Critical Discourse The Epistemology of Muhammad Syahrur's Ijtihad

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Abstrak

Penawaran Syahrur terhadap sikap skriptualis-literalis dan modernis-sekularis dari masyarakat Islam saat ini adalah kembali kepada Inzal (al-Qur'an), teks asli dari wahyu Allah yang disampaikan kepada Nabi. Kajian ini menggunakan pendekatan kualitatif, untuk menganalisis epistemologi ijtihad Syahrur. Hasil kajian menunjukkan bahwa, pemikiran Syahrur mengenai epistimologi bersumber dari alam materi yang berada di luar eksistensi manusia. Syahrur dalam menafsirkan ayat-ayat ahkam, masih sepakat untuk menjaga kemurnian ajaran al-Qur'an yang shalah likulli zaman wa makan. Menurut Syahrur, tumpuan kebenaran berdasarkan tiga pilar, yaitu: wahyu, akal, dan realitas. Perpaduan antara wahyu, akal dan indera akan menghasilkan pengetahuan hukum Islam yang baru dan modern. Penawaran Syahrur, tentang teori historisitas ilmiah, hermeneutika lingustik dan dialektika Marxis, menunjukkan upaya mendekonstruksi ilmu pengetahuan yang sudah paten dalam penerapan hukum Islam. Perbedaan konsep ijtihad ushul fiqh klasik dengan konsep ijtihad Syahrur, antara lain: 1) menempatkan ijtihad pada posisi vital bagi hukum Islam modern; 2). konsep ijtihad Syahrur hanya pada tahapan menghalalkan atau mengharamkan sesuatu, karena merupakan hak prerogratif Allah; 3). konsep ijtihad Syahrur mengharuskan prestasi ilmiah dan sistem pengetahuan modern; 4). konsep ijtihad Syahrur membolehkan ijtihad terhadap seluruh teks hukum, walaupun oleh para ulama dipandang qath'i; dan 5). konsep ijtihad Syahru dapat dilakukan secara individual.

Kata kunci: *Epistemologi, Ijtihad , Muhammad Syahrur*

Abstract

Syahrur's offer toward the sceptical-literalist and modernist-secularist attitudes of the Islamic community is, returning to Inzal (al-Qur'an), God's revelation that delivered to the Prophet. This qualitative study, to analyze the epistemology of Syahrur's ijtihad. The results show Syahrur's thinking about epistemology originates from material nature that is beyond human existence. Syahrur in interpreting the ahkam verses still agreed to maintain the purity of the teachings of the Qur'an, which shalah likulli zaman wa makan. According to Syahrur, the truth was based on three pillars, i.e: revelation, reason, and reality. The combination of the

three resulted in new and modern Islamic legal knowledge. Syahrur's offer, on the theory of scientific historicity, linguistic hermeneutics and Marxist dialectics, shows an attempt to deconstruct science that has been patented in the application of Islamic law. The difference from the concept of classical ijtihad ushul fiqh with the concept of ijtihad Syahrur, i.e: 1) places ijtihad in a vital position for modern Islamic law; 2) ijtihad only at the stage of justifying or forbidding something; 3) requires scientific achievements and modern knowledge systems; 4) allows to ijtihad all legal texts, even though the ulama see as qath'i; and 5) can be done individually

Keywords*: Epistemology, Ijtihad, Muhammad Syahrur*

Introduction

Western hegemony, especially in the Islamic world, has instilled liberal souls among Muslims. This has become an issue of the Western campaign in promoting its ideas, thus forcing other nations and civilizations to accept cultures, traditions and values that are considered universal. Though in essence, Islam and the West are two great civilizations that are impossible to meet in looking at life. The West, through the last two periods in their history, modern and postmodern, bases on a view of life, namely: secularism, rationalism, empiricism, desacralization, pragmatism, pluralism, equality, etc., which certainly cannot be found in the Islamic intellectual tradition. Instead, the Islamic way of life comes from God, namely revelation (al-Qur'an), hadith, reason, experience, and intuition with a tauhidi approach. This view of life will produce the most important characteristics that are reflected in the order of the epistemology and Islamic education system, namely centrality to Allah SWT (Alatas, 2006: 81).

Islamic thought is only spiritual-Sufistic in nature with its main goal being that of unity to God Almighty. According to Syahrur, as quoted by Sibawaihi (2002: 117), the main errors of Islamic fiqh and conventional Qur'anic interpretations are sourced from methodological errors that do not pay attention to the characteristics and flexibility of understanding of the texts in the Qur'an, so that it burdens the Ummah Islam and not in accordance with the progress of science and the situation and conditions of this century. Syahrur sees that contemporary society has been polarized into two blocks. *First*, the scripturalist-literalist school which strictly and rigidly adheres to the legacy of the past, because it assumes that all the problems have been answered in the works of previous scholars; and *second,* the flow that calls for secularism and modernity which a priori rejects

the Islamic heritage which is considered to be irrelevant to the present situation, including the interpretation of the Qur'an as part of the inherited tradition.

