



## REASON AS A SOURCE OF ISLAMIC LAW: Epistemological Approach

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### ABSTRACT

The existence of reason in humans is a privilege given by Allah SWT. Humans with their intellect can think, do reasoning, and appreciate all of Allah's creations. Qur'an as a source of basic material in Islamic law provides a large portion of the use of human reason. The method used in this research was library research. The background to the recognition of the role of reason is the fact that the development of social life is followed by various life problems whose answers cannot be found in translation in the Qur'an or Hadith. The results of this study indicate that, first, reason is the power of thought which when used can lead a person to understand the problem he is thinking about. Second, reason functions as a tool for thinking, contemplating, experiencing, and developing intelligent concepts and ideas, very closely related to education. Therefore, reason in its implication towards the goals of Islamic education greatly determines the success or failure of a person in achieving the goals of Islamic education.

### ABSTRAK

Keberadaan akal pada manusia merupakan keistimewaan yang diberikan Allah swt. Manusia dengan akal yang dimilikinya dapat berpikir, melakukan penalaran, dan penghayatan terhadap segala ciptaan Allah swt. Al-Qur'an sebagai sumber materi pokok dalam hukum Islam memberikan porsi yang besar terhadap penggunaan akal pikiran manusia. Metode yang digunakan dalam penelitian ini adalah studi kepustakaan. Latar belakang dari diakuinya peranan akal ini merupakan kenyataan berkembangnya kehidupan masyarakat yang diikuti oleh berbagai permasalahan hidup yang tidak ditemui jawabannya secara harfiah dalam Al-Qur'an maupun Al-Hadits. Hasil penelitian ini menunjukkan bahwa, pertama, akal adalah daya pikir yang bila digunakan dapat mengantarkan seseorang untuk memahami dan memahami masalah yang sedang dipikirkannya. Kedua, akal berfungsi sebagai alat berpikir, merenung dan mengalami serta mengembangkan konsep dan gagasan yang cemerlang, sangat erat hubungannya dengan pendidikan. Maka akal dalam implikasinya terhadap tujuan pendidikan Islam sangat menentukan berhasil atau tidaknya seseorang dalam mencapai tujuan pendidikan Islam.

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## Introduction

Qur'an linguistically comes from the word *qara'a*, which means collect, one unit, one group, meaning that philosophically the Qur'an does not be partitioned (split into pieces) so that it can be interpreted in the custom of the Qur'an *mufassir* to interpret one verse with another verse. Secondly, Qur'an comes from *qarana*, which means accompanying, philosophically verses with verses or surahs with surahs are considered to accompany each other<sup>1</sup>. Seeing the meaning of the root word, the Qur'an can be likened to a building that has harmony that is so sturdy and beautiful. Thus, many scholars discuss the relationship in the Qur'an because behind the arrangement of the Qur'an, has a relationship or correlation, either a verse or a surah. However, this *munasabah* science is categorized as the science not required to be studied in the 'ulum of the Qur'an. In contrast, the previous scholars diligently studied and sought *munasabah* in the Qur'an. It is what makes many people try to decipher the form of *munsabah* per each other's *ijtihad*.

Human reason (*ratio*) has a favorable and strategic position in Islam, which is also highly valued. The Quran says that reason is mentioned at least 18 times. In a study conducted at the University of Damascus, 750 verses in the Qur'an encourage people to always think about scientific activities because the rules of Islamic law require critical reasoning legally to solve the problems of everyday life<sup>2</sup>.

Legislative discourse must pay attention to where the law takes effect and the time and era so that the role of reason can create dynamic laws. In implementing legal products in an ever-changing era, legal scholars cannot be separated from the role of reason. Imam Al-Ghazali stated that there are four kinds of justice in making laws: Qur'an, Sunnah, Ijma', Reason and *Istishāb*. Rational suggestions can be used maximally to explore meanings and objectives that are not explained by the texts of the Qur'an and Sunnah, which are still absolute or *mujmal* (the *dalah* is not clear) so that what is desired by the shari'ah can be achieved and can be understood by people.

Especially when controversy arose in uncovering the truth of the Qur'an, the scholars continued to discuss the function of reason and revelation and defended their opinion. The

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<sup>1</sup> Abd Aziz, "Refresentasi Semiotika Al-Quran," *Mumtax: Jurnal Studi Al-Qur'an dan Keislaman*, no. 01 (2021): 58-67.

<sup>2</sup> Kawakib dan Hafidz Syuhud, "Interelasi Akal Dan Wahyu: Analisis Pemikiran Ulama Mutakallimin dalam Pembentukan Hukum Islam," *JIL: Journal Of Islamic Law* Vol. 2, no. 1 (2021): 44.



criticisms of reason and revelation are contradictory. Jumhur fuqaha said that reason does not have the power to dictate law, but reason is very functional and plays a role in legislation. Thus, it can be understood that reason remains under the power of revelation.

