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Interpretation of the Qur'an from Classical-Textual to Contemporary-Contextual; An Approach Proposed by Muslim Scholars

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Abstract

The purpose of this study is to examine the thoughts of contemporary Muslim scholars who offer a contextual approach to understanding the Qur'ānic text and the theoretical relationship of each of these figures' thoughts and their application in Q.S. al-Mā'idah: 38. Some of the statistics discussed in this study include: Fazlur Rahman, Abdullah Saeed, Khaled Aboe El-Fadl, and M. Amin Abdullah. The selection of these four figures was based on the strength of their thinking in understanding the contextual nature of the Qur'an and their influence on other contemporary Muslim scholars, both in Indonesian Islamic universities and in different countries. By formulating the thoughts of these four figures, a moderate contemporary interpretation of Islamic law will be formed, and laws that are relevant to the realities of the times will be formulated. This research uses a literature approach by reviewing literature journals and contemporary tafsir books. The primary data of this research are books and journals that are the thoughts of the four figures, especially those that discuss the hermeneutics of the Qur'ān in the renewal of Islamic studies. This research concludes that the contemporary interpretations of the four figures have similarities in seeing the social realities that occur and their theories are interconnected with each other. Fazlur Rahman's double movement theory plays a role in seeing Khaled Aboe El-Fadl's theory's relationship between author, text, and reader. Abdullah Saeed's hierarchy of values theory plays a role in mapping the text. The three-element theory (text, reality, insight) of M. Amin Abdullah serves as a measure of a reader's insight in analyzing the text and connecting it with the reality that occurs. According to them, the punishment for cutting hands contained in Q.S. al-Mā'idah: 38 can be replaced with imprisonment or a heavy fine. This is because the punishment of

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cutting hands is no longer by the current social reality, considered inhumane, and contrary to humanity. This research remains theoretical in nature. Future studies may apply the proposed contextual framework to other Qur'anic themes, such as socio-legal or ethical issues, to test its broader applicability.

Keywords: Contextual; Hermeneutics; Qur'anic Interpretation; Textual.

Introduction

The development of the times is one of the main factors causing the increase of problems in people's lives, both in social, economic, political, and religious aspects [1]. The complexity of this problem requires science to be able to adapt to the current conditions of society, especially religious science. The existence of religious science is expected to be actively involved in solving the problems faced by society, not only used as an identity of one's belief in general [2]. This is in line with Fazlur Rahman's statement that if Islam cannot solve all the problems of humanity, then it will only be a threat in the future [3].

Broadly speaking, science is divided into two, namely exact science and social-humanities science. Both strengthen and complement each other in dealing with all the problems of human life. If these two sciences cannot realize cooperation, it will give birth to narrow-mindedness as an embodiment of the particular fanaticism of scientific disciplines [4]. This statement is corroborated by Fairclough who says that science is inherently a part that is influenced by social structures and produced in social interactions [5].

One of the disciplines that is part of the social-humanities is Islamic studies. The study of this discipline is no longer textual and normative, but more anthropocentric by using various approaches, historical, contextual, and hermeneutical-philosophical approaches [6]. Until now, the development of Islamic studies is required to be more solutive to all problems of community life, and more adaptive to the development of human civilization. The renewal movement of Islamic studies is a historical reality as a positive response to modernism to give birth to diverse dynamics of thought [7].

In this modern century, the paradigm and nuances of Qur'ānic studies have undergone a shift from the classical to the contemporary era following the problems and demands of Muslims. However, most Muslims often impose the literal meaning of verses to be applied in today's problems [8]. Today's culture is different from the culture when the Qur'ān was revealed, coupled with the rapid advancement of technology and information. Nasr Hamid Abu Zayd calls the Qur'ān a cultural producer in the sense that the Qur'ānic verse becomes a hegemonic text that becomes a reference for other texts [9]. The existence of the Qur'ānic text attracts the attention of many people to continue to study its

contents, until the 21st century there have been countless works written about the Qur'ān, both linguistic studies, law, to issues concerning the general public.

Today there are both textualism and contextualism in understanding the teachings of the Qur'ān and As-Sunnah. The textualist group says that the Qur'ān should only be understood textually, there should be no understanding based on takwil, which is a shift from the external meaning [10]. While the contextualist group understands the Qur'ān based on the socio-historical and cultural context at the time of revelation as well as the present context [11]. In Abdullah Saeed's terms, the textualist school is known as Salafi, and the contextualist school is called the ijthadi group [12].

The two groups above have different styles of interpretation of the Qur'ān. The textualist group tends to use the way of the Companions and the Tabi'in in making legal decisions derived from the text normatively by negating the role of reason in it. In contrast, the contextualist group plays the role of reason in reading the text and relating it to the context of the times. This is in line with the opinion of Muhammad Syahrur, who said that people who want to study the Qur'ān must look at the socio-cultural context. This is because all the verses of the Qur'ān that were revealed by the majority cannot be separated from the culture behind them [13].

The Qur'ān contains a wide variety of information about science, so it requires in-depth analysis, study and interpretation so that the originality of the text becomes more apparent when dealing with context and reality [14]. In addition, humanitarian issues that continue to develop requires the Qur'ān to be interpreted contextually in order to provide adaptive and comprehensive solutions [15]. Therefore, in interpreting the Qur'ān, a mufasir must master the tools related to the methodology of interpretation, especially the ability to read the history and societal conditions of the time when the revelation was revealed [16].

Departing from the dialectic above, many modern Muslim thinkers have emerged who emphasize the importance of finding the hidden meaning of a literal editorial of the Qur'ānic verse so that the message of the universality of the Qur'ān can be applied to the conditions of an ever-dynamic era. There are several names of Muslim thinkers who voice the importance of revealing the meaning behind the literal verse, such as Fazlur Rahman with his ratio legis, M. Talbi with his maqashid (goals), Nasr Hamid Abu Zayd with his maghza theory (the significance of the verse), Abdullah Saeed with his hierarchy of values theory, M. Amin Abdullah with his integration and interconnection, and other figures [17].

The urgency of contemporary interpretation in the modern era raises the question of how contemporary Muslim scholars formulate a contextual approach

to interpreting the Qur'an, and how they apply this approach to understanding Q.S. al-Māidah: 38? This study aims to examine the thoughts of contemporary Muslim scholars who offer a contextual approach in understanding the text of the Qur'an so that the messages of the Qur'an remain relevant to the times. In addition, it seeks to identify the contextual approaches offered by Muslim scholars in interpreting the Qur'an. The contextual approach is very important to apply because it emphasizes the meaning and substance of the teachings contained in the texts of the Qur'an and Hadith, while also considering socio-historical aspects. This research differs from previous studies because it attempts to connect and synthesize the hermeneutic concepts of four contemporary Muslim scholars to establish an integrated contextual interpretation framework. By formulating the thoughts of these four figures, a moderate contemporary interpretation of Islamic law will be formed, and laws that are relevant to the realities of the times will be formulated.