Syahrur offers a new method between scripturalist-literalist and modernist-secularist attitudes in relation the context of the current Islamic society, which returns to Inzal (al-Qur'an), the original text of God's revelation which was conveyed to the Prophet SAW, namely to formulate various authentic thinking that comes directly from the Koran by utilizing various findings of contemporary science (Sibawaihi, 2002: 117). According to Syahrur's view, each generation can provide an interpretation of the Qur'an that radiates from reality that accordance with the conditions in which they live. He believes that modern Muslims, because of the advancement of culture and science, have a better methodological understanding than their predecessors, namely in the 7th century M, in understanding the messages of Allah SWT in the Qur'an, which were delivered to Allah's Apostles. Syahrur's opinion about the epistemology of knowledge, as stated that, the real source of human knowledge is the material nature that is outside of human existence itself because the form of everything that is outside of human consciousness is the key to its truth. According to Syahrur, this understanding was justified by Q.S. al-Nahl: 78 (Sibawaihi, 2002: 118).

Therefore, the study of contemporary Islamic philosophy must be based on scientific rationale knowledge as a result of sensory perception (empirical; hearing and eyesight) of humans to obtain pure theoretical knowledge (*al-ma`rifah al-nadzriyyah al-mujarradah*). That is, knowledge produced by humans starts from the thought process that is limited by sense perception, then increases in abstract thought. The point of human knowledge is the sensory realm, which is the material realm which then expands so that it includes whatever is known by humans through their intellect. Syahrur's conception of this has implications for the belief that the Qur'an is not contrary to philosophy which is the mother of science. Allah SWT upholds the position of human reason, so there is no conflict between revelation and reason, and there is no conflict between revelation and reality.

Studies on the thoughts of Syahrur have been carried out, namely by al-Munjid (tt) with an article entitled "*Munaqasyat al-Isykaliyah al-Manhajiyah fi al-Kitab wa Al-Qur'an*". Al-Munjid tends to criticize the thoughts of Syahrur. He stated that Syahrur made many mistakes in providing definitions of the various terms used. In contrast to Eickelmann (1993; 1998) who highlighted something new from Syahrur's ideas in the Islamic world.

Eickelmann, in his two articles, admired the brilliance of Syahrur thought that emerged from the dogma of classical Muslim thinkers by offering a rereading of the Qur'an and Sunnah. Mustafid (2018: 305-320), more specifically studied the theory of hudûd offered by Syahrur as an effort to reform Islamic law. Ulfiati (2018: 57-70), discusses the thoughts of Syahrur which tend to be different and contrary to previous Muslim thinkers, related to religious texts. While Sholahuddin (2018: 211-244), criticized the understanding of the creed relating to Islamic religiosity and one's faith in the view of Syahrur. Umardani (2019: 40-59), more broadly discussed Syahrur's criticism of the influence of tyranny in Islamic legal thought. The conclusion from Umardani's study is that there is intimidation from the government towards the development of Islamic legal scholarship which is felt until now. The novelty of this study with previous studies, seen at the epistemology of ijtihad by Syahrur in exploring Islamic law.

This paper to analyze comprehensively about the epistemology of Syahrur's ijtihad. The focus of study about, the Syahrur's concept of Islamic Law thought; critical discourse analysis as an approach in epistemology; the concept of the tauhidi's approaches in Islamic law thought. This study uses a qualitative approach, with the model of critical comparative from Syahrur's epistemological thinking toward classical fiqh.

Discussion

1. Biography Muhammad Syahrur

Muhammad Syahrur bin Deyb (Syahrur) was born in Damascus, Syria, on March 11, 1938. He underwent primary and secondary education at the education institution 'Abd al-Rahman al-Kawakibi, Damascus, and graduated in 1957. Then he received a government scholarship for civil engineering studies (*Handassah madaniyah*) in Moscow, USSR, in March 1957. In this country, Syahrur began to get acquainted and then admired Marxism thinking, even though he did not charge as followers of the sect. In 1964, Syahrur won a Diploma in civil engineering. Later in the same year, Syahrur continued his studies in Ireland, precisely at University College, Dublin in the same field of study (Shah, 2001). Furthermore, Syahrur went to Dublin, Ireland as a messenger from Damascus University taking his Masters and Ph.D at al-Qummiya University taking the fields of Foundation Engineering and Soil Mechanics (*al-Handasah al-Madaniyyah*) (Mustaqim, 2003: 123). He obtained his Doctorate (*ad-Duktur al-Muhandis*) in 1972 (Andi, Hakim, & Hibatullah, 2016: 79-100.).

