Muhammad Imarah's Thoughts on Fiqh Moderation

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Abstract: Modern scholars know the clash of two conflicting currents of thought, between the extreme right (tafrith) and the extreme left (ifrath) currents. This is very dangerous for Islamic civilization. Therefore, wasathiy (moderate) Islamic scholars, such as Muhammad Imarah (1931-2020) seek to direct Muslims to understand and implement the teachings of wasathiy Islam. This article discusses Muhammad Imarah's thoughts on the fiqh of moderation. This research is literature and qualitative. Data collection is carried out through a literature review and analyzed descriptively. The results of the study concluded that about moderation fiqh, Muhammad Imarah argued that moderate ijtihad needs to be developed for now. Muhammad Imarah stated that the relationship between text and ijtihad is always side by side (al-talazum wa al musahabah daiman wa abadan), there is a text and ijtihad. Ijtihad departs from the text. Ijtihad is to peel the meaning contained in a text to decide the fiqh law of the text. The fiqh verdict is subjective because it takes the form of conjecture (al-dhan).

Keywords: Fiqh, moderation, Islam, Muhammad Imarah.

berdampingan (al-talazum wa al musahabah daiman wa abadan), ada teks dan ijtihad. Ijtihad berangkat dari teks. Ijtihad adalah mengupas makna yang terkandung dalam sebuah teks untuk diputuskan hukum fiqh dari teks tersebut. Putusan fiqh itu bersifat subjektif karena berbentuk dugaan (al-dhan).

**Kata kunci:** Fiqh, moderasi, Islam, Muhammad Imarah.

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**Introduction**

Wasathiyah is an Islamic teaching that directs its people to be just, balanced, benevolent and proportional, or often referred to by the word "moderate" in all dimensions of life.1 Wasathiyah or moderation has now become an Islamic discourse and discourse that is believed to be able to bring Muslims superior and more just and more relevant in interacting with modern civilization in the era of globalization and the industrial revolution, information and communication.2 Wasathiyah Islam is not a new teaching or a new ijtihad that emerged in the 20th or 14th century Hijri. But Islamic wasathiyah or Islamic moderation has existed along with the descent of revelation and the emergence of Islam on earth 14 centuries ago. This can be seen and felt by Muslims who can understand and animate Islam in accordance with the originality of its nash and in accordance with the concept and pattern of life of the Prophet Muhammad (peace be upon him), companions and salaf al-shaleh.3

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3 Khairan Muhammad Arif, "Islamic Moderation (Wasathiyah Islam) Perspectives of the Qur’an, As-Sunnah and the Views of Scholars and Fuqaha," n.d., 23.
This direction of Islamic thought "wasathiyah" became something new and phenomenal in the narrative and thought of global Islam, because it was reinvigorated and reintroduced by an Islamic reformer, namely Muhammad Imarah, a great scholar from Egypt, alumni of Cairo University, Egypt. His works, whether in the form of books, scientific papers, lectures or his actions in the Islamic da’wah movement throughout the world, are entirely based on the concept of moderate Islam or wasathiyah al-Islam, so that world scholars and the international Islamic community accept it well and make it a new concept of thought as a principle of implementation of Islam that rahmatam li al alamin.

The concept of Islamic moderation thought, or wasathiyah al-Islam became interesting and became the dream of all entities, Islamic da’wah movements and even Islamic countries after the Islamic world was troubled by the emergence of two currents of thought and movements in the name of Islam. The first thought and movement, carrying a rigid and hard model of thought and movement, or often referred to as al-Khawarij al-judud (New Kharijite). This group sees that Islam is a religion of nash and constant, and does not accept changes and new things in its teachings especially in creed, worship, law and muamalat, so it is necessary to cleanse the factors of shirk and heresy from the creed, worship, law and muamalat of the ummah. These ideas and ideas have created a negative impression on Islam, even giving birth to a bad stigma against Islam as a religion that is harsh, closed, radical, intolerant and inhumanist.