Method

This research uses a literature approach by reviewing some journal literature and books on contemporary interpretation. The main data in this study are the thoughts of contemporary Muslim scholars who discuss the hermeneutics of renewal in Islamic studies, especially those related to the interpretation of the Qur'ān. Some of the figures discussed in this study include Fazlur Rahman, Abdullah Saeed, Khaled Aboe El-Fadl, and M. Amin Abdullah [18]. These figures are reformers in Islamic studies who offer a contextual approach with various theories. The selection of these four figures was based on the strength of their thinking in understanding the contextual nature of the Qur'an and their influence on other contemporary Muslim scholars, both in Indonesian Islamic universities and in different countries. The supporting data the author took from several journal articles discusses the thoughts of these figures.

The collected data was then analyzed using content analysis techniques, which are scientific methods for analyzing qualitative data from text sources such as books, journals, and documents. The aim was to identify, categorize, and draw systematic and objective conclusions about the patterns, themes, or meanings contained in the data. In other words, all data was analyzed in depth regarding the hermeneutic theories of each figure, which formed the basis for interpreting the texts of the Qur'ān and Ḥadīth. Then, the data was explained and linked to all the theories of these figures to form a unity that led to a single goal. The meeting point of this goal would later become the findings in this study. As stated by Miles and Huberman, the steps of data analysis can include data reduction (selecting and simplifying data), data presentation (creating descriptions or charts), and drawing conclusions (concluding the analysis results) [19].

Result and Discussion

A Textual Approach to Understanding the Qur'ān

The approach to understanding the substance of religious teachings is the main instrument that can lead a person to the correct understanding. The approach in question is a perspective in a field of science used to understand religion. With this approach, everyone can interpret religious teachings according to their capabilities [20]. One of the ways used in understanding Islamic studies is the textual approach. According to Islah Gusmian, textual understanding is text-orientated understanding in itself [21]. Meanwhile, textual interpretation understands the meaning of the Qur'ān and Ḥadīth through the external wording only [22]. In other words, the textual approach only understands the text of revelation through a linguistic approach, regardless of its socio-historical aspects, when and where the revelation was revealed.

In another definition, the textual approach is an approach that takes the text as its object. This approach emphasizes its analysis of the linguistic aspects of understanding the Qur'ānic and Ḥadīth texts. The textual approach is widely used by salaf scholars in interpreting the Qur'ān by quoting Ḥadīth or the opinions of scholars related to the meaning of the text being studied [23]. One of the scholars who adhered to the textual approach was Ibn Hazm. He considered all problems that occurred the solution must be returned to the Qur'ān and Ḥadīth, not allowed to find solutions by exploring the law (*istinbat al-aḥkām*). So, according to him, people who determine the law by analogy (*qiyas*) are violating the commands of Allah Swt, which are already written in the Qur'ān [24].

According to the above understanding, everything that is expressed in the wording of the Qur'ānic verse or Ḥadīth must be understood by its lexical meaning, so that readers can understand directly without the need to make other interpretations. Therefore, it can be concluded that understanding in this way can be categorized as one of the simplest and most basic approaches. By simply reading the text and understanding the meaning of the language, readers can draw understanding and ideas from the text.

In fiqh terms, textual interpretation means interpreting the Qur'ān outwardly, which in the history of fiqh was pioneered by the dzahiriyyah (textual) school [25]. To understand the Qur'ān, the textual school adheres to three basic principles. Firstly, it must stick to the letter of the text and not cross the line except by definite consensus. Secondly, the true meaning of the text lies in the literal, not outside the text, which needs to be understood in depth. Thirdly, it is a fallacy to look for the reasons behind the rulings of the Shari'ah. In other

words, the textual school prioritizes the general meaning of the text over analyzing the reasons for its revelation [26].

For a textualist, the meaning of a text is inherent in its intended object, and the existence of a single meaning of the object is an ideal to be upheld. Therefore, Abdullah Saeed offered recognition of the complexity of meaning contained in the text of revelation. The urgency of context, both linguistic, socio-historical, and cultural, and the legitimacy of the diversity of interpretations are something that needed in interpreting revelation in order to avoid misunderstanding in understanding the meaning contained in a text. So, the wisest way to understand Islamic text is to determine and limit the relationship between the universal (revelation) and the particular (the limitations of human understanding of the contextualization of divine discourse) [27].

Despite attempts to trace the meaning of the text through various means and efforts, the fundamental tendency of textualists is the lack of empirical analysis of the methods of Islamic law discovery that are still unresolved [28]. This tendency in turn has created difficulties for Islamic law itself in responding to the dynamics of social change, so that Islamic teachings are rigid and inflexible. In fact, if the textualist approach continues to be maintained as a paradigm, it will eventually be abandoned, because it is no longer relevant to the situation and conditions of the times, especially in looking at contemporary issues [29].

In order to understand the structure of language and sentences in the Qur'ānic and Ḥadīth texts, it is necessary to recognize the existence of religious texts that were revealed in a special context (*al-siyāq al-khas*), and texts that were revealed in a general context (*al-siyāq al-'am*) [30]. Ideally, a comprehensive interpretation should be done by combining two approaches at once, namely textual and contextual approaches [31]. The textual approach in understanding Islamic teachings is needed to read the meaning linguistically, and the contextual approach is used to see the socio-historical. The use of these two approaches must be balanced; it should not only use a textual approach that can lead to conservative understanding but should not also apply a contextual approach by ignoring the lexical aspects.

These two approaches complement each other in helping to understand the text as a whole. Without understanding the external context, one may miss the nuances and deeper meanings of a text. Similarly, without paying attention to the textual elements, it may fail to capture the message that the author is trying to convey. Therefore, in understanding a text, it is important not only to focus on the written words but also to pay attention to the surrounding context. By doing so, the reader can develop a better understanding of the situation and conditions and how the texts shape and are influenced by these realities.

A Contextual Approach to Understanding the Qur'ān

Etymologically, the word contextual is an English noun which means atmosphere or condition [32]. In another sense, context means the part of the text that includes certain words or written parts that determine its meaning, as well as the situation in which an event occurs. So, the word contextual can be interpreted as a way, method, or approach that can point to reality. Meanwhile, contextual can be understood as something related to context. Thus, what is meant by contextual understanding? Is it an understanding based on the situation and conditions when the revelation text was revealed? This is in line with the opinion of Ahmad Muttaqin, who says that contextual understanding is an attempt to understand the Qur'ānic verse in accordance with the context and historical aspects of the verse so that the true meaning of each word of God in the Qur'ān appears [33].