In 1967, Syahrur had the opportunity to conduct research at Imperial College, London. In June of that year, a war broke out between Britain and Syria (the June War) which lead to the loss of diplomatic relations between the two countries. Finally, Syahrur decided to go to Dublin, Ireland, as an envoy from the University of Damascus to take a Master and PhD in the University of al-Qummiya taking the field of Ground Engineering and Mechanics (*al-Handasah al-Madaniyyah*) He obtained his Doctoral degree (*ad-Duktur al-Muhandis*) in 1972 (Mustaqim, 2003: 123).

Syahrur has forced his Western concept and Marxist ideology into the study of the Qur'an, including his position as a graduate student of Saratov Moscow Russia who showed his Marxist ideology with his interpretation of the philosophy of materialism. Syahrur emphasized that the Qur'an contains the dialectical concept and paradoxical principle and the word al-Qur'an itself comes from *qara-a* and *istiqra* which means exploration of Marxist theory. Syahrur with his reading of Marxist ideology explains his overlapping between scientific and thinking product and paradox in the logic system. Likewise, the imposition of his ideology in the interpretation of the Qur'an has forced his opinion that God acknowledges the existence of the philosophy of Marxism which negates God and religion by including its principles in the Qur' an. Moreover, Syahrur had lived in Moscow between 1958-1964 to study civil engineering (Mustaqim, 2017: 01-26).

However, it is not easy to say that Syahrur was a genuine Marxist. Perhaps it is better to say that Syahrur was a technocrat who possessed broad scientific and modern philosophical insights, then tried to read the Qur'an based on the epistemological foundations he possessed. Apart from this problem, Syahrur learned a lot about the Arabic grammar sciences from his friend, Doctor Ja'far Dik al-Bab. From him, Syahrur was widely introduced to Arabic linguist thinking such as al-Farra ', Abu Ali al-Farisi, al-Jinny, and al-Jurjani. Then, Syahrur relies on the semantic method of Abu 'Ali al Farisi which can be found in the treasures of Ibn Jinni's thought and 'Abdul Qadir al-Jurjani. In this formulation, two theoretical bases are summarized from the two main teachers (Ulfiyati, 2018).

From the two methods obtained from Ibn Jinni and Imam Jurjani, then Syahrur made restrictions on the principles of his linguistic methodology the restrictions are: 1) in the language there are no synonyms, maybe even in one word has a lot of meaning. What is believed to be a synonym is nothing more than falsehood or deception (khud`ah); 2) words

are expressions of meaning; 3) the most important of languages is meaning and: 4) any language will not be understood if there is no compatibility for the language with ratio and objective reality.

As seen in his al-Kitab, al-Qur' an, he uses the term classification method which is the starting material for the theory of interpretation is that no word has synonyms. In this case, Tsa'lab has a well-known postulate: "*Ma yudhann fi al-dirasah al-lughawiyah min al-mutaradifat huwa min al-mutabayinat.*" (What was previously thought in language studies as synonym words included among words that have different meanings). Therefore, Syahrur chose Ibn Faris' Dictionary of *Maqâyîs al-Lughah* as the main reference in searching differences in the meaning of the words he studied (Malik, 2017: 117-142).

Muhammad Syahrur is a Syrian-born exegete who deserves to be classified as a second-line interpreter. Some of his works have caused controversy in the world of Islam so that the books written by him in some Islamic countries are banned. Some antipathic people towards him say that the work of Syahrur: Al-Kitab was al-Qur' a Qira'ah al-Mu'ashirah is more dangerous than the literary work of Salman Rusydi The Satanic Verses. On the contrary, for those who adore him, they proud to align Syahrur with the philosopher Immanuel Kant and consider him as the Martin Luther of the Muslims (Malik, 2017: 117-142).

The same story also happened to other *mujahid* figures, such as Fazlurrahman who was expelled from his mother's land in Pakistan, because of the lawful rams of usury banks; Nasr Abu Zaid has also been hit repeatedly, even the threat of life is alarming, because of his interpretation and making the Qur' a so profane. There are still many figures who experience a similar fate including Nawal El Sadawi, Talisma Nasrin, Ulil Absar Abdallah, Farid Esack, Abed Al-Jabiri. Syahrur is still quite fortunate in his own country which still understands the contents of his mind. Compared to his predecessors who were expelled from his own country and forced to flee to 'secular state'. This is inseparable from the development of religious thought in Syria - the place where Syahrur was born - is a country that is predominantly Muslim. As generally experienced by Middle Eastern countries, Syria has also faced the problem of modernity, especially the religious clash with the Western modernization movement. This problem arises because, in addition to Syria, it was invaded by France, as well as the impact of the modernization movement of Turkey, where Syria was once a region of the Usmani dynasty (in Turkey). This problem, in turn, led to figures

such as Jamal al-Din al-Qasimi (1866-1914) and Thahir al-Jaza`iri (1852-1920) who sought to promote religious reform in Syria. Al-Qasimi's reformation - a former student of Muhammad 'Abduh (1849-1905; a reformist figure in Egypt) - was oriented towards the Muslim fortification of the secular Tanzimat tendency and the Islamic intellectual overthrow of orthodoxy (Zulyadain, 2018: 198-219).