While the second current of thought and movement that is also in the name of Islam, is Islamic liberation thought and movement, or often referred to as Muktazilah al-judud (new muktazilah), which carries rationalist narratives and thoughts and complete freedom of Islam. This movement sees that Islam is a rational and fluid religion towards all cultures and the development of the times. So Islam must change and follow the times in shari’ah, kaifiyat worship, law, muamalat and even some of its creeds. If the first stream of thought is rigid, violent and not receptive to new things in religion, then the second current of thought or direction of thought argues otherwise. They accept all changes, allowing all new things into Islam, including Western thought, culture and life. This thought dared to ensure that there are nash of the Qur’an and Sunnah that are no longer relevant in the life of modern man⁴.

Modern Islamic scholars, aware of the clash of these two conflicting currents of thought, between extreme right (tafrith) and extreme left (ifrath) currents of thought, are very dangerous for Islamic civilisation and the lives of its people in the competition of world civilisation. Therefore, wasathiyy (moderate) Islamic scholars, such as Muhammad Imarah (1931-2020) began to try to direct Muslims to understand and implement the teachings of wasathiyyah Islam.

Wasathiyyah al-Islam, a pattern of Islamic understanding and praxis whose agenda is to build a more peaceful, and sustainable world civilization, is not a new understanding that emerged in the 20th century AD. Rather it has existed since the descent of revelation and the coming of Islam to the face of the earth. Wasathiyyah al-Islam is the actual teaching of Islam in accordance with the narrative of the Qur’an and examples of the behaviour of prophets, shahabah, tabi’i in, tabi’ al-tabi’in, and ulama salaf al-salih. Muhammad Imarah, through some of his writings and scientific works. Wasathiyyah al-Islam in the hands of Muhammad the Emirate is seen in three things: the position of reason towards the text of revelation, religious manhaj, and the relationship between Islam and the state.

This research is a literature and qualitative research. Data were collected through literature review and analyzed descriptively.

Biography of Muhammad ’Imârah

Muhammad Imarah was a Muslim thinker, book author, muhaqqiq and member of the Society for Islamic Studies in al-Azhar. He was born in the village of Sarwhah in the Qalin area of Kafur Sheikh

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6 Sakban Lubis et al., “The Relevance of Jamal Al-Banna’s Islamic Legal Thoughts with Religious Moderation in Indonesia,” Al-Istibnab: Jurnal Hukum Islam 8, no. 1 (2023): 238, https://doi.org/https://dx.doi.org/10.29240/jhi.v8i1.6649 Received:

Province, Egypt on 27 Rajab in 1350 AH, coinciding with 8 December 1931 AD in a humble family. His family worked as farmers and were devoutly religious.\(^8\)

Muhammad Imârah had memorized the Qur'an when he was young, he had also studied religion since childhood in Kuttâb in his village. In 1364 H/1945 A.D. he studied at ma’had Dasûqî and he received an ibtidâiyyah diploma in 1368 H/1949 A.D.\(^9\) In 1374 AH / 1954 Muhammad Imârah continued his studies at Cairo’s al-Azhar University at the faculty of Dâr al-Ulûm. At that time, he was busy with politics, so he only obtained his bachelor’s license in 1958 AD majoring in Arabic and Islamic Studies. Imârah completed his master’s degree in 1390 H / 1970 AD, at the Faculty of Dâr al-Ulûm with a concentration in Islamic philosophy with the thesis title "al-Mu"tazilah wa Musykilat al-Hurriyyah al-Insâniyyah" (Muktazilah and the Problem of Human Freedom), and he received a doctorate in 1395 H / 1975 AD, with the dissertation title "al-Islâm wa Falsafat al-Hukm" (Islam and the Philosophy of Law).\(^10\)

The scholarship and genius of Muhammad Imarah's thought greatly influenced the Islamic world and generations of Muslims until now. Although he passed away on March 20, 2020, the ideas of Islam will live on to inspire the next generation of Muslims. His numerous works have always been a reference in Islamic studies and contemporary life of the Islamic world.