In principle, Islam already has a different epistemology. Comprehensiveness is the key to gaining knowledge. Of course, of the three existing epistemological tendencies (bayani, irfani and burhani), its development is more dominated by the style of thinking, a very textual bayani and a very Sufistic way of thinking irfani (*kasyf*). Both tendencies pay less attention to the optimal use of the ratio (burhani).

In Bayani's epistemology, ratio (reason) is used, but relatively few and highly dependent on the existing text. Use which is too dominant over this epistemology has led to stagnation in religious life because of his inability to respond to current development. It is because the epistemology is always bayani placing reason as a secondary source so that the role of reason becomes shackled under the shadow of the text and does not place it as a secondary source parallel, compliment and complement each other with the text.

Burhani epistemology seeks to maximize reason and places it parallel to the sacred text in gaining knowledge. In this burhani epistemology, rationality is not stopped, only limited to mere ratios. However, it involves an empirical approach as the primary key to gaining knowledge, as widely practiced by Western scientists. A mix of thoughts brilliantly combined with a clear heart will make science and technology raised later remain focused without causing dehumanization, causing humans to be alienated from their environment. The aridity that modern humans feel today because of science and technology appears only based on rationality and denies the heart or feelings they have. They worship science and technology over everything, while their potential sense (soul) is ignored, so they feel something is missing within them

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everything, while their potential sense (soul) is ignored, so they feel something is missing within them.

This research method was (library research) or literature review. This study explored data from books and journals about reason as a source of Islamic jurisprudence based on an epistemological approach. Then all data were analyzed and concluded by descriptive-analytic) The data presented in this paper comes from the literature, books, journals, magazines, and others that support the data needed<sup>3</sup>. These library materials are positioned as a source of ideas or inspiration that can generate other ideas or thoughts. Therefore, the deductive mindset is often applied in literature review/library research.

## Results and Discussion

### 1. Islamic Epistemology (Bayani, Irfani, Burhani)

Epistemology is a concerned branch of philosophy related to the theory of knowledge. The term epistemology comes from language Greek word consisting of two words episteme (knowledge) and logos (word, thought, conversation or knowledge). So, epistemology is words, thoughts, and conversation about knowledge or knowledge dealing with the nature and scope of knowledge, suppositions and their foundations, and accountability for statements regarding your knowledge<sup>4</sup>.

This field has three main problems: first, regarding the sources of knowledge and methods or how knowing processes. Second, regarding the nature of knowledge, there is a world beyond our minds and how we know it. Third, regarding the truth. From that, the source and disciplining of the truth of knowledge confirm the extent to which humans can know it with all its potential limitations, like it is known that the source and disposition of truth are beyond the reach of reason human mind<sup>5</sup>.

#### a. Bayani Epistemology

According to al-Jabiri, the epistemological style of bayani is the earliest epistemological system to appear in Arabic thought. Lexically-etymologically, the term *bayani* or *bayan* has

<sup>3</sup> Rahmadi, "Pengantar Metodologi Penelitian, Ed. Syahrani" (Banjarmasin: Antasari Press, 2011), 89.

<sup>4</sup> Sumatriasumatri Jujun, "Filsafat Ilmu, Sebuah Pengembangan Populasi" (Jakarta: Pustaka Sinar Harapan, 1998), 76.

<sup>5</sup> Jujun, "Filsafat Ilmu, Sebuah Pengembangan Populasi." (Jakarta: Pustaka Sinar Harapan), 76



various meanings, namely, continuity (*al-washl*), discreteness (*al-fashl*), clear and bright (*al-zhuhur wa alwudhuh*) and the ability to make bright and clear<sup>6</sup>.

Bayani is an epistemology that includes disciplines of knowledge stemming from Arabic (namely *nahwu*, *fiqh* and *ushul fiqh*, *kalam* and *balaghah*). And the approach used is the *lughawiyah* approach.

In simplified philosophical language, the bayani approach can be interpreted as a methodological model of thinking based on text. In this case, the holy text has full authority to determine the direction of truth. The function of reason is only as a guardian of its meaning, which can be known through examining the relationship between meanings and pronunciation. And it is also said that the role of reason in bayani epistemology is as a restraint/regulator of lust, justification and reinforcement of truth (text authority)<sup>7</sup>.

Bayani's epistemology has been used by the *fuqaha'* (fiqh experts), *mutakallimun* (theologians) and *usulliyun* (experts in *usul al-fiqhi*). Where they use bayani for:

1. Understand or analyze the text to find or get the meaning contained or desired in pronunciation. In other words, this approach is used to extract the *zahir* meaning of the pronunciation.
2. *Istinbat* (study) of the laws of *al-nushush al-diniyah* (Qur'an and Hadith)

Because bayani relates to the text, the main problem is about *lafadz*-meaning and *ushul furu'*. For example, is a text interpreted according to the context or the original meaning (*tauqif*), how analogy with words or terms that are not mentioned in the sacred text, how to use special terms in *asma' al-syar'iyyah*, such as the word *namaz*, *shiyam*, *zaka*<sup>8</sup>.