For this reason, Muslims must have the ability to concoct rationality, progress, and modernity in the frame of religion. In this case, al-Qasimi proclaimed to rediscover the original meaning of Islam in the Qur' an and al-Sunnah while emphasizing ijtihad (Aljurem, 2012). Then, as explained in the Syahrur biography above that Syahrur was a lecturer at the University's engineering faculty in Damascus. After that, in 1982-1983 Syahrur was sent back by the university abroad as an expert at Al-Saud Consult, Saudi Arabia. Thus, it was clear that the reason why Syahrur left his country is not that he was deported by his country. However, Syahrur left his country because he had to fulfil the request of Damascus University, where Syahrur worked.

2. Muhammad Syahrur's concept of Islamic Law.

The concept of Muhammad Syahrur regarding Islamic Law, Muhammad Syahrur assessed that there were several factors which cause Islamic civilization to stagnate and unable to solve the fundamental problem of Islamic thought. The factors are the taqlid phenomenon found in Islamic thought, the concept of qadha'-qadar Jabariyah ideology, knowledge problems, socio-economic problems, democracy and interpretation of history. Also, Islamic civilization is unable to produce new ideas in Islam by adopting the values of modernity. This is because Islamic studies, according to Syahrur, are not built on philosophical aspects or based on objective scientific methods, but it was only built on various doctrines and teachings that are considered as part of Islam. To Syahrur, the main requirement of the objectivity of scientific research is to study texts without including any sentiments, because these sentiments will plunge researchers into hesitation, mainly if the object of study is religious texts (Umardani, 2011: 47-49).

Therefore, Syahrur and the people who have the same thinking as he can honestly generate creative ideas, which for many other Muslim countries it may be prohibited. Syahrur has offered new concepts, paradigms, and approaches to interpreting and understanding Islam, through "contemporary reading" (*qira'ah mu' Masirah*) on the text of the scriptures. In regard to this, Syahrur argues that Muslims should understand the Qur'an

as the early generations of Islam, not through the prism of centuries of jurisprudence. His belief came from the understanding that Islam is relevant in every space and time (*salihun likulli zaman was makan*), so he stated that: "*the Qur' an (Syahrur calls it Tanzil al-Hakim or al-Kitab) was revealed to us who lived in the twentieth century as if the Prophet Muhammad just died and has delivered it directly to us* " (Umardani, 2011: 47-49).

It is because, according to Syahrur, the understanding of the Qur'an is always limited and relative. This kind of understanding has necessitated Muslims to "read" the Koran according to their context of life and eliminate the trap of products of past thinking. Since the revival era, which began since the Arab defeat in Six-Day War by Israel in 1967 to the contemporary era from 1990 to the present, there are at least three significant problems of Islamic civilization that can be mapped, namely: 1) attitude towards turns(traditional heritage), 2) attitudes towards the West and 3) attitudes towards modernity (Arsal, 2018: 1-22).

It seems that turns and modernity have become a common denominator for every Arab intellectual who cares about issues of religion and Islam. Tradition (turns) and modernity globally can be divided into two interrelated dimensions, namely the first reality of contemporary Islamic society, both the reality of doctrine and turns in Islam. Syahrur (2003: 256) considered that contemporary society had been polarized into two blocks. First, the scripturalist-literalist school that strictly and rigidly adheres to the inheritance of the past, because it assumes that all the problems have been answered in the works of previous scholars; and secondly, the sect which calls for secularism and modernity which a priori rejects Islamic heritage which is considered irrelevant to the present situation, including the interpretation of the Qur' an as part of inherited traditions, which become 'opium' in public opinion.

In the evaluation of Syahrur, both blocks have saved weaknesses and are unable to provide solutions. For Syahrur, the solution was "back to *al-Tanzil*, the original text of God's revelation delivered to the Prophet." He proposed to directly read the basic texts of the Qur'an which are original and rooted in the scientific methods/modern science - such as chemistry, mathematics, physics - by renewing visions and revealing realities that cannot be achieved by other means, so in the evaluation of Shahriar, tradition and modernity are two interrelated concepts, both are separated by the dimension of time moving continuously, Syahrur interpreted tradition (*al-turns*) by:

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التراث هو النتاج المادي والفكري الذي تركه السلف للخلف، و هكذا يفهم التراث على أنه من صنع الإنسان و نتاج النشاط الانساني الواعي، في مراحل تاريخية متعاقبة