Muhammad Imârah is a writer who has done a lot of research and writing, even in the ranks of Muslim scholars until now, he is classified as the most written in the field of Islam, and his writings are often published in various mass media and magazines in Arabic, moreover he has written and \(tahqîq\) 180 books. This number does not include writings in magazines and so on. Imârah's books have been translated into various languages, namely Turkish, Malay, Farsi, Urdu, English, Francis, Russian, Spanish, German, Albanian and Bosnian.

### The Concept of Moderation, according to Muhammad Imarah

Etymologically, Islam means \textit{salam} (peace) or \textit{istislah} (submissive) In terminology, Islam is a religion that teaches faith in Allah (tawhid)

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\(^10\) Zamri, "A critical study of Muh Ammad 'Imarah's critique of the hermeneutics of Nasr Hamid Abu Zaid."
and carries out Allah's commandments (sharia).\textsuperscript{11} It is a religion that was handed down to the prophet Muhammad to teach mankind. There is no compulsion for a person to convert to Islam.\textsuperscript{12}

Islam is a moderate religion. Many scholars understand the term moderation by quoting and interpreting from the verse:

\textsuperscript{11}Muhammad Imarah, "Aqbath Muslimun Qabla Muhammad" (Giza: Syirkah al-Nur, 2010), 25–26.

\textsuperscript{12}Imarah, 8.

\textsuperscript{13}Solihin, "Islamic Moderation in the Perspective of Al Sha'rawi (Thematic Analysis of Tafsir Al-Sha'rawi)" (2019), 49.

Moderate Islam or Islamic moderation is one of the many terms that have emerged in the world of Islamic thought especially in the last two decades, it can even be said that Islamic moderation is the issue of the century. This term appears suspected as the antithesis of the emergence of radical understanding in understanding and executing religious teachings or messages. Thus, discussing the discourse of Islamic moderation has never escaped the discussion of Radicalism in Islam. If we refer to the Qur’an as a reference for religious expression both at the level of understanding and application, then it explicitly affirms the existence of moderate people (Ummatan Wasathan) as the mother of Islamic understanding or a moderate Muslim. Thus, the existence of moderate Islam as a term should not be a matter of debate among Muslims, but it seems that this term is not a few of the Islamic groups reject it, for certain reasons, including the reason that the term is a tendentious negative product of the West and therefore should be rejected. Moderate Islam for this group must be rejected because the West has a special meaning about it and the West then has special characteristics for someone to qualify as a moderate Muslim.15

Islamic moderation is a view or attitude that always tries to take a middle position from two opposing and exaggerated attitudes so that one of the two attitudes in question does not dominate in one’s mind and attitude. In other words, a moderate Muslim is a Muslim who gives every value or aspect that is opposite to a certain part no more than a rightful right. Since man – whoever he may be – is unable to extricate himself from the influence and bias of tradition, thought, family, age and place, it is impossible to represent or offer full moderation in the real world. The only one capable of doing that is God.

**Moderation in Ijtihad as an Effort to Enliven the Text**

There are two groups in understanding the relationship between text and ijtihad; First, the group that rejects ijtihad (tajdid), namely al-nushushiyun/al-harfiyun/al-salafiyun. And second, the group that went too far in performing tajdid, because it went to the West, namely al-’almaniyyun. They interpret ijtihad as a pure attempt by human reason to subjugate religion according to the will of the reader or interpreter. Muhammad Imarah’s choice to take a position between the two groups above is the middle position. That is, doing tajdid/ijtihad, but while still leaning on the text. Tajdid (renewal) is important to maintain the teachings of Islam. Ulama as heirs of the

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15 Faiqah and Pransiska, "Islamic radicalism vs. Islamic moderation: Efforts to build a peaceful face of Indonesian Islam."
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prophet played an important role in performing this (renewal (tajdid)).