The character of reasoning activity that underlies the knowledge production process in bayani epistemology is at least – based on one reason (cognitive mechanisms) whose pillars are connecting *furu'* with *ushul* because of the agreement between the two: which in terms *nihat* and *fuqaha'* are called *qiyas*, or in terms of the theologian *istidlal bi al-syahid ala al-ghaib* (analogical reasoning between the world of the senses and the world of transcendent), and *tashbih* in terms of *balaghah* experts.

<sup>6</sup> Jujun, "Filsafat Ilmu, Sebuah Pengembangan Populasi." (Jakarta:Pusaka Sinar Harapan),76

<sup>7</sup> Al-jabiri, *Isykaliyat Al-Fikr Al-Arabi Al-Mu'ashir* (Beirut: Markaz Dirasah al-Arabiyah, 1989).iri, op.cit (n.d.): 123.

<sup>8</sup> Abd Wahab Khalaf, "Ilm Ushul Fiqh, Terj. Madar Helmi" (Bandung: Gema Risalah Pres, 1996), 22.



According to Imam as-Syafi'i, the three principles of bayani epistemology are Qur'an, Sunnah and Qiyas. Then, he also leaned on one more principle, namely Ijma'<sup>9</sup>.

Based on a study, scholars have determined that the postulates are the basic reference for shari'ah law regarding human actions returned to four sources: Qur'an, Sunnah, Ijma' and Qiyas. Then, which is used as the main argument and source of shari'ah law is the Qur'an and as-Sunnah, where as-Sunnah functions as an interpretation for the globality of the Qur'an and as an explanation as well as a complement to the Qur'an<sup>10</sup>.

#### b. Irfani Epistemology

Based on a study, the scholars have determined that the arguments, which are the basic reference of shari'ah law regarding human actions, are returned to four sources: the Qur'an, as-Sunnah, al-Ijma' and al-Qiyas. Then what is used as the main argument and source of shari'ah law is the Qur'an and as-Sunnah, in which as-Sunnah functions as an interpretation of the globality of the Qur'an and as an explanation as well as a complement to the Qur'an<sup>11</sup>.

The first stage is preparation. To receive abundant knowledge, one must take the spiritual life stages (*kasyf*). There are at least seven stages that must be followed, starting from the bottom towards the top (1) Repentance, (2) *Wara'*, abstain from something that subhat, (3) *Zuhud*, not being greedy and not prioritizing worldly life. (4) *Faqir*, empty all thoughts and hopes for the future, and do not want anything except Allah SWT, (5) Patience, accepts everything disaster by acting politely and willingly. (6) *Tawakal*, believes in everything determined by him. (7) *Ridla*, the loss of displeasure in the heart so that all that remains is joy and joy<sup>12</sup>.

The second is the acceptance stage. If you have reached a certain level in Sufism, you will illuminatively get abundant knowledge from God. At this stage, one will get reality, such as absolute self-awareness (*kasyf*), so that with that awareness can see reality (*musyahadah*) as a known object. However, the reality of awareness and being realized is not something different. However, the same existence, so the known object is none other than the consciousness that knows itself, and so should (*ittihad*)<sup>13</sup>. Which is the study of Mehdi Yazdi is called 'Huduri science' or self-object-knowledge.

<sup>9</sup> Wabah Al-Zuhaili, "Al-Fiqhu Al-Islâmy Wa Adillatuhu" (Beirut: Al-Markaz al-Tsaqafi al-Arabi, n.d.), 23.

<sup>10</sup> Al-Ghazali, "Skeptisme Al-Ghazali, Terj. & Pengantar, A Khudori Soleh," (Malang: UIN Press, 2009), 92.

<sup>11</sup> Harold H Titus, "Persoalan-Persoalan Filsafat, Terj. HM. Rasjidi" (Jakarta: Bulan Bintang, 1984), 237.

<sup>12</sup> Al-Qusyairi, "Al-Qusyairi (w.1072) Mencatat Ada 49 Tahapan Yang Harus Dilalui, Abi Said Ibn Abu AlKhair Mencatat 40 Tahapan, Abu Nashr Al-Tusi Mencatat 7 Tingkatan, Sedang Thabathabai Menulis 24 Jenjang." (Bandung: Pustaka Hidayah, 1997), 120-55.

<sup>13</sup> Mehdi Hairi Yazdi, *Ilmu Hudhuri, Terj. Ahsin Muhammad* (Bandung: Mizan, 1994).



Third, disclosure, the mystical experience, is interpreted and expressed to others through speech or writing. However, because irfani's knowledge does not enter the order of conception and representation but is related to the oneness of self in God, it cannot be communicated, then not all these experiences can be expressed<sup>14</sup>.

