controversial, with some favoring it and some rejecting it. However, Harun Nasution has often argued that Rational Islam, from a historical perspective, is not an entirely new pattern of Islam but that of Islam already practiced in the early modern era (Nasution, 2000). Before the emergence of this pattern of Islamic studies by Harun Nasution, the design of Islamic studies in Indonesia was dominated by - according to Harun Nasution's terms - the traditional approach, namely *fiqh sentries-doctrine-anti-criticism*. This conventional approach is often called the normative approach, but Harun Nasution himself prefers the standard term rather than the normative.

Those who rejected Harun Nasution's approach came from (traditional) scholars. Their reason is that the flow of *jabbari* (Nasution & Analisa, 2002), which the people have so far embraced, has been bloody and part of the faith that no one can devise. As Harun Nasution points out, one of the reasons for the decline of the Muslims was the dominance of *Asy'ary* the *Jabbari*. At the same time, *al-Asy'ari* itself does not mean to make Muslims a *Jabbari*. He wanted to mediate between *Qadari* and *Jabbari* with the theory of *kasb*. But in the hands of *Asya'aryans* (the followers of *Ash'ari*) *kasb* it be *Jabbar* (Madjid, 1989, p. 106).

The idea and concept of Rational triggered by Harun Nasution, was taken from the brains of *Mu'tazila* spirit that initially made the basis of his thinking in theology. Among the reasons he has often cited in applying this philosophy of rational living is:

“Given the state of the Muslim world in the history of the last seven hundred years, especially the last three hundred years, it is notable that there is no dynamic of Islam. Science and technology cannot flourish, and the future of humanity depends on fate. In other words, after the thirteenth century AD, it emerged that the teachings of Islam brought people to passive attitudes and did not play a role in determining their present or future state.” (Nasution & Analisa, 2002)

Viewed from Harun Nasution's obsession with rational Islam, this has relevance in two ways: First, introducing the ethos of rationality. The impact of this rationalism is human liberation from mythological things in nature. *Second*, because of this rational ethos, it acknowledges - or precisely seeks out Islamic views of - human free will (Munawar, 2001). Both themes, however, received the attention and pressure of Harun Nasution.

Rationality is essential to man because man is a creature created by God who is given height, priority, and advantage over other beings. And the heights, preferences, and benefits of the human race lie in his mind. It is in man's mind to bring science and technology to life, and then with that knowledge and technology, man can change and regulate his environment for his well-being and happiness (Nasution & Analisa, 2002).

Therefore, due to the importance of the role of intellect in human life, it is necessary to study the position of intelligence in Islamic teachings. Is it so low that it puts Muslims in backward and backward ways? By linking to the Qur'an and the Hadith as the original and primary source of Islamic teaching, Harun Nasution further states that both heads of Islamic education expressly disagree with the above questions. Reasoning, besides revelation, has an essential role in Islam. Revelation carries many basic teachings that, in addition to their vast numbers, also provide definitions in their outline. As for the interpretation and how it is carried out make sense (Nasution & Analisa, 2002).

The word *al-'aql* as a noun is not found in the Qur'an, but in the verb form, it is found in 32 verses: *afala taqilun*: 15 verses, *la'allakum taqilun*: 8 verses, *la ya'qilun*: 7 verses, *in kuntum taqilun*: 2 verses. The verse itself mean as a sign, as a turning point for the human mind to reach the knowledge of the existence of God, the Creator of the universe. These same signs that are generally associated with the human environment are mentioned in the Qur'an (Nasution & Analisa, 2002).

In line with the high regard for human reasoning, Harun Nasution further stated that Islamic teaching is thus essential in science. The first verse was revealed to the Prophet Muhammad containing a reading order. It is not uncommon that the words "read", "teach", "pen" and "know" are closely related to science. The Hadith, in addition to the Qur'an, also encourages humanity to seek knowledge, for example:

Look for knowledge from the cradle to the grave.

Look for knowledge even further in China

People are knowledgeable, even though they are few, better than many people of worship.

Later on, the importance of the knowledge and appreciation of Muslims to the intellect, Harun Nasution does not forget to associate it with the history of Islamic excellence in the first centuries. According to him, the advancement of science in the first centuries was that God granted humanity the desire to seek knowledge. They did not neglect the classical Greek philosophy and science they encountered in Syria, Egypt, Mesopotamia, and Persia (Nasution & Analisa, 2002, p. 1141). From Greece, the development of science and philosophy greatly influenced Islamic scholars and scholars.