Muhammad Imarah, in understanding the text of the Qur’anic verse, does not have to interpret it textually but opens the doors of ijtihad by looking at the situation and condition. It was also as the companions of Umar ibn al-Khattab had done ijtihad in the area of certainty (qath’i'). Some examples include;

1. Do not cut off the thief’s hand because conditions are famine. Though the Qur’anic verse clearly states the punishment of chopping off hands for thieves.

2. It did not distribute the spoils during the battle of Khaybar, even though the Hadith of the Prophet stated clearly that 4/5 should be given to the army because the financial condition in Bayt al Mal was running low while the number of poor people was large.

3. It forbade Muslims in his time to marry women of the ahl al-Kitab while the Qur’anic verses clearly permitted. Umar’s reason was that at that time many Muslims had married ahl al-Kitab so that the prestige of Muslims decreased, in addition, it was feared that his descendants would leave Islam.

4. Establishing talaq once is equal to three times because many Muslims play around in the issue of talaq (divorce).

5. Set the number of canings for drunkards from 40 stipulated by the Prophet’s Hadith to 80 in order for the perpetrators to loot.

Nevertheless, all that is not fixed. This means that what Umar stated does not mean that it must be applied throughout the ages, but conditionally, according to the development of times and places.

According to Muhammad Imarah, in performing moderate ijtihad, there must be an understanding of:

1. The relationship between text and ijtihad is always side by side (al-talazum wa al musahabah daiman wa abadan).

2. There is text, there is ijtihad and ijtihad departs from the text.

3. Ijtihad is to explore the meaning contained in a text to decide the fiqh law from the text. The fiqh verdict is subjective because it takes the form of conjecture (al-dhan).

Moderation in the Islamic System of Government

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17 Muhammad Imarah, An Nash Al Islami Baina at Tarikhiyyah Wal Al Ijtihadiyyah Wa Al Jumud (Nahdhoh Misr, 2007).

18 Dr. Muhammad Imarah, 30.
The question of disagreement regarding the human or divine status of the Islamic system of government has occurred since the early days of Islam. Imarah in his dissertation research stated that the problem became one of the objects of dispute between several sects of Islam. The question revolves around whether the imâmah (leadership) belongs to the area of the principal religion (arkân al-dîn) so that a leader is elected directly from heaven and is a representation of God on earth, or whether the imâmah is only a matter of branch (furûiyyah) whose election is left to the people; from voting, appointing, escorting, and even impeaching(?).19 Two sects of Islam appeared to answer the map. The Shia sect views the imâmah as a direct provision from Allah (al-tawsiyyah wa al-ta'yîn). They also allegorize imâmah with nubuwwah, so that the leader for them is like a prophet; Awake from sin, infinitely knowledgeable, having a relationship with the heavens with the intermediary Rûh al-Amîn. With this view, the Shia also considered kafir for those who proposed Abu Bakr(ra) as caliph and revoked the Islamic status of their political opponents. The other sect, the Muktazilah, has a different view. According to them, the state of al-Khilâfah al-Râshidah is only limited to a system of government formed from the agreement of Muslims. So even political opponents cannot be considered out of Islam.20

The existence of a power cannot be separated from a system of power or government that runs it. In simple terms a system can be understood as an orderly arrangement of views, theories, principles and so on.9 In Arabic, system is translated with the word al-nîzâm, which has its roots in naẓama, which means order, rule and assembly.10 In relation to government, some Muslims view the system of government as something religious, divine revelation, determined directly by God, as creed, sharia and morals.11 This view according to the Emirate arises because there is no differentiation between the system (al-nîzâm) and the goal-value (al-maqâsid). According to the Emirate, the government system is a set of instruments to facilitate the achievement of the vision and goals of the system, so that the system is a human creation. While values are divine messages conveyed through Islamic teachings, such as messages of unity, justice, deliberation, and so on.21