It can be said that although irfani's knowledge is subjective, however, everyone can feel the truth. That is, everyone can do with levels and levels of their own, then the validity of the truth is intersubjective, and the role of reason is participatory.

Implications of irfani's knowledge in the context of thought Islam is approaching religions at the substantive level and essence of spirituality and developing it mindfully. There will be different religious experiences of other people (the otherness), accidental and expressive but lacking substance and essence more the same.

In philosophy, irfani is better known as intuition. With intuition, humans acquire knowledge suddenly without going through specific reasoning processes. The characteristics of intuition include *zauqi* (taste), i.e., through direct experience, knowledge of *huduri* is the presence of objects within oneself subject, and existential, namely without going through categorization; however, know him intimately. Henry Bergson considered intuition the result of the highest evolution of thought but personal<sup>15</sup>.

The first surah revealed to Rasulullah SAW explained two ways of acquiring knowledge. First through "pen" (writing) that humans must read, and the second through teaching directly without tools. The second method is known as the term *ilm Ladunny* is like the knowledge acquired by Prophet Haidir:

"Then they met a servant between Our servants, whom We have given him mercy from Our side, and that We taught him knowledge from Our side."<sup>16</sup>

Intuitive knowledge is based on sensory experience such as the smell or color of something; some are directly achieved through reason and is an axiom like A is A; there are also sudden bright ideas, just like Newton (1642-1727 M) discovered the force of gravity after he saw an apple that fell not far from where he sat and there also in the form of a dream like the dream of the Prophet Yusuf as. and Prophet Ibrahim as.<sup>17</sup>

<sup>14</sup> Mehdi Hairi Yazdi, *Ilmu Hudhuri, Terj. Ahsin Muhammad* (Bandung: Mizan, 1994).271-272

<sup>15</sup> "Departemen Agama RI, Al-Qur'an dan Terjemahannya, 2019," n.d.

<sup>16</sup> "Departemen Agama RI, Al-Qur'an dan Terjemahannya, 2019," n.d.

<sup>17</sup> M. Quraish Shihab, "Membumikan Alquran" (Bandung: Mizan, 2009), 320.



In irfani's epistemology, one of the causes of Islamic scientific development is hampered because this method feels that all developments and processes of achieving knowledge are based on God's gift directly or through illuminative (light), which will then have implications or at least will give birth to various new conflicts. It happens because the process of acquiring irfani knowledge is so irrational that it challenges the function of reason. It is important to note that Muslims are too late in irfani epistemology.

### c. Burhani Epistemology

For al-Jabiri, the burhani method is fully restored to a collection of human intellectual abilities, whether through the five senses, experience, or rational power, to gain knowledge about the universe and even to produce postulated truths.<sup>18</sup>

In contrast to bayani and irfani, which are still related to the holy text, burhani relies on the power of reason, a reason which is done employing logic. The comparison of the three epistemologies is that bayani produces knowledge through *furu'* analogy to the origin, Irfani produces knowledge through the process of spiritual union with God, burhani produces knowledge through the above principles of logic, previous knowledge that has been believed to be true.<sup>19</sup> Thus, the source of burhani's knowledge is reason, not text or intuition. It is this ratio that provides judgments and decisions on information that enters through the senses<sup>20</sup>

Burhani's epistemology emphasizes his vision of innate potential humans instinctively, sensorial, through experimentation and conceptualization (*al-hiss, al tajribah wa muhakamah 'aqliyah*). The function and role of the inner sense brave epistemology is as an analytic tool - critical.<sup>21</sup>

So burhani epistemology is a viewpoint epistemology that the source of knowledge is reason. According to this epistemology, reason can find a variety of knowledge, even in religion, even though reason can know, such as problems of good and bad (*tansin and tawbih*). This burhani epistemology is deep. Rationalist schools such as Mu'tazilah and moderate scholars widely use the field of religion.

<sup>18</sup> Al-Jabiri, "Al-Turats Wa Al-Hadatsah, . Penjelasan Ini Juga Dijelaskan Oleh Ahmad Baso (Pengantar Penerjemah) Dalam PostTradisionalisme Islam, Hlm.Xvii," n.d., 307.

<sup>19</sup> Al-jabiri, *Isykaliyat Al-Fikr Al-Arabi Al-Mu'ashir*.

<sup>20</sup> Ibn Rusyd, *Fashl Al-Maqal Fima Bain Al-Hikmah Wa Al-Syariah Min Al-Ittishal*, Edit. M. Imarah, Dar Al-Ma'arif (Mesir, n.d.).

<sup>21</sup> Ahsanul Anam, "Trilogi Epistemologi Mohammed Abid Al-Jabiri," *Progressa* 7, no. 1 (2023): 59.





Burhani epistemology is a deep scientific approach to understanding religion or religious phenomena. Burhani's epistemology can use historical, sociological, anthropological, psychological, and philosophical approaches and language (hermeneutics).