According to Ahmad Amin (Amin, 1964, pp. 274–275), Greek culture greatly influences Muslims because Islamic contact with the culture coincides with the writing of Islamic science and Greek elements, giving it a particular pattern of significant influence in form and content. In the form, the impact of Greek logic was huge, the Islamic sciences were given a new color, molded according to Greek patterns and arranged according to the Greek system. In short, logic profoundly affected the Islamic mindset of the Bani 'Abbas era.

The early history of Islam recorded many great names in science and philosophy. They not only master the two fields but also develop them myself. So there are Islamic philosophers and scholars in various fields of science. For example, Al-Kindi, Al-Farabi, Ibn Sina, Ibn Rushd, Al-Fazzari, Al-Khawarizmi, Ibn Al-Haytham, Al-Biruni, Al-Razi, and many others.

Such is one of the essentials of the human mind. For Harun Nasution, intellect is the epitome of human power. Because in Islam, it is given a high position, and thus the intellect has excellent power, so man is not a weak creature. He can consider the evils of his actions, determine his own will, and do what he wants (Nasution, 2000).

According to Harun Nasution, the philosophy of living is neither rational nor traditional in addition to defeating the rational philosophy of life, even lowering the human mind. Humans are viewed as weak, have limited freedom, and active and dynamic attitudes are transformed into passive and static attitudes. Then belief in the destiny of God is determined and unchangeable. It is necessary to convert traditional mental attitudes into rational mental states to lead to physical or religious development (Nasution, 2000).

3. An overview of Islamic Law Epistemology

Epistemology or philosophy of knowledge is a branch of philosophy that studies and attempts to determine the corollary and scope of knowledge, its assumptions, fundamentals, and the accountability of statements about the knowledge possessed (Hadi & Gallagher, 1994, p. 5). Although there are various epistemological considerations in the study of human knowledge, fundamental prehistoric questions concerning knowledge and knowledge owners remain unanswered. In short, what is of interest to the philosophical inquiry is why and how the subject knows, with or without his knowledge, one or the other with the external object when it is known.

Skepticism precedes the emergence of epistemology. What is knowledge? Where is the common understanding found, and to what extent do we generally consider it actual knowledge? Do the senses provide knowledge? Can we be wise? What is the relationship between proper knowledge and belief? These are some of the issues that epistemology deals with. While it may seem simple enough, the material grows with the growing number of existing and complex ideas. With so many problems faced, epistemology rather than the more simple, but it intensifies (Hadi & Gallagher, 1994).

'Epistemology' is a Greek word derived from the combination of the word '*episteme*', meaning 'knowledge'. The term '*logos*' means 'science', 'science', 'study' or 'theory' and 'discussion' (*discourse*); therefore, this epistemology is known and defined as "the study of science" (Musa, 2001, p. 8). Harun Nasution gives the same meaning states that '*episteme*' means knowledge, and *epistemology* is the knowledge that discusses what knowledge is and how to acquire it (Nasution, 2003, p. 37)

The term 'epistemology' is also a term directly related to the field of philosophical debate (Abdullah, 2001, p. 2). As one of the branches of philosophy, it studies science in terms of its definition, the establishment of its types, the determination of its sources and channels and the identification of its limits and limitations (Musa, 2001). Technically, this area is also referred to as a discipline that deals with fundamental questions about the science of researching the origins or sources, nature, the method, and the limits (Hamat, 2002, p. 37). stated above, that 'epistemology' is a branch of philosophy, generally, the object of study is what exists and what may be in the universe or the whole of existence. The objective or goal is to discover the truth of what it is (Musa, 2001). To understand this term 'epistemology' in detail, we must understand what is involved in this 'epistemological' discussion. Scientists understand that 'epistemology' debates include matters relating to the definition of knowledge, the concept of true science, particularly *al-yaqin* science, sources of knowledge, ethics of science, and other discussions around it. While an important issue emphasized in epistemology is how something can be accepted as a 'true science', it reaches a level of 'yaqin' that cannot be denied its truth (Musa, 2001).

Although these epistemological questions are commonly used in the disciplines of philosophy and the sciences (Musa, 2001), however, for some scholars, they are also relevant and useful in the field of Islamic law (Mu'alimin, 2001). This is based on the concept of the unity of Islamic knowledge following the Tauhid paradigm (Faruqi, 2000, pp. 51–55), which argues that in Islam, there is no separation between Shari'ah and creed, not as understood in the framework of secularism (Ibrahim, 1993, pp. 17–19). The secularism paradigm states that significant separation has occurred between knowledge-based science, considered unscientific and science-based knowledge and science, which is more scientific (Safi, 1998, pp. 190–199).