19 Muhammad Imarah, Al Islam Wa Al Falsafatu Al Hukm (Kairo: Darul Syuruq, 1989), 585.
20 Muhammad Imarah, Al Islam Wa Al Falsafatu Al Hukm.
21 Naufal, "The Islamic System of Government: A Study of the Political Thought of Muhammad Imarah."
From the view of the differentiation between the system and the values, it can be seen that the Emirate wants to emphasize the territorial differences between the two things. The former is at the level of human gifts, while the latter is at the level of divine messages. Systems are dynamic, always evolving throughout human history, so that Muslims are also allowed to synergize and learn from systems that already exist in other civilizations and benefit from them. While value-purpose is a message from heaven that is divine that must be realized in human life through the system. Like the vision-purpose described in the Qur'an 3:103 in the form of a commandment of unity and a prohibition of division. These Islamic visions are divine messages that can be realized using the human ijtihad system. Likewise with musyawarah (al-shûrâ), which is the divine vision-purpose of Islam but the form of implementation of deliberation goes back to human creativity. Therefore, the Islamic value of a system arises not because the system is considered religious, static, and sacred. However, the Islamic value of a system is seen from the extent to which it realizes the vision-goals of Islamic teachings (al-maqâsid al-Isâmiyyah).22

**Analysis of Muhammad Imarah's Thoughts on the Fiqh of Moderation**

Islam is a religion of moderation or wasathiyyah. Wasathiyyah is derived from the Arabic term wasath which means just, middle, moderate or equilibrium between two opposite things and to be fair or just.23

Looking at the many works of Muhammad Imarah which has always been a reference in Islamic studies and contemporary life of the Islamic world. According to the author, this is real and explicit evidence that he is worthy as an Islamic reformer or commonly called Islamic mujaddid.

It should be emphasized that Muhammad the Emirate conceptualized that the renewal of Islam is actually the renewal of Islamic thought. Where the thought moved with enthusiasm in an effort to continue to open the door of ijtihad to worldly matters. In addition, Muhammad the Emirate meant that the renewal of Islam carried out something that changed (muthagayyirât) by taking into

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22 Naufal.
account aspects of stagnant values (*at-tsawâbit*), and the spirit of civilization and its continuity. Not only that, he also mentioned that the renewal of Islam can be said to be an Islamic renaissance.

The relevance of the idea of the renewal of Islamic thought in the style of Muhammad Imarah is very important in facing the realities of modern life today. Where Islam is not only understood by ritual worship alone. But far beyond that, Islam itself must be made as a paradigm or worldview that motorizes the activities of Muslims. To realize this, the idea of renewal of Islamic thought in the style of Muhammad Imarah is worthy as a solution.

Indeed, the religion was born in the backward Arab-pagan era. But his teachings continue to be relevant in every era of human life. Historical evidence shows the glory of Islamic civilization since centuries. In the context of the counterpoiser era it is the sweet ink of Muslim history. To revitalize the civilization, it is once again necessary to renew Islamic thought. This is because the religion of Islam has never come to mankind through the intermediary of the Holy Prophets but as a mercy for the world of Nature. Allah (swt) said: "And we did not send you, but to (be) a mercy for the hosts" (Q.S Al-Anbiyâ: 107).

**Conclusion**

Muhammad Imarah was a moderate figure, some of his thoughts always put on a "middle position" by doing tajdid (ijtihad) but still leaning on the text. This is in contrast to two extreme groups; First, the group that rejects ijtihad (tajdid), namely *al-nushushiyun/al-harfiyun/al-salafiyun*. Second, the group that went too far in performing tajdid, because it went to the West, namely *al-'almaniyun* who interpreted ijtihad as a pure attempt by human reason to subdue religion according to the will of the reader or interpreter. According to Muhammad Imarah; 1) The relationship between text and ijtihad is always side by side (*al-talazum wa al musahabah daiman wa abadan*). 2) There is a text, there is ijtihad and ijtihad departs from the text. 3) Ijtihad is to peel the meaning contained in a text to decide the fiqh law from the text. The fiqh verdict is subjective because it takes the form of conjecture (*al-dhan*).

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