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"*Tradition is a material product and thought left by previous generations to the generations after. Tradition is understood as the result of human creation and products of human conscious creativity in historical episodes that are one after another.*"

This can be understood, tradition is the product of creation and products of human conscious creativity in historical episodes that are one after another, while modernity (*al-Masirah*) that is :

<div dir="rtl">

المعاصرة هي تفاعل الإنسان مع النتاج المادي و الفكري المعاصر

</div>

"*Modernity is human interaction with material products and contemporary thought created by humans.*"

This connection becomes increasingly evident in his expressions that seem optimistic and provocative:

<div dir="rtl">

إن الذين صنعوا التراث العربي الاسلامي هم من الناس ونحن من الناس ايضا، ومعروف قول أبي حنيفة النعمان (هم رجال ونحن رجال)، وقد آن لنا أن نصنع تراثا لأجيالنا القادمة بملء ارادتنا وبدون حرج, وهذه هي عين المعاصرة.

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"*Indeed the creator of the Arab Islamic tradition is human as we are, as we know from the words (term) Abi Hanifah al-Numan (they are humans, and we too). It's time for us to create traditions for future generations according to our will without fear. This spirit is the core of modernity*" (Umardani, 2011: 52-53).

As someone who has a technical background, Muhammad Syahrur has studied Islamic sciences in autodidact. This reality leads to a consequence for those who have never formally studied Islamic science. Therefore, it was through this gap that many critics attended to Syria as people who did not have authority in the area of Islamic studies. This also needs to notice since Syahrur does not have Arabic or Qur'anic teachers or discussion friends who are competent in Islamic scientific areas.

An incisive criticism was addressed to him, as one of the reasons that the perception of Syahrur was quite "harsh" in an attempt to undermine the profession of an interpreter (*mufassir*) or fiqh expert (*faqih*), which he considered a product of conservative thought. This turned out to not dampen his attention to Islamic studies. His educational background in engineering, according to Hallaq, turned out to be very helpful and very

influential on Islamic studies he did (Hallaq, 2000: 364). Furthermore, Syahrur offered the concept of *salah* or authenticity, which he distinguished from orthodoxy (*salafiyyah*). The first has a positive concept and life, while the second is the opposite. Authenticity has two elements, first "deep roots" (جذور غارقة) and both "continue to live" and "bear fruit" (مازال

حيا مثمرا). The term of these two elements is more metaphorical. Syahrur acknowledged that the meaning is the result of the derivation of the verse of the Qur' an as follows:

اَلَمْ تَرَ كَيْفَ ضَرَبَ اللّٰهُ مَثَلًا كَلِمَةً طَيِّبَةً كَشَجَرَةٍ طَيِّبَةٍ اَصْلُهَا ثَابِتٌ وَّفَرْعُهَا فِى السَّمَاۤءِ – ٢٤ تُؤْتِيْٓ اُكُلَهَا كُلَّ

حِيْنٍ بِاِذْنِ رَبِّهَاۗ وَيَضْرِبُ اللّٰهُ الْاَمْثَالَ لِلنَّاسِ لَعَلَّهُمْ يَتَذَكَّرُوْنَ – ٢٥

Meaning: *"Do you not see how God has made a good parable of a sentence like a good tree, its roots are firm and its branches (towering) into the sky. the tree gives its fruit at every season with the permission of the Lord. God made the parables for humans so that they always remember ".* (Q.S. Al-Ibrahim, 14: 24-25).

Accordingly, the uniqueness and authenticity appeared from the Syahrur approach to the interpretation of the Koran lie down in the deconstruction which is noticeable of various contracts or agreements — both textual, linguistic, and methodological — which intersect with the interpretive genre. His proposal, which separates the Qur' an into two different texts (nubuwwah /treatise), is truly a radical deconstruction of the seminal approaches that have been shown. And this deconstruction has produced an intimate understanding of the accuracy of the terms used in al-Kitab if it is looked at a scientific perspective both past, present, and future (Abdullah, 2002: 127).

3. Critical Discourse Analysis as an Approach in Epistemology.

The word discourse originates from the word vacant "bacon" in Sanskrit. The word is then absorbed into Indonesian become a discourse "speech or conversation" (Abdullah, 2010: 114). In general, discourse is known as statements. Wikipedia, moreover, defines discourse as a written or oral debate or communication. The general public understands discourse as a conversation that occurs in society regarding a particular topic. In the linguistics, discourse is understood as a unit of language that is greater than a word or sentence, which can involve one or many people. Idris & Ramly (2016) define discourse as a collection of statements written or pronounced or communicated using signs.

Discourse analysis is in simply meant as a study of language units in one sentence. Typically, the elaboration of the meaning of this term is associated with a broader context that influences the meaning of the whole series of expressions. Some discourse analysts have considered a comprehensive context to observe how the context influences the meaning of the sentence. According to Nunan, (2000), discourse analysis is the study of the use of language that purposed to show and to interpret the relationship between order or patterns which is expressed through linguistic units as the objective.