Following the Islamic nature of *al-Din* (way of life) and not as an ideology produced by a relative human mind, the close relationship between the field of faith and Shari'ah is apparent. Although these two fields are classified in two different areas (bin Awang, 1991, pp. 9–10) and are based on various scopes, they are both based on the concept of monotheism, which is part of the field of faith. What is discussed abstractly in the area of faith, will then be detailed for daily and practical practice by the fuqaha through the field of Shari'ah itself (F. Rahman, 1996, p. 101).

In the face of the challenges of modern times, Shari'a-initiated writings must focus on the epistemological questions of Islamic law that will give a clear picture to Muslims and non-Muslim readers about how Islamic Shari'ah is not based on dogmatic belief alone. it cannot be disputed, but it

is built on an empirical, rational, and resource-based basis, with rationale and rigorous methodology, before establishing a law that deals with humanitarian issues (Nasution, 2000).

In the curriculum of Islamic scholarly studies, Islamic jurisprudence seems to have been regarded as a lesson in the history of Islamic jurisprudence, which can no longer deal with the current situation (Abd Rahim, 1995, pp. 30–32). Fiqh has long been frozen and static, which has led to many people's concerns not being fulfilled. On this basis, to anticipate the consequences of the fiqh system's failure, we must take a proactive stance by developing Islamic methods and systems (fiqh and theology) of Islamic nature in institutions involving Islamic studies, as opposed to the traditional taqlid learning system using a non-critical and private approach (Abd Rahim, 1995).

4. Epistemology of Islamic Law: Learning from the Thoughts of Harun Nasution

Having elaborated a little on the approach taken by Harun Nasution in the study of Islam, it is clear that his pattern is more focused on theological (rational), and philosophical aspects. Although it has a different design, it is the same standard that has been around for so long. As described in the epistemological approach in Islamic law above, the following author will attempt to explain Harun Nasution's thinking in Islamic law epistemology. To focus more on the aspects discussed, the following authors share Harun Nasution's views on the epistemological framework of Islamic law to:

4.1. Epistemological flow of Islamic Law

As the author mentioned above, Islamic law is fundamentally theological, so the relations between the two mutually influence each other. In addition, it is well known that in classical Islamic theory, the law originated in the divine will. Therefore, the Lawgiver (*al-Judge*) is the All-Wise God. The epistemological flow of Islamic Law is a stream of theology used to ask some questions about how valid knowledge of Divine law can be obtained. Is the only revelation of God the only source of understanding of the law of Shari'a, or can it be obtained through human reason? If so, to what extent is the human mind involved in finding and finding the law? All the answers to these questions are greatly influenced by the theological background held by the scholars who answer them because theological background will influence the free or inhumanity of their actions and will in turn affect the great and small role that is given to the human mind and the revelation in determine the badness of an act (Mu'alimin, 2001).

According to Harun Nasution, theology as a science that deals with the divinity and the duties of man to God, uses the intellect and revelation in gaining knowledge of both. Consciousness is the thinking that exists in the human being, strives to reach God, and revelation as the dissemination of the metaphysical realm comes down to a man with the manifestations of God and the duties of man to God (Nasution & Analisa, 2002).

Among the many theological streams, only three are worthy of his view on this matter, and they represent patterns from all other theological streams. That is the traditionalist (Ash'ariyah), the rationalist (Mu'tazilah), and the flow Moderate (Maturidiyah). In studying these three trends, Harun Nasution goes further in his book *The Islamic Theology: Flow, History, Comparative Analysis* illustrate, elaborating.

4.2. Traditionalist Trends

Nasution explains that Ash'aryan theology stresses the absolute power and will of God. Everything depends on the power of God. In his opinion, human duty can only be known through revelation. The intellect cannot make something compulsory, and it is impossible to know that doing good and avoiding bad is imperative for humanity (Nasution & Analisa, 2002). He further stated that it is proper to know God, but it is a revelation that requires people to know God and to thank Him.

From the above description, it can be concluded that in the opinion of al-Ash'ari it is not possible to know the duties of man. That's why revelation is needed. It makes sense to know God. But whether the intellect can know the good and the bad is not clear in the writings of al-Ash'ari. Further

explanations can be found in the writings of his followers. In this case, Nasution quotes al-Shahrastani in his book *al-Milal wa al-Nihal*, saying that the Ash'aryan believed that obligations were known by revelation and knowledge was acquired intelligently. The mind cannot determine that doing good and avoiding the bad are compulsory because the reason does not make something necessary or mandatory. Revelation, on the other hand, does not create knowledge. Revelation carries with it obligations (Al-Syahrastani, 1967, p. 42).