In philosophy, both Islamic philosophy and Western philosophy are synonymous terms often used in rationalism. This flow states that reason is the basis of certainty and truth of knowledge, although not supported by empirical facts. The character is Rene Descartes (1596–1650, Baruch Spinoza (1632–1677) and Gottfried Leibniz (1646 –1716).<sup>22</sup> While in the science of interpretation, the term often used in the meaning of burhani is the interpretation of *bi al-ra'yi*.

If you look at the statements of the Qur'an, you will find so many verses instructing humans to use their reason in weighing the ideas that enter their minds. Many verses discussed this with various editors, such as *ta'qilun*, *tatafakkarun*, and *tadabbarun*. It proves that any sense able to acquire knowledge and truth as long as it is used in the working area

## 2. Definition of Intellect

Mind linguistically comes from the words *'ain-qāf* and *lām*, referring to the meaning "the bones are locked in something, or it means locked," and therefore, *عقل* can mean "to lock firmly in words and deeds." From this explanation, it is understood that reason means something stored deep and locked in the depths of the heart so that knowledge is usually expressed spontaneously in the form of words or deeds. A person who has reason will easily manifest their knowledge in the form of words or deeds<sup>23</sup>

One of the other means acknowledged by the Qur'an for acquiring knowledge other than the senses is a reason (*'aql*). The word reason is a noun, but reason in the Qur'an is never used as a noun but is used as a verb<sup>24</sup>

The word *'aql* and its derivations in the Qur'an are repeated 49 times, with details of the use of the word *ta'qilun* 24) *تعقلون* (times, the word *ya'qiluna* 22) *يعقلون* (times, and the rest is mentioned only once, namely the word *'aql* (*عقل*), *na'qilu* (*نعقل*), and *ya'qiluha* (*يعقلها*). The term *ta'qilun* is used in explaining verses that humans must think about, for example, QS al-

<sup>22</sup> Gregorius We'u, "Filsafat Dan Pendidikan: Menemukan Pertalian Ilmu," *Jurnal Pendidikan Ekonomi* 3, no. 1 (2018): 6.

<sup>23</sup> Subehan Khalik, "Menguak Eksistensi Akal Dan Waktu Dalam Hukum Islam," *Al-Daulah* Vol.6 No. (2017): 359.

<sup>24</sup> Rizal Darwis, "Eksistensi Akal Dalam Al-Qur'an Dan Penerapannya Dalam Kehidupan Masyarakat," *AQLAM: Journal of Islam and Plurality* 7, no. 1 (2022): 59.



Hadid/57: 17; the term *ya'qilun* is used in contemplating the existence of the verses of the universe (*kauniyah*), for example, QS al-Baqarah/2: 75.4<sup>25</sup> If you look at the editorial verses that use the words *ta'qilun*, *ya'qilun*, it can be seen that there is a goal to be achieved is the continuous realization of the activeness of reason to carry out thinking processes and reasoning processes, and this is of course far from the nature of infatuation.<sup>26</sup>

### 3. Sources of Islamic Epistemology

The source of Islamic epistemology consists of four main channels, namely the five senses (*al-hawas al-khamsah*), sound reason (*al-aql al-salim*), true news (*alkhabar alsadiq*) and intuition (*ilham*).<sup>27</sup>

Concerning the position of reason as a source of epistemology, Islam recognizes the position of reason based on the limits it can achieve.<sup>28</sup> The data obtained through channels or faculties of reason is rational and a priori, where reason will interpret information based on its logical framework. For example, reason provides knowledge or information that ten are more than one or another example, namely that a person cannot be in two different places at the same time. This knowledge channel is an axiom in nature where the knowledge of knowledge is self-evident through the *apiori* process<sup>29</sup>

The use of reason properly is very focused on by Islam because one of the conditions for a person to be charged with Islamic law is to have a perfect mind. In this regard, Prof. al-Attas added the word 'healthy' to the word reason as a source of knowledge because reason is easily influenced by imagination and predictions, which can sometimes produce wrong and erroneous decisions even if it is based on correct knowledge. Meanwhile, Ibnu Rushdi stated that the use of reason in producing sources of knowledge is based on three basic works: abstracting, combining and assessing. These three bases are the actions of the mind in absorbing an idea or concept that is universal and essential.<sup>30</sup>

Besides that, using reason as a source of knowledge is highly emphasized in Islamic law to determine legal issues based on the source of revelation. In this case, Islamic jurists have

<sup>25</sup> Erma Yulita, "Akal Dan Pengetahuan Dalam Al-Qur'an," *MITRA PGMI: Jurnal Kependidikan MI*, 2015, 78-96.

<sup>26</sup> Erma Yulita, "Akal Dan Pengetahuan Dalam Al-Qur'an," *MITRA PGMI: Jurnal Kependidikan MI*, 2015, 78-96.