Furthermore, in almost all studies in the human sciences (human sciences), the discourse analysis approach is also divided based on the study paradigm (the paradigm of inquiry). In general, three study paradigms is developing and competing with each other in the human sciences. Each constitutes an analysis of discourse positivism (positivity of discourse analysis), analysis of constructive discourse (constructivist discourse analysis), and analysis of the discourse of criticism (critical discourse analysis). First, the analysis of positivism discourse focuses on the paradigm of positivism, language is viewed as a bridge between humans and objects outside themselves. Positivistic discourse analysis concerns and prioritizes the fulfilment of a syntactic and semantic set of rules. Semantic truths and syntactic determinations are the main criteria in this genre. Therefore, positivistic discourse analysis is responsible for describing the rules of sentences and paragraphs along with the cohesion of meaning which is assumed to be generally accepted (Yule, 1989: 54). Second, constructivist discourse analysis. A proponent of this paradigm refuses the classification of humans as subjects and objects. Language cannot be understood except by looking at the subject of the culprit. Therefore, each statement is essentially an act of creation of meaning. In this perspective, if you want to understand a discourse, there is no other way unless the reviewer can develop empathy for the subject of the discourse. Third, the discourse analysis of criticism. This kind of paradigm feels like to correct the constructivist paradigm that are less sensitive to the process of production and reproduction of meanings that occur historically and institutionally (Nunan, 2000: 79).

Therefore, discourse analysis is used for the strength of the components which exist in the process of language; a number of limitations permitted to be a discourse, a perspective used, a topic discussed. By looking at this kind of discourse, there is a relationship between language and the power of authority, especially in the formation of subjects, and various acts of representation contained in society. Although there are any

discrepancies in this paradigm, all of them notice that language is not a neutral medium of ideology, interests, and networks of power. Therefore, critical discourse analysis is then developed and used as a tool to uncover interests, ideology, and the practice of power in language and discourse activities (Munfarida, 2014: 1-19.)

The main purpose of the theory of critical discourse analysis (CDA) is to reveal how power, dominance, and inequality can be practised, reproduced or resisted by written texts and conversations in social and political contexts. Consequently, the CDA takes a non-conformist position or counteracts the genre of domination in a large framework to fight social injustice. According to Fairclough and Wodak, critical discourse analysis looks at discourse as a form and social practice. Discourse as a social practice causes a dialectical relationship between the events of certain discourses and the situations, institutions, and social structures that shape them. The practice of discourse may display ideology. It means that the practice can produce — reproduce the unequal power relations between social classes, men and women, majority and minority groups. Through these differences, it can represent the social position displayed. Through discourse, for example in a discourse on racist, sexist, or inequality conditions, social life is seen as a common sense, a natural or natural, and indeed as a matter of fact.

Critical discourse analysis considers language as an important factor used to see the power imbalances which happened in society. Eriyanto cited from Van Dujik, Fairclough and Wodak (Eriyanto, 2011: 8-13) stated that there are some significant characteristics of critical discourse analysis: action, context, history, power, and ideology.

4. The Concept of tought and Tauhidi Approaches In Islamic Thought

God Almighty is God who has existed since ancient times. God is not childless and is not begotten. As explained in the Qur'an, Al-Ikhlas verses 1-4:

$$\text{قُلْ هُوَ اللهُ اَحَدٌ – ١ اَللهُ الصَّمَدُ – ٢ لَمْ يَلِدْ وَلَمْ يُوْلَدْ – ٣ وَلَمْ يَكُنْ لَّه كُفُوًا اَحَدٌء – ٤}$$

Meaning: "(1). *Say: "He is Allah, the One.* (2). *Allah is God who depends on everything.* (3). *He has no child and is not begotten*, (4) *and no one is equal to He*."(QS. al-Ikhlas, 112: 1-4).

As God Almighty, Allah can be attained by his creation because of the transcendent nature of God. God does not have allies, and He does not cooperate with all His power. in Islam we are familiar with the terminology of monotheism so that this doctrine is the most fundamental basis of Islam. Thus, it should be remembered that a human being will be able

to enter the order of the universe if he has known his creator. How would he surrender and obey God's law, while he does not know his Lord? That is the reason why the teachings of Islam are built on a solid foundation on the unity of God, as a form of the introduction of God to Humans. Also, that is why the monotheistic doctrine occupies a central position in Islamic teachings (Alatas, 2006: 82-83).