The Qur'ān is the absolute word of God, containing verses that explain that Islam is an easy religion and does not burden its adherents [34]. Nasr Hamid Abu Zayd likens the Qur'ān to an endless sea, in which there are many pearls that are endless and can only be retrieved by divers who are experts [35]. In other words, the Qur'ān contains various kinds of knowledge that are always relevant to the place and time, so that its existence can be a solution to the problems presented by the transition of time. For this reason, in order for the Qur'ān to be worthy of being called an absolute source of law, it is necessary to understand it textually and contextually by looking at the linguistic aspects and looking at the socio-historical context.

Contextual understanding, in this case, contains three main meanings. First, it is an effort to interpret in order to anticipate pressing problems so that the meaning of contextual is identical to situational. Second, it means seeing the connection between the past, present, and future, where something will be seen in terms of past historical meaning, current functional meaning, and predicting relevant meaning in the future. Thirdly, the relationship between the Qur'ānic and Ḥadīth texts and their application [36]. Yusuf Al-Qardlawi said that one of the best ways to understand the Qur'ānic and Ḥadīth texts is to pay attention to the specific reasons behind them, their relationship to the illat (reason), or to understand them from the events that accompany them [37].

The study of the contextual approach in Islamic studies cannot be separated from the figure of Fazlur Rahman; he is a contemporary Muslim intellectual who has a deep concern for the treasures of Islamic scholarship in order to revive Islamic teachings by interpreting the Qur'ān contextually. According to him, Islamic teachings that are understood today still look rigid and difficult to adapt to the times because of the influence of the doctrine of society

that considers the door to *ijtihad* to be tightly closed in this day and age. As a result, Islam remains with the nuances of its classical teachings that are always conservative and unwilling to accept developments and renewals in its teachings [38]. Efforts to contextualize the universal values of Islam contained in the Qur'ān will likely never cease throughout the history of human life. History has recorded various efforts being made by Muslim thinkers to provide solutions to humanitarian problems, ranging from problems of poverty, oppression, war, to moral decadence.

The contextual approach as proposed by Fazlur Rahman is a method that attempts to interpret the Qur'ān by considering linguistic, historical, sociological, and anthropological analyses that prevailed in para-Islamic Arab life and during the Qur'ānic revelation process [39]. Fazlur Rahman's opinion is in line with Abdullah Saeed who asserts that the search for methods that are acceptable in contemporary times today should not eliminate and forget the classical interpretive tradition as a whole. Saeed believes in the need and necessity of learning to utilize what is still relevant and useful from the classical tradition to respond to contemporary problems [40].

When the contextual approach is brought together with the study of the Qur'ānic text, the main theme at hand is how the Qur'ānic text is present in society, then understood, interpreted, translated, and dialogued to deal with current social realities. The presence of this approach is partly influenced by the concerns that will arise from interpreting the Qur'ān textually by ignoring the situation and conditions in which the verse was revealed as important historical data [41]. According to Muqowim and Lessy research (2019), Islamic studies still need improvement in various aspects [42]. The strategic steps and applicative actions needed to produce a comprehensive framework for reconstructing Islamic studies are the development and reorientation, contextualization, and strengthening of the philosophical basis [43].

Contemporary Interpretation: an Approach from Muslim Scholars

The transition of time continues to progress results in science experiencing the development of theories within a certain period of time. This is because the theoretical construction of science, which is the product of an era, does not always match the next era, which in fact has different characteristics in its time. This is what Thomas S. Kuhn meant by shifting paradigm in the field of science [44]. Likewise, the Qur'ān also experienced a paradigm shift. In the book *Dinamika Sejarah Tafsir Al-Qur'ān*, Abdul Mustaqim describes the shifting paradigms, theories and approaches used in understanding the Qur'ān from the classical era to the modern era [45].

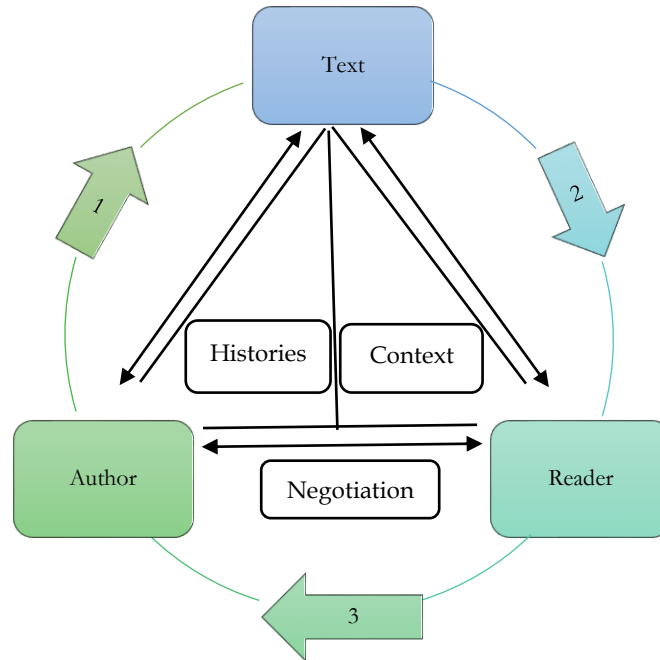
Contemporary interpretation is different from previous interpretations that tend to be ideological, repetitive, and partial. The characteristics of contemporary interpretation are more critical, non-sectarian, contextual, and oriented to the spirit of the Qur'ān. According to Mustaqim, contextual meaning is a prominent style of interpretation in the modern era. Abdullah Saeed explained that the emergence of contemporary interpretation characteristics is a response to global developments in various sectors, such as environment, politics, and ethics, that urge Muslims to find a balance between their lives and the values of modernity [46]. Departing from this, then Muslim scholars from various circles try to offer several approaches to understanding the Qur'ān contextually.

1. Khaled Aboe El-Fadl; The Relationship Between Author, Text, and Reader

Nowadays, Muslim scholars have begun to use post-Schleiermacher hermeneutic studies to understand the subjectivity and transformation of the interpretation process. One of the figures is Khaled Aboe El-Fadl, he carries the hermeneutic theory by including knowledge of the science of interpretation and Western interpretation epistemology about the construction of meaning in the past (historical), and its relationship with the construction of meaning in the present (contextual) [47]. According to Amin Abdullah, Khaled's hermeneutic is interdisciplinary and multidisciplinary because it involves several approaches, such as linguistics, literature, criticism, interpretive social science, and Islamic sciences combined with contemporary humanities [4].

According to Khaled, there are three important elements that play a role in producing meaning in an interpretation, namely the author, the text, and the reader [47]. The relationship between the three is given proportionally through a process of negotiation and dynamic and participatory interaction in producing meaning. The negotiation process aims to uphold the authority of the text and avoid someone from authoritarianism, which is to use the sovereignty of God to legitimize the arbitrary behaviour of readers when interpreting the text.