Therefore, in its relationship with man, such a view as al-Ash'ary, which emphasizes the power of God's absolute will result in his being placed in a weak position. His mental potential is only acknowledged to a minimum, and he cannot reasonably know the good and bad of an act that is the object of the law. To understand the good and the bad of action is absurd. Good and evil only because of God's command or prohibition. Other prayers, fasts, and other forms of worship are good because the law of God governs them. On the other hand, committing adultery, stealing, killing, and eating one's property unlawfully is terrible because it is prohibited by law enforcement.

4.3. Rationalist Fluctuations (Mu'tazilah)

Contrary to the Ash'ariyah opinion, the rationalist movement pioneered by these Mu'tazilah people, according to Nasution, thinks that all knowledge can be acquired intelligently, and obligations can be known by deep thinking. Good and bad are to be known by reason, so doing good and staying away from bad is compulsory (Nasution & Analisa, 2002).

Later, Abu al-Huzail firmly stated that before the revelation, people were obliged to know God, and if he did not thank God, he would be punished. Good and evil, in his opinion, can also be known by the mediation of the mind, and thus, the person must do good, for example, be upright and just, and avoid the bad like lying and doing wrong (Nasution & Analisa, 2002).

Nasution further explains that among the Mu'tazilah five basic teachings hold them back. And these five official teachings must be believed by every follower of the Mu'tazilah stream. A person who is recognized as a follower or follower of Mu'tazilah, is the only one who acknowledges and accepts these five principles (Nasution & Analisa, 2002). The five basic principles are: 1) God's power, 2) God's justice, 3) Promise and Threat, 4) Position between two positions, 5) *Amar ma'ruf Nahi munkar*.

4.4. Moderate flow (Maturidiyah)

Maturidiyah scholars, especially the later Maturidiyah (*muta'akhirin*), try to take the middle path. They think that the intellect can know the good and the bad of an act. However, knowing the good and bad of an action does not mean knowing God's law on the matter. In other words, knowledge of good and evil does not deny the reward of doing good and leaving bad behind. Thus according to Maturidiyah, God is the Lawgiver, the law 'informant of law and intellect can know only good and evil. And as a result of this there is no legal obligation before the advent of the Messenger and before the advent of religious preaching.

Harun Nasution mentions that, as a follower of Abu Hanifah who used a lot of *ra'yu* in his religious views, al-Maturidi also made a lot of sense in his theological system. Therefore, there are differences between the theology and theology posed by al-'Ash'ary, though both arise in reaction to the Mu'tazilah flow. In human deeds, al-Maturidi agrees with the Mu'tazilah group that it is the man who created his works. Thus he knows *qadariah* and not the *knowledge of the jabariah* or the *Islamic Ash'aryan* (Nasution & Analisa, 2002).

Further, according to Nasution, the mind in Maturidiyah's view is aware of the good that is good and the bad that is bad; thus the intellect also knows that doing bad is bad and doing good is good, and it is this knowledge that ensures the existence of commands and prohibitions. According to Maturidiyah further, the intellect knows that being fair and straight is good and that being unjust and not straight is bad. Therefore, the intellect looks down on unjust and unrighteous people (Nasution & Analisa, 2002).

It is clear that in the opinion of Maturidiyah, the intellect can know good and bad. Thus, this view is in line with the Mu'tazilah in terms of the ability of the human mind to know the good and the bad and in line with the Ash'ariyah in terms of the existence of *taqlid* and law before the advent of shari'ah and before the advent of da'wah (Anwar, 1993, p. 13).

5. The Role of Reason in Islamic Law

As a person who glorifies the role of reason or rationality in various aspects of life, Harun Nasution also did not forget to mention the issue of fiqh or Islamic law. His description of the role of reason in Islamic fiqh or law was given in one of his talks on the position of reason in Islam. The lecture was delivered by Harun Nasution in a fairly short but concise manner. In his preface Nasution mentions that in religious teachings there are two ways to acquire knowledge, first the way of revelation in the sense of communication from God to man, and second the way of reason, which God bestows on man, by using the effects obtained by the five senses as material thinking to come to conclusions. The knowledge brought by revelation is believed to be absolute and true. While knowledge gained through the intellect is generally relatively true, it may be false (Nasution, 1986, p. 1).

The relativity of the nature of knowledge acquired through the intellect invites even more interesting problems because with the current situation called modern times with the characteristics of the use of technology and various branches of knowledge, we are getting closer to the gap of diversity of belief in knowledge acquired through the intellect. As is well known, knowledge obtained through revelation is absolute, impossible to be wrong, because it is obtained directly from God (Nasution, 1986).