Therefore, Shahriar argued that the source of knowledge is Allah, the word of Allah (the Qur' an) and the sentence of Allah (the reality of nature and humanity). All three are beyond human perception (*Khari al-way*) and are authentic as well as worthy of being a source of knowledge. However, due to Allah who creates revelation (the words of Allah/Al-Qur' an/text) and the sentence of Allah (the reality of nature and humanity) as the source of true knowledge, Syahrur believes in revelation/text as a source of truth and also makes a reality in nature and humanity as a source of knowledge. Therefore, Syahrur, in his epistemology, cannot escape the nuances of a combination of empirical and rationalism which is known in the Kantianism epistemology. Furthermore, Syahrur even believed that human knowledge originated from the partial personification (*al-Musyakhkhasy al-Juz'i*) which obtained through the senses and ended in rational abstraction (*al-Mujarrad al-Aqli*). Thus, human knowledge will be truly objective to understand (Aulassyahied, 2015: 125-156).

In related to the objectivity, Syahrur explained that what is meant by objective is the correspondence between what is in the mind (*al-Adzhan*) and what is in reality (*al-A'yan*). Thus, Syahrur has proclaimed himself as an adherent to the theory of correspondence in the field of epistemology. Nevertheless, on the other hand, Shahriar acknowledges that reason can provide knowledge as long as it is by objective reality. Finally, it can be concluded that the epistemology of Syahrur is a distinctive epistemology. In the world of philosophy, the combination of rationalism and empiricism yielded the scientific method (scientific method), while the scientific method produced scientific knowledge (scientific knowledge). Therefore, in a combination of revelation, reason, and senses proposed by Syahrur, it will generate modern and fresh Islamic knowledge because it always involves scientific achievements all the time (Masduki, 2008: 127-149).

5. Perspective of Epistemology of Muhammad Syahrur Ijtihad

5.1. Epistemology as a Method of Discovering Science

Epistemology as a Method of Discovering science derives from the Greek is episteme and logos. Episteme means knowledge or truth while logos are interpreted as thoughts, words or theories (Mujahidin, 2013: 41-64). Epistemology is also called the theory of knowledge. It is a branch of philosophy that deals with the nature of science, from which knowledge is obtained. In other words, epistemology or the theory of knowledge discusses in depth all the processes seen in the effort to obtain knowledge (Suriasumantri, 2010: 9).

Thus, epistemology includes the procedures and means to achieve knowledge. Based on this fact, there are several basic methods to acquire knowledge: empiricism, rationalism and a combination of empiricism and rationalism. Because empiricism with rationalism is the main pillar of scientific methods (scientific method), the study of epistemology, in turn, can open new perspectives in multi-dimensional science (Junaedi, 2016: 47-70).

5.2. Epistemology of Modern Islamic Law Muhammad Syahrur

Nowadays, there is an encouraging development that is the discussion about the epistemology of Islamic sciences. Muslim scientists have been trying to solve the epistemological collapse that occurred in the Islamic world. Among them were Fazlur Rahman, Charles J Adam, Muhammad Arkoun, Muhammad Abid al-Jabiri, Nash Hamid Abu Zaid and Muhammad Syahrur (Abdullah, 1998: 6-7).

Thus, the author has been deliberately taken the epistemology of Muhammad Syahrur as ijtihad and analysis of modern Islamic law. Also, because of the suitability of the goal, means to dismantle the past epistemology of Islamic law and provide a new offer of epistemology, Syahrur had tried to put a new epistemology for Islamic law so that Islamic law became dynamic, applicable and universal. Then, Syahrur was explaining the epistemology with one keyword in Islamic studies and the keyword is "the right one" (al-Haq). According to Syahrur, the Qur'an itself introduces the word al-Haq and often compares it with the word al-bath. Syahrur considered that al-Haq and al-bath are two contradictory things and becomes the basis of the standing of human knowledge.

The question is now what and why is called al-Haq? In regard to this, Syahrur (2000) has provided six points, namely: 1) Al-Haq is Allah and His sentence; 2) The sentence of God is the existence (reality) created by Him, which includes the existence of reality in-depth and humanity; 3) Syahrur added that besides the sentence of Allah, Allah

also gave His greetings to humans through the Prophet Muhammad in the form of the revelation of the Qur'an; 4) God and all existence that He preaches are beyond human perception (*Khari al-way*); 5) The reality outside of human perception is an authentic and feasible reality to be a source of knowledge and; 6) authentic reality by the human senses is then captured and used as a basis to form rational abstractions which are abstract-theoretical knowledge. From the six points above, it can be concluded that the source of knowledge is the word of Allah and the sentence of Allah (natural and humanitarian reality).

5.3. Reconception of Ijtihad with the Role of Science and Technology according to Muhammad Syahrur.

Islamic law as a law of God is strongly built and not easily dissolved along the times, while Islamic law as a law intended to humans is flexible and accepts the demands of the development of the times (Masduki, 2008: 127-149). Thus, as God's law, Islamic law always comes from God's revelation. However, the number of God's revelations is limited, while social life is changing in society and limitless. This is where ijtihad serves as a bridge between revelation and the reality of society so that there is no gap. It is because the good is that reality must always be continuous and subdue to revelation and the revelation must not be unfamiliar from reality.