Picture. 1
Hermeneutics-Negotiation



Source: Researcher's formulation

The first role that establishes meaning is the author of the text or the attempt to understand the author's intention. The author of the text has formulated the meaning when creating the text and the reader must try to find out the meaning through the meaning contained in the text [48]. In order to prevent the text from being interpreted arbitrarily, Khaled sets some conditions that must be met by the reader of the text, namely honesty, sincerity, rationality, thoroughness, and self-control [49].

Second only to the author in determining meaning is the text itself and the assertion of the text's independence in formulating meaning [47]. The text has its own integrity and has the right to be obeyed. The existence of the text is considered a complex entity and its meaning depends on its history and context. In addition, the text is a product of the author that continues to undergo transformation. Moreover, the text allows itself to be open to various interpretations and can accommodate dynamic interpretations [50].

The third role after the author and the text in determining meaning is the reader. The text is an inanimate object that cannot speak, so in order for it to have meaning and speak, it needs the role of the reader. In the process of reading, every reader must bring their subjectivity to the will of the author and the text. In this case, the reader must know the historical reality and context that become

the reference in compiling a meaning. All interpretations are socially, politically and historically embedded in their contextualized subjectivity [47].

From the explanation above, it can be understood that each of the three elements has its own role in determining meaning. There is nothing more dominant among the three elements; the relationship between the three is given proportionally through the process of negotiation in creating meaning. At that stage of the process, meaning is debated and negotiated, and it continues to evolve without a more dominant role and function among the three. This is Khaled Aboe El-Fadl's hermeneutic negotiation to deeply examine the text and its implications for Islamic law.

2. M. Amin Abdullah; Perspectives on Cultural and Social Hermeneutics

As an Indonesian Muslim scholar, M. Amin Abdullah also has academic concerns regarding the issue of Qur'ānic interpretation, which tends to be textual. Textual interpretation of the Qur'ān results in Islamic teachings becoming rigid, stagnant, and unable to adapt to the times. So it seems that the Qur'ān is "silent a thousand languages", waiting to be revived by its readers. Islamic teachings should be studied with multi-perspectives, both ideological, theological, nas, and anthropological perspectives [51]. Seeing this reality, a question arises: is being a music a gift or a burden?

The gift in question is the space of freedom given by the interpretation of the text, allowing the adjustment of the meaning of the text to the dynamic development of the times. However, on the other hand, this gift is also a heavy burden because every mufasir must take responsibility for the normative values contained in the text. Amin Abdullah reminds us that the interpretation of the text is strongly influenced by the moral quality of the reader or the mufasir. If the Qur'ān is interpreted by an intolerant person, then the text will become a creepy call to action. However, in the hands of a humanist, the text will have a tolerant character [52].

Amin Abdullah views the text of the holy book as having limitations, while the reality of life continues to develop without the full control of the scholars. Therefore, reinterpretation is a must to answer the challenges of reality. If interpretive activities stop, there will be stagnation, ignorance, blindly follow, and that is what Muslim scholars have criticized from the beginning. Without reinterpretation, people can rebel and turn to secular ways, because religion does not provide direction that is relevant to the times [53].

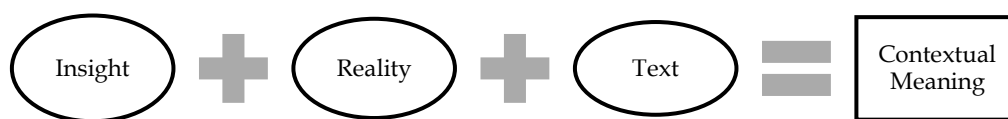
Amin Abdullah's view reflects the need for interpretation in accordance with the reality of the times, given the changing social, economic and environmental contexts. In this modern era, interpreters need to review the

meanings that may be outdated and no longer relevant to the current situation. Thus, reinterpretation becomes a demand to maintain the authenticity and relevance of religious teachings in the face of dynamic changes [54].

The characteristics of classical interpretation are different from contemporary interpretation. Classical interpretation only involves elements of text and reality, not involving the consciousness of the reader. While contemporary interpretation involves elements of text, reality and awareness or insight [55]. All three cannot stand alone, there must be intervention between one another. In Hasan Hanafi's language, the three elements consist of text, reality and worldview. Khaled Aboe El-Fadl termed it as text, author, and reader [56].

First, the text. It is considered a real and autonomous entity. However, it is silent and speechless without the intervention of the reader. A reader has a crucial role in explaining, interpreting and intervening in the text so that it can shape the mindset, views and opinions and guide the behaviour of its readers. Second, reality. It includes various aspects of cultural anthropology, such as material culture and technology, social organization, economic systems, politics, language, customs, art, ideology, religion, health and medicine. Global changes in the last 150 years, including globalization, migration, scientific and technological revolutions, and climate change, have influenced the way people view the world and shaped an evolving reality. Third, awareness. He explains that awareness, insight, or ways of thinking must always be updated to keep up with the times and science, playing a key role in determining the style of interpretation. Detailing that change in governance, interfaith interactions, gender equality, and an understanding of human dignity all require an evolving consciousness.

Picture. 2
Three Elements of Contemporary Interpretation



Source: Muhammadiyah.or.id

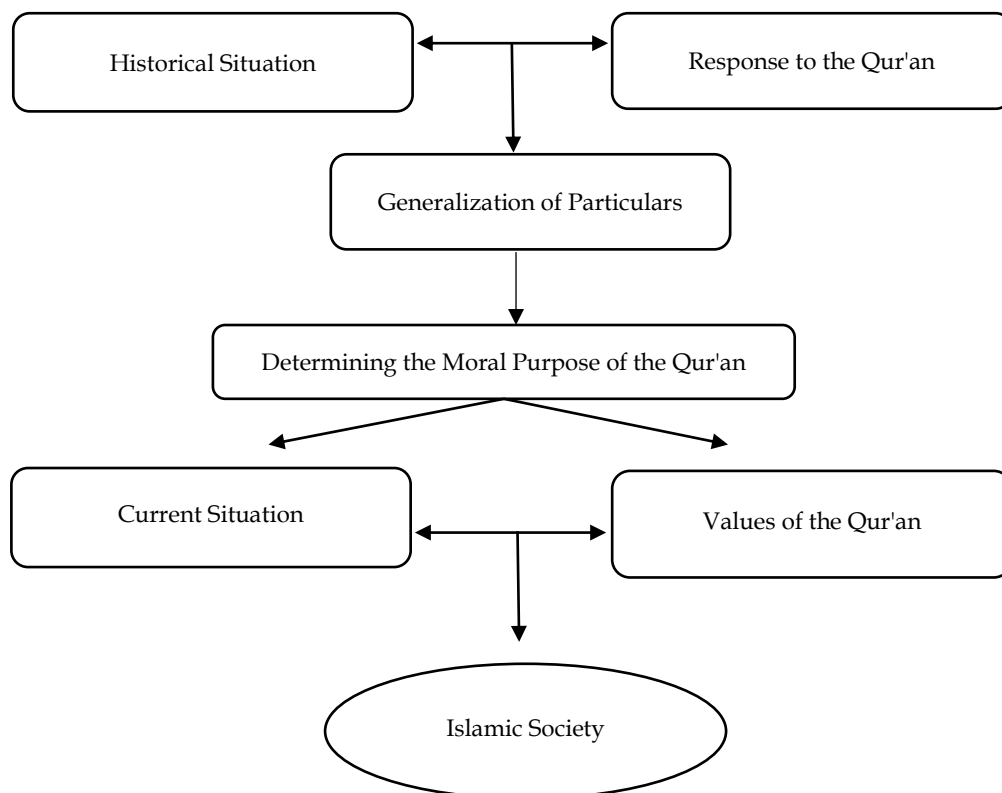
With these three important elements, the interpretation of the Qur'ānic text is expected to continue. The continuity of Qur'ānic interpretation is a necessity, given the complex dynamics between autonomous texts, evolving realities, and ever-renewing insights. The Qur'ānic text has a real existence, but