<sup>27</sup> Syed Muhammad Naquib Al-Attas, "Prolegomena To The Metaphysics of Islam: An Exposition of The Fundamental Elements of The Worldview of Islam," in *ISTAC* (Kuala Lumpur, 2001), 118.

<sup>28</sup> Abdi Syahril Harahap, "Epistemologi: Teori, Konsep Dan Sumber-Sumber Ilmu Dalam Tradisi Islam," *Jurnal Dakwatul Islam* 5, no. 1 (n.d.): 25.

<sup>29</sup> Abdi Syahril Harahap, "Epistemologi: Teori, Konsep Dan Sumber-Sumber Ilmu Dalam Tradisi Islam," *Jurnal Dakwatul Islam* 5, no. 1 (n.d.): 25.

<sup>30</sup> Abdi Syahril Harahap.<sup>26</sup>



placed the role of *ijtihad* in using the function of reason in determining additional sources of law that are not written in the Qur'an and al-Sunnah, for example, *qiyas*, *ijma`*, *istihsan*, *maslahah*, *siyasa syar` iyyah*, and *masalih mursalah*.<sup>31</sup>

#### 4. Intellectual Reasoning in the Qur'an

Intellectual reasoning according to the Qur'an is carried out by the heart. The Qur'an does not give any indication of the existence of a *jism* organ in the form of reason in humans. Although reasoning is basically done by the heart, it is only one of the functions of the heart. This can be known from the word of Allah SWT:

أَفَلَمْ يَسِيرُوا فِي الْأَرْضِ فَتَكُونَ لَهُمْ قُلُوبٌ يَعْقِلُونَ بِهَا أَوْ آذَانٌ يَسْمَعُونَ بِهَا فَلَبَّاهَا لَا تَعْقَى الْأَبْصَارَ وَلَكِنْ تَعْقَى الْقُلُوبُ الَّتِي فِي الصُّدُورِ ٤٦ (الحج/22:46)

Meaning: Did they not walk the earth so that their hearts could understand or their ears could hear? Indeed, it is not the eyes that are blind, but what is blind is the heart that is in the chest. (Al-Hajj/22:46)<sup>32</sup>

Several verses in the Qur'an explain the existence of reasoning,<sup>33</sup> including:

أَفَلَمْ يَسِيرُوا فِي الْأَرْضِ فَتَكُونَ لَهُمْ قُلُوبٌ يَعْقِلُونَ بِهَا أَوْ آذَانٌ يَسْمَعُونَ بِهَا فَلَبَّاهَا لَا تَعْقَى الْأَبْصَارَ وَلَكِنْ تَعْقَى الْقُلُوبُ الَّتِي فِي الصُّدُورِ ٤٦ (الحج/22:46)

Meaning: Say (Prophet Muhammad), "It is not the same as the bad and the good even though the number of bad things attracts your heart. So, be fearful to Allah, O people of common sense, that you may be successful." (Al-Ma'idah/5:100)<sup>34</sup>

لَقَدْ تَرَكْنَا مِنْهَا آيَةً بَيِّنَةً لِقَوْمٍ يَعْقِلُونَ (العنكبوت/29:35)

Meaning: We have left a clear sign for people who use reason. (Al-Ankabut/29:35)<sup>35</sup>

وَفِي الْأَرْضِ قِطْعٌ مَّتَّجِرَاتٌ وَجَنَّاتٌ مِنْ أَعْنَابٍ وَزُرُوعٌ وَخَيْلٌ صَوْنًا وَعِجْرٌ صَوْنًا يُشْقَى بِمَاءٍ وَاحِدٍ وَنَفْضِلٌ بَعْضُهَا عَلَى بَعْضٍ فِي الْأَكْلِ إِنَّ فِي ذَلِكَ لَآيَاتٍ لِقَوْمٍ يَعْقِلُونَ (الزهد/4:13)

Meaning: In the earth, there are parts adjoining vineyards, plants, and date palms, branched and unbranched. (All) are watered with the same water, but We prefer one plant over another in its taste. Verily, there are signs (of Allah's greatness) for people who understand. (Ar-Ra'd/13:4)<sup>36</sup>

The view of the Qur'an regarding how to acquire knowledge, namely sensory observation, reasoning, and intuitive appreciation. It has something in common with the

<sup>31</sup> Abdi Syahrial Harahap.26

<sup>32</sup> "Departemen Agama RI, Al-Qur'an Dan Terjemahannya, 2019."

<sup>33</sup> Yusuf al-Qardhawi, "An-Nās Wa Al-Haq, Terj. Luqman Hakim, Efistemologi Al-Qur'an" (Surabaya: Risalah Gusti, 1993), 35.

<sup>34</sup> "Departemen Agama RI, Al-Qur'an dan Terjemahannya, 2019."

<sup>35</sup> "Departemen Agama RI, Al-Qur'an dan Terjemahannya, 2019."