Furthermore, to open the gate of ijtihad, the first thing that Syahrur needs to undertake is to discover the particular features of Muhammad's shariah. The distinctive characteristics of the Shariah of the Prophet Muhammad SAW are hudud no in *aini*. Thus, the treatise of the Prophet Muhammad contains laws which also flexible and can interact with the situations and conditions of the local and temporal. Because the Shari'ah of the Prophet Muhammad is hudud and Hanif, the irrelevance phenomenon encountered by Islamic law today, according to Syahrur, is an uncommon phenomenon and is a decadence caused by the poor methodological tools of Islamic law

Syahrur emphasized that the irrelevance phenomenon in Islamic law is due to the lack of human creativity today in understanding the legal verses and the absence of new theories in overcoming the necessities of Islamic law. Syahrur compares this to the phenomenon of the progress of human knowledge. According to Syahrur, the progress of human knowledge is obtained in two ways: 1) bringing up a new concept that is filosophobic, as Copernicus did with the heliocentric theory, Louis Pasteur with microbial

theory, Isaac Newton with the theory of gravity, and Albert Einstein with the theory of general and particular relativity; 2) bringing up new devices such as the production of telescopes by Galileo has raised various computer inventions, and advances in mathematics (Malik, 2017: 117-142).

According to Syahrur, these two ways will lead to the progress of humans. But if it is sorted further, then the first way is to find a new concept in the last five hundred years, which will bring more progress and scientific change to modern humans. This indicates the importance of producing new conceptions in the world of science. Bring up a new concept in terms of ijtihad is what need to be conducted by Muslim scholars but not using the old concepts and tools because the results will not be maximally reached. Medieval ijtihad concepts and tools are no longer suitable and relevant used at the present (Martanti, 2019: 87-105).

Furthermore, compared with the classical conception of ijtihad shul fiqh, the conception of Syahrur (1994: 251-252) ijtihad has five main differences, i.e: *first*, Syahrur places ijtihad in a pivotal position for modern Islamic law. He considers that the legal substance of modern Islam is ijtihad, not text (nash), and ijtihad which always involves modern knowledge systems. *Secondly*, the conception of ijtihad Syahrur does not reach the stage of justifying or forbidding something, because this is the prerogative right of God. Forgiveness is absolute and cannot be contested. Humans will not be able to produce something absolute. Therefore, human ijtihad can only allow, affirm, prohibit and prevent something that has been legalized by Allah attending the needs of the situation and the conditions. *Third*, the conception of ijtihad Syahrur accommodates all scientific achievements and all modern systems of knowledge. Even Syahrur argues that ijtihad must be guided by material statistical evidence which accurately can represent a benefit and convenience for humans so that ijtihad cannot only be based on mere prejudice, feeling, and feeling. *Fourth*, the conception of ijtihad Syahrur allows ijtihad against all legal texts, even though the text is considered Kathi by the scholars, as verse li al-Zakaria metal had al unsaying. *Fifth*, the conception of Syahrur ijtihad is only possibly conducted in individual.

The concept of ijtihad Syahrur emerged in the modern era that upheld professionalism, scientific specifications and the rapid rate of development of knowledge, so that one person would not be able to master various sciences at once. Therefore, collective work that involves many experts in various sciences is an unavoidable trust.

Conclusion

The critical discourse of ijtihad's epistemology Muhammad Syahrur was very important in producing new ijtihad thinking. Syahrur in interpreting the ahkam verses still agreed to maintain the purity of the teachings of the Qur'an which *shalah likulli zaman wa makan*. This is clearly illustrated from the epistemological building is seeing the true nature of truth. For Syahrur, the foundation of truth is based on three pillars, i.e: revelation, reason and reality. All three pillars have the same position, because the understanding of revelation is impossible to achieve, while matter always develops dialectically and changes every time.

Syahrur's offer, on the theory of scientific historicity, linguistic hermeneutics and Marxist dialectics, shows an effort to deconstruct the sciences that have been patented in the application of Islamic law, such as interpretation, hadith, proposals of fiqh and fiqh. When compared with the classical conception of ijtihad *ushul fiqh*, so Syahrur's ijtihad conception has several differences, namely 1) placing ijtihad in a vital position for modern Islamic law; 2). the concept of ijtihad Syahrur is not at the stage of justifying or forbidding anything, because it is the prerogative right of Allah SWT; 3). Syahrur's ijtihad concept requires scientific achievements and a modern knowledge system; 4). the concept of ijtihad Syahrur allows ijtihad toward all legal texts, even though these texts are considered by the scholars to be qath'i; and 5). the concept of Syahrur ijtihad can be done individually.

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