to provide meaning and guidance that is relevant to the times, it requires the intervention of readers or interpreters. By engaging with changing realities - such as changes in governance, interfaith interactions, and advances in science - Qur'anic interpretation is expected to provide direction that is appropriate to the context of the times.

3. Fazlur Rahman; Double Movement Hermeneutical Theory

The next figure who became the main pioneer of hermeneutics in Islamic studies was Fazlur Rahman. He had the idea of making the Qur'ān universal and more flexible. According to him, the Qur'ān should not only be understood atomistically or commercially but must be understood as a whole unit so as to produce clear intentions and objectives. To achieve this idea, Rahman formulated a logical, critical, and comprehensive method, namely double movement hermeneutics. Fazlur Rahman's hermeneutic emphasis starts from the situation of the Qur'ān in the present to the time when the Qur'ān was revealed and then brought back to the present [57]. In summary, Rahman's interpretation model can be described in the following table:

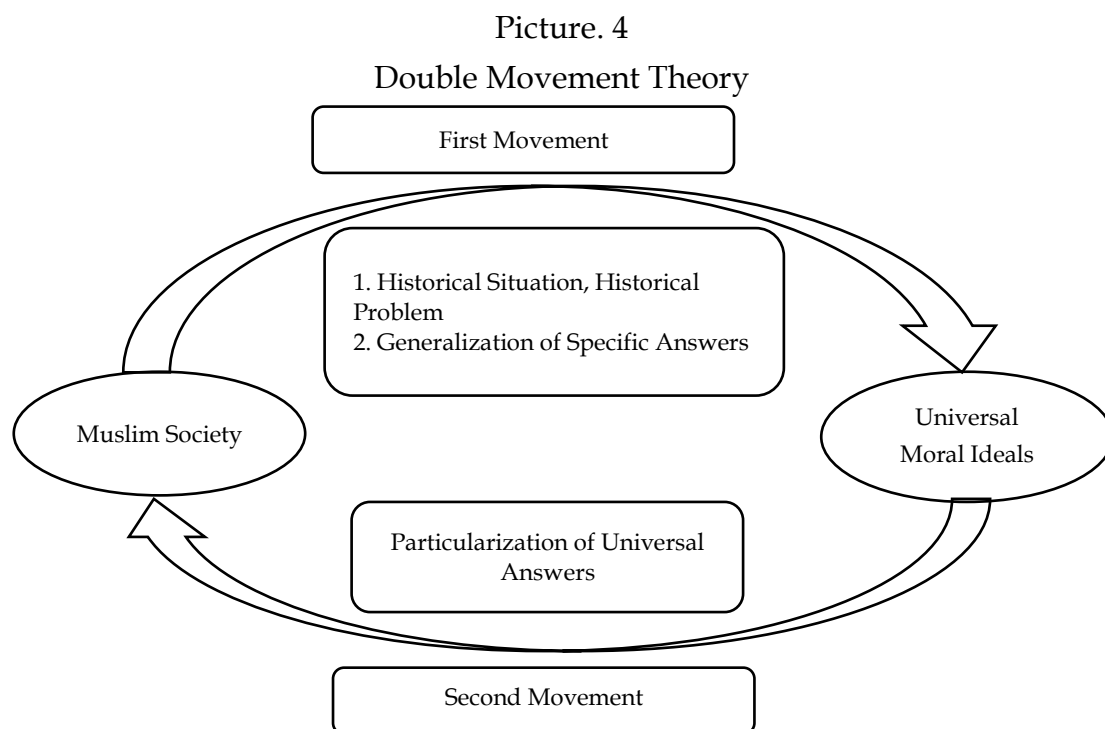
Picture. 3
Fazlur Rahman's Interpretation Model



Source: Researcher's formulation from book "Islam and Modernity" by Fazlur Rahman

The essence of the double movement theory in understanding the Qur'ānic and Ḥadīth texts is to interpret by using a double movement way of seeing. The first movement is an understanding of the Qur'ān that is interrelated with each other, as well as understanding it within the limits of specific teachings [58]. In this first movement, the study begins with the specifics of the Qur'ān, then explores and systematizes its general principles, values and long-term goals [59]. In other words, this first stage serves to understand the context in which the Qur'ān was revealed.

In the next stage, the second movement generalizes the specific answers as a statement that has a general moral-social purpose (moral ideal) indicated by the verse and the socio-historical background. In this process, what needs to be considered is the nature of the Qur'ān, which forms a unity so that every meaning understood, every law taken, and every goal formulated will be mutually reinforcing and harmonious with one another, and there will be no contradiction in it [57].



Source: Researcher's formulation from book "Islam and Modernity" by Fazlur Rahman

There are several stages that must be passed in the double movement theory. The first movement is to understand the Qur'ān as a whole. The interpreter must have a broad insight into the central themes of God, God's relationship with man and nature, God's role in the history of human life, and also about God's purpose in creating man [60]. The study of these central themes

will lead to an understanding of morals and laws, which will then be systematically organized based on the general principles explicitly explained in the Qur'ān. On the other hand, the study of social arrangements must be done to get a full picture of the moral goals and principles that are concretely realized in the form of legal formulations in the Qur'ān [61]. The second movement is to interpret the legal verses contained in the Qur'ān, so as to produce new contextual laws. On the other hand, in this second movement phase it becomes a test of the results of the first movement. Can the results of the understanding obtained from the first movement be actualized or not? Both tasks require the reader to perform *ijtihad*, which is an attempt to understand the meaning of a text regarding rules to be contextualized in the present, either by limiting, expanding, or modifying it [57].