As explained above, the application of reason is found in religion, and not only in the field of Islamic theology and philosophy but also in the law of fiqh, whether the law of social life or the law of worship. Speaking of the field of fiqh or Islamic law, according to Nasution, the word *fiqh* itself contains the meaning of *understanding* and *comprehending*. And for understanding, it requires thought and the application of reason. In fiqh law, *ijtihad* is widely used, that is, the application of reason to legal verses that are not clear in meaning and to legal cases that are not clear or have no legal basis at all either in the Qur'an or al-Hadith (Nasution, 1986). In other words, *ijtihad* is a hard effort in the form of rational thinking to extract the provisions of religious law from its sources. In involving the role of the intellect in fiqh or Islamic law and the *ijtihad* that the author has described above, there are several other legal principles that Nasution also included in the use of the intellect in it. Among them are *al-ra'yu* (opinion), *al-qiyas* (analogy) and *al-istihsan* (analogy in other forms).

According to Nasution, *al-ra'yu* is commonly translated as opinion or opinion. *Al-ra'yu* here is associated with the intellect meaning thinking and contemplating. As the opinion put forward by Mustafa Abd. al-Raziq, *ra'yu* is dependent and relies solely on the opinion of reason in the determination of Shari'ah law. In the absence of texts in the Qur'an and al-Hadith-this is what some scholars of fiqh use to determine the law. As is well known, Imam Abu Hanifah, because of the few hadiths found in Iraq, used *al-ra'yu* in taking the provisions of his law. Then came the term *ahl al-ra'yu* which is opposed to *ahl al-hadith*, the wearer of reason versus the holder of hadith. *Ahl al-ra'yu* argues that the Prophet himself used *al-ra'yu* without revelation to determine the Shari'ah law. It is similar with those practiced by the companions when not choosing the law in the Qur'an and Sunnah (Nasution, 1986).

Then on *al-qiyas*, Nasution said it means measuring something with a certain measure, and as is known in fiqh terms, the word means equating the law of something that has no *text* with the law of something else that has a legal text based on the equation of '*illah* or cause. To determine the existence of such a similarity requires thought. For example, it is always said that it is haram to drink alcohol, that is, a liquor made from grapes, because of the reason ('*illah*) of intoxication.

Other liquor made for example, from dates or wheat, because it is intoxicating based on *qiyas*, then the law in fiqh is also *haram* (illicit). The *haram* of liquor from dates and grain that has no legal text is equated with the *haram* of alcohol that has a legal text in the Qur'an (Hasaballah, 1964, p. 108). Furthermore, there is the term *al-istihsan* which means to look better and in the term of *fiqh* "leaving

clear *qiyas* to take unclear *qiyas*" or leaving the general law to take the law except," because it is looked at better (Khalaf, 1968).

From the above description, it is clear that all these terms contain the meaning of thinking or using reason. Therefore, it is not surprising that Mustafa Abd. al-Raziq views the four terms *al-ijtihad*, *al-ra'yu*, *al-qiyas*, and *al-istihsan* are synonymous words (Al-Raziq, 1959, p. 138). Even though his book *Tamhid li al-Tarikh al-Falsafah al-Islamiyyah*, Mustafa Abd. al-Raziq included the discussion of the principles of fiqh in the field of philosophy. His reason is that many sciences are closely related to logic in fiqh science. So therefore, it is clear, according to Nasution, that in the field of fiqh, intellect and revelation play an essential role in the development of Islamic law.

6. Conclusion

The idea of Rational Islam brought by Harun Nasution provides a new nuance in understanding religion for the Indonesian Muslim community. In the academic world, in particular, Harun Nasution has brought about a change in the curriculum that has so far been oriented only to fiqh alone to a more rational philosophical pattern but remains centered on two primary sources, namely the Qur'an and Hadith. He once said that the resurrection of the Muslims is not only marked by overflowing religious emotions but should be grounded by deep, comprehensive thinking and following the views of Islamic philosophy itself.

The epistemological principles that he placed in Islamic jurisprudence open the eyes and minds of Islamic jurists not to use the approach of taqlid recklessly, but should use common sense or ratio in understanding some texts that are not found in the two main sources of the Qur'an, 'an and Hadith. As he always mentioned, there are two types of teaching groups in Islam. The first teaching is absolute and true, universal, eternal, unchanging, and unchangeable. Included in this group are the teachings found in the Qur'an and Hadith mutawatir. Both are absolute, yet relative, not universal, impermanent, and changeable. The scholars' teachings produced through the *ijtihad* (independent reasoning).

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