<sup>36</sup> "Departemen Agama RI, Al-Qur'an Dan Terjemahannya, 2019."



theory proposed by philosophy, namely the application of the senses, which gave birth to empiricism, rational reasoning, which gave birth to rationalism and intuition, which gave birth to irrationalism<sup>37</sup>.

However, the difference lies in the assumption that the three potentials are the five senses with their perceptions and the brain with their logic and intuition. For philosophy, each stands autonomously or has a potential that negates the other. In contrast, in the perception of the Qur'an, these three potentials constitute a complete system in which one cannot possibly reach the other perfection without the help of others. These three potentials complement and control one another.

### 5. The Function of Reason in the Formation of Islamic Law

The function of reason in *istinbat al-ahkam*, scholars differ. According to Imam Syafi'i, *ijtihad* aligns with the meaning of *qiyas*. Meanwhile, according to Muhammad Abu Zahrah, reason functions to devote all the abilities of the mind to produce laws without proof. Thus, in the results of *ijtihad*, the mind has two factors: establishing law and its explanation and being able to apply and practice the law<sup>38</sup>.

The potential of reason to think in the field of Islamic law among scholars is not detailed in the Qur'an or Sunnah. The Prophet once assigned Mu'adz bin Jabal as *qādlī* in Yemen. Thus, the Sunnah affects the emergence of schools that prioritize reason. This school still places *ijtihad* or *ra'yu* in third place in the sources of Islamic law after the Qur'an and Hadith. It is because many verses in the Qur'an encourage people to use their minds. Among them is the word of God in surah al-Baqarah verse 242. Before receiving the revelation, the Prophet Muhammad answered several problems that arose. In one case, the Prophet said that the Prophet is a human being. If the Prophet ordered something about your religion, then accept it. If the Prophet orders something based on my opinion, then the Prophet is human. The Prophet needed this because the problems that arose then were very complex. At the same time, the revelation has not yet come down to explain it<sup>39</sup>.

According to the views of the scholars, the position of reason in the Qur'an and Sunnah is divided into two parts. First, the case where there is the text of the law. When viewed from its *dalalah*, a Nash is divided into two types: *qoth'i al-dalalah* and *dzanni al-dalalah*. It

<sup>37</sup> Rizal Darwis, "Eksistensi Akal dalam Al-Qur'an dan Penerapannya dalam Kehidupan Masyarakat." 63

<sup>38</sup> Kawakib dan Hafidz Syuhud, "Interelasi Akal Dan Wahyu: Aalisis Pemikiran Ulama Mutakallimin Dalam Pembentukan Hukum Islam."

<sup>39</sup> Kawakib dan Hafidz Syuhud.50



is the leading theory scholars developed in understanding the Qur'an and Sunnah texts in the context of fiqh reasoning. This theory is essential to know because when examined more deeply, the words contained in the Qur'an have many meanings that are still unclear, nor are their meanings still unclear<sup>40</sup>.

## 6. Interrelation of Reason and Revelation in the Formation of Islamic Law: Several Case Studies

In *istinbat* Islamic law, the Qur'an is the leading and most authoritative source.<sup>41</sup> The function of reason should not be taken for granted because it requires comprehensive studies to produce legal products that are under the needs and demands of the times.<sup>42</sup> In the history of religious thought, God's revelation often contradicts human reason to answer a problem. Even though God's revelation has delegated a lot of human reasoning (*ijtihad* and *ra'yu*) in addressing worldly and religious issues<sup>43</sup>.

The interrelation of reason with revelation can answer life's problems that do not exist in the texts of the Qur'an. Thus, reason does have a reasonably strategic position to study anything related to religious law<sup>44</sup>, especially if there is a connection with the text of the Qur'an because reaching the meaning contained therein cannot marginalize the human mind's potential to answer some of the problems it faces<sup>45</sup>.

One of the methods of establishing law is carried out by mujtahid when there is no text regarding a case; the ulema uses the second source, namely the Sunnah as expressed by Umar bin Khattab RA that *khamr* is everything that closes the mind. From the description of the Hadith, using or consuming something that can damage the mind is forbidden because there is an *illat*, namely damage such as narcotics, as mentioned by Umar bin Khattab RA<sup>46</sup>.

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<sup>40</sup> Kawakib dan Hafidz Syuhud.51

<sup>41</sup> Muhammad Lutfi Hakim, "Hermeneutik-Negosiasi Dalam Studi Fatwa-Fatwa Keagamaan: Analisis Kritik Terhadap Pemikiran Khaled M. Abou El Fadl Hal. 35," *Istinbath* 1 (2020): 35.

<sup>42</sup> Muhammad Lutfi Hakim, "Rekonstruksi Hak Ijbar Wali (Aplikasi Teori Perubahan Hukum Dan Sosial Ibn Al-Qayyim Al-Jawziyyah)," *Al-Manahij: Jurnal Kajian Hukum Islam* 8, no. 1 (2014): 59.