According to Ebrahim Moosa, the editor of Fazlur Rahman's writings, the main purpose of creating this theory is to find out how the norms and values of revelation can continue to be relevant to religious communities without contradicting the times. So, according to Rahman, the relationship between God's revelation and history has always been his concern, as reflected in his theory. Moosa concluded that the first step of this theory is to study the macro and micro contexts in the meaning of the Qur'ān as first revealed. The aim is to establish the original meaning of the Qur'ān in the socio-moral context of the society at the time of the Prophet and the wider picture of the world at that time. The second step of the theory is to apply these general values and principles to the current context.

4. Abdullah Saeed; Hierarchy of Values in Ethico-legal Verses

Basically, Abdullah Saeed follows Fazlur Rahman's steps as his predecessor in interpreting the Qur'ān, but he adds a formula to facilitate interpretation in the contemporary era, namely the concept of a hierarchy of values. The concept serves to read ethical-legal verses in the Qur'ān, whether they can be contextualized or include verses that cannot forever keep up with the times. Upon in-depth observation, this concept is inspired by the thoughts of Fazlur Rahman, although it is not essentially listed in his work. However, Rahman often mentions these values as a general principle that must be present when interpreting the Qur'ān. For example, Rahman often expresses the values of justice that must be prioritized in the issue of polygamy. However, he does not specifically formulate and develop this hierarchy of values [62].

Departing from the gap above, Abdullah Saeed was encouraged to develop a more specific level of value and compile it into a fixed formulation called the hierarchy of values [31]. There are five value hierarchies built by Saeed as a tool to interpret the Qur'ān contextually, including; first, obligatory values,

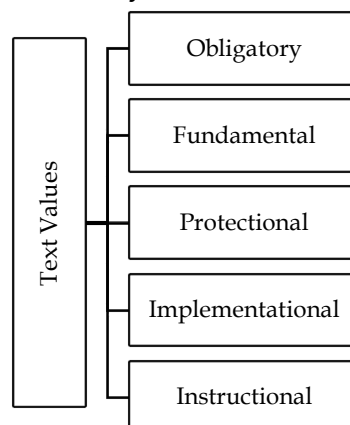
namely verses that indicate personal obligations whenever and wherever a person is, so that in essence these values are universal [62]. Thus, these basic values are highly emphasized in the Qur'ān and do not depend on a particular culture, either the culture of Mecca or Medina where the verse was revealed, such as values related to belief systems, values related to worship practices, and something that is clearly halal and haram. Accordingly, Muslims as a whole recognize this group of values as a very important part of Islam.

Second, fundamental values, i.e. verses that contain human values, such as justice, humanity, protecting people's property rights, etc., so that they must be applied universally. Among ushūl scholars, these values are called *maqāsid al-syariah* (the main objectives of sharia). Although the universal values or objectives of the sharia were limited to five by the classical scholars, the number is still possible to be developed by current demands; for example, the concept of 'protecting religion' can now be expanded to 'freedom of religion' as Ibn Ashur argued or Rashid Ridha who included reform and women's rights in his maqāsid theory, or like Yusuf al-Qardawi who added self-respect and human rights [63].

Third, protectional values, namely verses that contain legal provisions in order to maintain the above fundamental values, such as the prohibition of doing wrong, the prohibition of stealing, the prohibition of reducing scales, the prohibition of usury, and others, so that this value is universal as well.

Fourth, implementational values, namely concrete actions and steps that must be taken in order to maintain fundamental and protective values. This value is found in verses that contain the application of punishment. For example, the prohibition of stealing must be enforced in society through certain actions to punish those who violate it.

Picture. 5
Hierarchy of Values in the Qur'ān



Source: Book "Interpreting the Qur'an" by Abdullah Saeed

Fifth, instructional values are actions taken by the Qur'ān when dealing with a specific problem at the time of revelation. This value exists in verses that contain commands and prohibitions in order to overcome certain problems at the time of the Prophet Muhammad. Saeed admits that this instructional value is the most difficult to understand because the number of presentations in the Qur'ān is very large and the forms are also very diverse. The verses that contain this instructional value use a variety of word choices, such as *amr* (command), *nahy* (prohibition), related to good deeds, *maṣāl* (parable), stories or special events.

In this fifth area, interpreters have difficulty relating the Qur'ānic message to modern life. Due to the ambiguity in this value, Saeed then formulated a way to explore and find out whether the value contained in verses such as the above is universal or limited to the time of the Prophet saw [64]. The criteria used by Saeed in this case, namely; (1) Frequency, in the sense of how often the message is conveyed by the Qur'ān. (2) The emphasis of the message when the Prophet's mission took place. (3) Its relevance to the culture, time, place, and conditions of the Prophet and the early Muslim community [65].

According to the author, the concept of value hierarchy is very important to be known by contemporary Qur'ānic studies activists because this value concept offers a new perspective on how to respond to ethical-legal verses in the Qur'ān. In the value hierarchy, the more often a value is mentioned in the Qur'ān and emphasized during the Prophet's time, the more important and significant the value is, and vice versa.

From the explanation above, it can be concluded that the contextual approach offered by the figures has their respective portions and roles in interpreting the Qur'ān. First, the concept of a hierarchy of values promoted by Abdullah Saeed serves to map the text. In other words, the function of this concept is to sort out which Qur'ānic verses can be interpreted contextually and which cannot. Because not all the meanings of verses in the Qur'ān change with the times. According to the author, this concept is very important to be known by contemporary Qur'ānic studies activists because the concept of a hierarchy of values offers a new perspective on how to deal with ethical-legal verses in the Qur'ān.

Second, the concept of double movement offered by Fazlur Rahman plays a role in reading the text and its relation to the history of revelation. In other words, to obtain contextual meaning, it is necessary to examine the history behind the verse being revealed. Then, bring the verse to see the present context and how far is its relevance to the reality of contemporary issues today. Therefore, the existence of history in the revelation of the text becomes an important value in formulating contextual meaning, not only by looking at the

text alone but also by associating it with the problems of the times. To understand this requires the intelligence of a mufasir, how he sees the history of the past and connects it with the current civilization.

Third, the concept of three elements (text, reality, and insight) initiated by M. Amin Abdullah plays a role in reading the text and exploring the reader's mind. The Qur'ānic text is limited, while reality and events continue to develop following the times. Therefore, music in interpreting the Qur'ān must have broad insight and always update his thoughts so that by combining text, reality, and insight, he is able to present contextual meaning as a solution to contemporary problems. If this kind of interpretation is used by the mufasir, then it is worth saying that the Qur'ān is a source of law that is always suitable for its time and place.

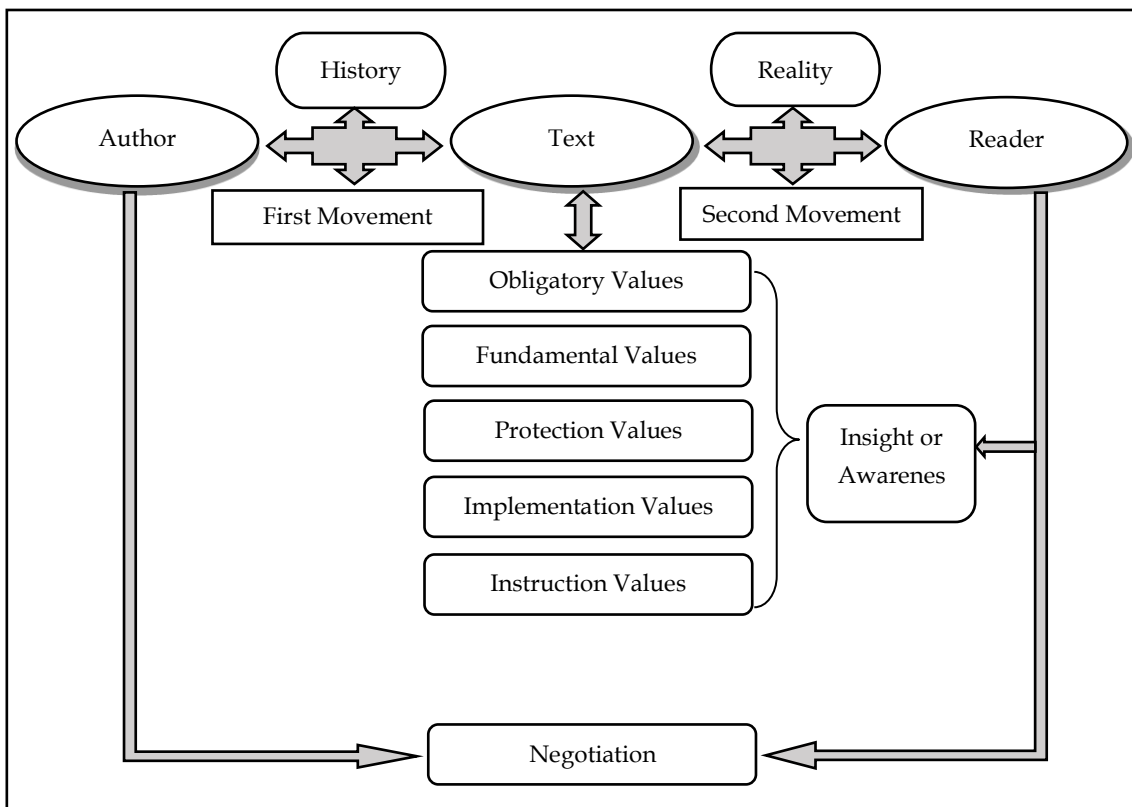
Fourth, the hermeneutic-negotiation concept. This concept combines all elements, namely the author, the text, and the reader. Basically, all the concepts of contemporary interpretation offered by the three previous figures are integrated into this concept by Khaled Aboe El-Fadl. The author conveys his intention through the text with the history that follows, and the reader understands the author's intention by studying the text and its history. To produce contextual meaning, the reader must relate the text to the context and problems that occur today. So, it can be understood that the essence of contextual interpretation requires the role of the reader, as well as the intelligence and breadth of thought of a reader in understanding the author's intention hidden in the text.

From the description above, it can be concluded that the contemporary interpretation theories formulated by the four figures have a relationship. The image below shows that Fazlur Rahman's double movement theory shows the relationship of Khaled Aboe El-Fadl's theory between author, text, and reader. The first movement functions to read the history related to the reasons why the author revealed the text at that time. In contrast, the second movement analyzes the moral ideals in the text by paying attention to the social reality of society. So that the reader can interpret the text according to the current situation and conditions, at this stage, Abdullah Saeed's hierarchy of values theory plays a role in mapping texts that fall into the ethical-legal domain and those that do not include ethical-legal. This is because only ethical-legal verses can be interpreted contemporaneously. In other words, not all of God's texts can be interpreted by the social realities of society and the times. To perfect contemporary interpretation, M. Amin Abdullah adds the theory of insight or awareness, which is the ability that must be possessed by a reader to understand the author's intention to analyze the text and connect it with the reality that occurs. After

going through all these stages, there is a negotiation between the author and the reader to formulate and agree on a meaning that is relevant to today's society.

Picture. 6

The Relevance of Contemporary Interpretations Among Muslim Scholars



Source: Author's formulation of the results of the discussion

Practical Implications of Contemporary Interpretation of the Verse of Cutting Hands (Q.S. al-Māidah: 38)

In this section the thought of contemporary interpretation of the four figures above will be applied to Q.S. al-Māidah: 38 about the law of cutting hands for thieves. The reason for taking this theme is because there is an assumption that some Islamic laws, such as stoning, hand cutting, and flogging are seen as uncivilized laws and violate human rights. However, the author limits this study to the issue of hand-cutting as follows.

وَالسَّارِقُ وَالسَّارِقَةُ فَاقْطَعُوا أَيْدِيَهُمَا جَزَاءً بِمَا كَسَبَا نَكَالًا مِنَ اللَّهِ وَاللَّهُ عَزِيزٌ حَكِيمٌ (38)

[المائدة: 38]

"Men and women who steal cut off the hands of both of them as a recompense for what they have done and as a punishment from Allah. Allah is mighty and wise." [Q.S. al-Māidah: 38]

In Khaled Abou El Fadl's hermeneutic theory, the author and reader need to be considered. Of course, the author of the Qur'ān is God; human interpretation does not guarantee that it is by God's will. However, to understand the author's mindset, we can look at the social conditions in which the text was revealed, namely in the Arabian Peninsula. According to El Fadl, the text is an object that is open to interpretation. The meaning itself depends on each reader, so it must be subjective. El Fadl has set five conditions to limit the subjectivity of the reader or mufasir. The first to third conditions are honesty, sincerity, and thoroughness. However, what needs to be considered at this time is the fourth condition, namely how an interpretation does not hit the limits of prevailing rationality. This analysis is also related to the concept of proportionality, where the interpretation of the text must consider the legal, social, theological, and moral impacts on society.

From the description above, it can be understood that if the hand-cutting law is enforced across the board in Islamic countries, then the notion of Islam as an extreme religion will persist in the minds of some Westerners. For El Fadl, this kind of reading of the text that results in moral and human rights should be avoided. If we look back at the social context, the application of the law of cutting hands as a punishment for thieves in Arabia was rational in that time and place. Cutting hands is nothing compared to warfare, which was common in Arab society several centuries ago. Historically, this punishment was also not implemented by Caliph Umar bin Khattab. Although famine was the reason at the time, this shows that the law was not necessary to be implemented as the only appropriate punishment for thieves. Cutting off the hands of a thief may lead to a decline in his social life, such as difficulty working because of the abnormal condition of his hands. Therefore, in this modern era, there are many ways to replace the punishment of cutting hands with other punishments that are more humane and have a deterrent effect, which, of course, are adjusted to the social conditions of each country.