<sup>43</sup> Nur Ida Dhestiana, "Kedudukan Akal Dan Wahyu Perspektif M. Abduh Dan Harun Nasution," *Attanwir: Jurnal Keislaman Dan Pendidikan* 10, no. 1 (2019): 27.

<sup>44</sup> Masbukin dan Alimuddin Hassan, "AKAL DAN WAHYU; Antara Perdebatan Dan Pembelaan Dalam Sejarah," *TOLERANSI: Media Komunikasi Umat Beragama* 8, no. 2 (2016): 152.

<sup>45</sup> Kawakib dan Hafidz Syuhud, "Interelasi Akal Dan Wahyu: Aalisis Pemikiran Ulama Mutakallimin Dalam Pembentukan Hukum Islam."

<sup>46</sup> Kawakib dan Hafidz Syuhud, "Interelasi Akal Dan Wahyu: Aalisis Pemikiran Ulama Mutakallimin Dalam Pembentukan Hukum Islam," n.d., 54.



Yusuf Qardhawi explained that the consequences of consuming narcotics and the like are the same as those who are drunk, because they are able to lose consciousness due to narcotics.<sup>47</sup> In Islam it prohibits bad and dangerous actions. This is as the word of Allah SWT:

وَجُزْءُ لَهُمُ الطَّيِّبَاتِ وَبُحْرَمٌ عَلَيْهِمُ الْحَبِيثَاتُ وَيَصْعَعُ عَنْهُمْ إِصْرُهُمْ وَالْأَغْلَالُ الَّتِي كَانَتْ عَلَيْهِمْ (الاعراف/7: 157)

Meaning: "And permit everything good for them, forbid everything bad for them, and free the burdens and shackles on them" (QS. Al-A'raf / 7: 157)<sup>48</sup>.

From the information above, there are still many texts in the Qur'an that prohibit humans from doing something harmful and forbidden. As Allah SWT says, "And do not kill yourself. Verily Allah is Most Merciful to you." (QS. an-Nisa': 29). In another verse, Allah SWT says, "And do not drop it yourselves into destruction." (QS. al-Baqarah: 195). From the text's arguments, most scholars agree (Jumhur Ulama) that narcotics, drugs and the like are forbidden because they are treated with *khomar*, which intoxicates and destroys the human mind. In addition, the scholars see because of a dangerous *illat*.

In addition to the cases above, in forming Islamic law, there are cases related to buying and selling using samples as examples of other trades. In this kind of buying and selling, the Mutakallimin scholars have different opinions. First, from the Hanafiyah, Malikiyah and Syafiiyah schools, buying and selling with legal samples is permissible because it has become an *'urf* (tradition) somewhere. Second, Hanabilah argues that buying and selling samples is not permissible or forbidden because of fears of *khror* (fraud). It is permissible, but several conditions must be met.

It is in line with Wahbah al-Zuhaili's opinion that Hanabilah said buying and selling with samples is invalid, such as the seller showing one *sha'* sample of wheat and then selling one sack of wheat which has been sampled. Buying and selling like this is not valid because the terms of sale and purchase between them look at the goods being traded and see the whole or only part of them so that it seems to show that all the goods to be bought are not fraudulent such as looking at one of the two ends of a shirt that is not folded or looking at the outside of the seeds or dates you want to buy that show similarities to the outside or seeing directly the part of the item that is suspected to be the same type as what you are looking for<sup>49</sup>.

<sup>47</sup> Yusuf al-Qardhawi, "An-Nās Wa Al-Haq, Terj. Luqman Hakim, Efistemologi Al-Qur'an." 40

<sup>48</sup> "Departemen Agama RI, Al-Qur'an Dan Terjemahannya, 2019."

<sup>49</sup> Wahbah Al-Zuhaili, "Al-Fiqhu Al-Islāmy Wa Adillatuhu" (Bairut: Dār al-Fikr, n.d.), 588-89.



## Conclusion

Forming Islamic law by relying on the Qur'an and Sunnah is insufficient to address everyday human problems. The reason is that today's human problems are varied, so there is no text even though there is a *nash*. But the text. Therefore, the form of revelation in forming Islamic law must be combined with human reason to formulate *rahmatan lil al-'alamin* teachings. The interrelation of reason participates in forming laws to find answers and solutions to problems humans want in living their daily lives. According to the author, the formation of Islamic law can be divided into three: the Qur'an, Sunnah, Ijtihad, Qiyas, and reason.

Meanwhile, other sources of law are only manifestations of these three sources. Therefore, human reason in forming Islamic law is a mediation from the *'aqliyah* proposition to reveal God's intentions in the form of texts which contain relative meanings (*dhahir*, *mujmal*, *'am*, *mutlaq*, and so on). The mujtahids exploited their minds to reveal the text's purpose to achieve the shari'ah's goals.

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