Fazlur Rahman starts the interpretation of the above verse from the words *faqṭaū aydiyāhumā* (then cut off the hands of both) which is interpreted as a form of command to prevent the hands of thieves through economic improvement. According to Rahman, the case of the practice of cutting hands for thieves has been implemented among the Arab tribes before Islam. Historically and sociologically, stealing, according to their culture, is not only considered an economic crime but also a crime against human values and dignity. For the Arabs, at that time, theft was a criminal offence that could not be forgiven by the

pre-Islamic Arab society because it was against the cultural values contained in their culture.

However, along with the development of human culture, stealing in urban society has experienced a shift in understanding. Theft, in the concept of modernity, is nothing more than an economic crime. Theft today has nothing to do with harassment of human dignity but is purely a criminal offence. This shift in understanding of the definition of theft, therefore, necessitates a change in the form of punishment. For Rahman, the above verse also needs to be applied. The moral ideal, in this case, is to cut off the thief's ability not to steal again. This interpretation is more suitable and in line with the noble values of humanity, rather than applying the verse literally. For most cultures in this world, this form of hand-cutting punishment is considered very sadistic and contrary to humanity. Legally specific, according to Rahman's theory, cutting hands, which was considered a tradition by the pre-Islamic Arab population, is not appropriate to be applied today. So, a more appropriate punishment is a more humane method, such as imprisonment for a relatively long time or a heavy fine.

Through the theory of double movement, the understanding of issues related to law is not seen from the specific reasons that form a religious demand, but the universal message that lies behind the specific reasons. In other words, it is not the specific aspect that is seen but the moral ideal that underlies the original purpose of the verse. In his analysis, Fazlur Rahman uses more socio-historical methods.

In the theory of the hierarchy of values, Abdullah Saeed said that the verse is part of the Ethico-legal verses that have implementational value, namely concrete steps that must be taken to maintain fundamental and protective values. According to Saeed, although the punishment for cutting hands exists in the Qur'ān, it is not universally applicable. This means that the punishment of cutting hands is suitable for the context at that time but not necessarily suitable for the situation of a different time and place like today. So what is emphasized in the Qur'ān is how to make the act of disobedience or crime - in this case, theft - no longer committed by the community. Saeed added that the punishment of cutting hands for thieves had been carried out in the pre-Islamic period. In those days, people who killed were rewarded by being killed, and people who damaged limbs were also rewarded by damaging their limbs. With the revelation of Q.S. al-Mā'idah: 38 in Medina, the sanction of cutting hands became the most effective punishment because it considered the cultural aspects of Medina society at that time.

Historically, when Umar ibn Khaṭṭāb was in power, there was a thief who had committed theft for the third time. 'Umar intended to cut off his left hand to

carry out the punishment of hand cutting. However, 'Ali ibn Abi Talib, who was Umar's advisor and known as a pious man, advised Umar to punish the thief with flogging and imprisonment. This shows that the law of hand-cutting is not fixed and can be replaced with a more humane punishment [66].

In the view of M. Amin Abdullah, to understand the meaning of Q.S. al-Māidah: 38, it is necessary to use a contemporary interpretation that involves elements of text, reality, and consciousness. According to him, the verse will forever have a textual meaning (cut hands) if there is no intervention from the reader to direct the meaning contextually. Therefore, it is necessary to look at the current reality, namely whether it is feasible to apply the punishment of cutting hands in today's modern era. The current situation and conditions are much different from the social circumstances of the community where the verse was first revealed. So, in this case, the awareness and mindset of the reader must be balanced between reading history and looking at the realities that occur. For example, the reconstruction of governance, understanding of human position, and changes in the law in society due to the times.

Amin Abdullah invites the readers to see that the chopping penalty in ancient times was the lightest and most effective sanction compared to other punishments. However, in this day and age, the punishment of cutting off hands has become the most extreme sanction and contrary to human nature, especially in Indonesia. This is due to many changes, both from the regulatory, political, and cultural aspects. So substantively, the universal message of Q.S. al-Māidah: 38 is to provide a deterrent effect to thieves, not to stipulate the punishment of cutting hands. Thus, the most appropriate and effective punishment for thieves in Indonesia is imprisonment or a heavy fine. This sanction does not conflict with the punishment of cutting hands in Q.S. al-Māidah: 38 because in essence, it has the same goal of deterrence. The author assumes that the existing positive law in Indonesia does not conflict with the universal message of the Qur'ān because both call for justice, manners, and unity as the message of Pancasila.

Conclusion

To formulate contemporary meanings that are relevant to the times, it is necessary to combine textual and contextual approaches to understanding the Qur'ān. The textual approach is needed to read the meaning linguistically and the historical aspects of the revelation of the text, while the contextual approach is used to see the social reality. In Q.S. al-Māidah: 38, according to the hermeneutic theory of the four figures mentioned, the punishment of cutting hands can be replaced with imprisonment or a heavy fine. According to them, this alternative sanction does not conflict with the messages of the universality of the Qur'ān. This is because the purpose of the verse is to deter thieves, not to

stipulate the punishment of cutting hands. They consider the punishment of cutting hands in this day and age no longer by the social and cultural realities of society. In addition, the punishment of cutting hands is considered inhumane, violates human rights, and is against humanity.

The contemporary interpretations of the four figures have similarities in seeing the social reality that occurs, and their theories are interconnected with each other. Fazlur Rahman's double movement theory plays a role in seeing the relationship of Khaled Aboe El-Fadl's theory between author, text, and reader. The first movement serves to read the history related to the author's reasons for releasing the text at that time. On the other hand, the second movement analyzes the moral ideals in the text by paying attention to the social reality of society. Abdullah Saeed's hierarchy of values theory plays a role in mapping the text, namely sorting out which Qur'ānic verses can be interpreted (ethical-legal) contextually and which cannot. M. Amin Abdullah's three-element theory (text, reality, insight) serves as a measure of a reader's ability and insight in analyzing the text and connecting it with the reality that occurs. After going through all these stages, the final step is to negotiate the interpretation between the author and the reader to formulate a meaning that is relevant to the life of today's society. In the Indonesian context, this kind of contemporary interpretation is important to be formulated and studied in depth. Therefore, future researchers need to discuss the thoughts of Indonesian mufasirs in determining the law to be more in line with the problems that occur in this country. This research remains theoretical in nature. Future studies may apply the proposed contextual framework to other Qur'anic themes, such as socio-legal or ethical issues, to test its broader applicability.

Author Contributions

Hilmi Ridho: Conceptualization, Writing – review & editing. **Afif Sabil:** Methodology, Investigation. **Mohammad Firmansyah & Febri Hijroh Mukhlis:** Writing – review & editing, Investigation. **Aizat Khairi:** Conceptualization, Methodology

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Conflict of Interest

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