

Deradicalizing Islam in Indonesia Through the Perspective of Al-Ghazali's *Maqasid al-Syari'ah* (Purposes of Islamic law)

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ABSTRACT

This article studies and analyses programs of deradicalization of Islamic understanding in Indonesia through the concept of Al-Ghazali's *maqasid al-syari'ah* (purposes of Islamic law). This concept is chosen because of its considered comprehensiveness in nature. The Al-Ghazali's concept of *maqasid al-syari'ah* (purposes of Islamic law) is focused to guard properties of a man, which are the following: religion, soul, intelligence, generation, and wealth. This concept is relevant to analyze deradicalization programs of Islamic understanding in Indonesia. This study is a library research, which uses a content analysis method. The analysis tries to do a mapping of the concept of *maqasid al-syari'ah*, and analyze elements of *maslahah* (common good) found in the deradicalization program of Islamic understanding, and its relevance to the Ghazalian concept of *maqasid al-syari'ah*. This study argues that deradicalization of Islamic understanding is not incompatible with the Islamic law and values. This study also recommends that effort of deradicalizing Islamic understanding needs to be performed in Indonesia, in order to ward off radicalism and contraterorism. As such is an effort to create order, safety, pleasure, and persistence of life and human's civilization, as well as a guidance and demand of Islamic teaching. Finally, this study concludes that Al-Ghazali's concept of *maqasid al-syari'ah* is very contextual to cope the deradicalization problem of Islamic understanding in Indonesia, especially seen from the legal perspective.

Keywords: *Deradicalization, Islamic understanding, maqasid al-syari'ah, Al-Ghazali*

1. INTRODUCTION

The radicalism and terrorism are not a new phenomenon, yet they now offer serious threats [1]. Not only because they continue to exist, but also because they carry out improvisation to execute their terrors.

Many stakeholders have long performed strategic measures to handle issues of radicalism and terrorism. Except by using militaristic approach, these measures are done through practices of arresting and prevention, such as a deradicalization program of religious understanding. As such is taken because of the fact that, according to a research, one of the many factors of terrorism is the religious understanding [2] [3]. Islam has always become the target of accusation for a terrorist action, evidenced by the widespread term of Islamic terrorism [4] [5].

The government Indonesia also utilizes the deradicalization strategy to cope with radicalism and terrorism. All the more, Indonesia is one of the states which experienced a series of bombing attacks in various vital locations. The newest act of terror is the suicide bombing of a preacher at the police headquarter of north Sumatera in November, 13th 2019 [6].

Yet, some criticized that the deradicalization program of religious understanding will only cause the rise of fear among Muslims to do religious teaching according to their faith and knowledge [7]. As such is delivered by, for an example, the chairman of the Indonesian council of ulama (MUI), Din Syamsudin.

So, how is the right way to deradicalization program of Islamic understanding according to the perspective of Islamic law? Is it in contradiction or in agreement with Islamic teaching and law? This text studies and analyzes deradicalization program of Islamic understanding through the perspective of Al-Ghazali's concept of *maqasid al-syari'ah*. *Maqasid al-syari'ah* is an important instrument in the study of Islamic law [8], as it is a measurement by which we could know whether a law case or incident can be applied or not based on the law regulation. Because there is always a change in society, so a law cannot be implemented blindly [9]. Al-Ghazali, as one of the greatest Muslim scholars in *ushul fiqh* (basic principles of Islamic law), has given special interest toward *maqasid al-syari'ah* or sometime called by the term *maslahah*.

Maqasid al-Syari'ah of the Ghazalian concept is elected because of its appraised comprehensiveness. Al-Ghazali's concept of *Maqasid al-Syari'ah* includes the protection of five main properties of a man, which are religion, soul,

intelligence, generation, and wealth. This concept is strongly relevant to an analyses of a deradicalization program of religious understanding in Indonesia. Al-Ghazali, in the author's note, has used Maslahah as a theorem in determining the significance of an Islamic law, and has made it as positive indication to his judgment of a legal decision. Al-Ghazali is a flexible moderate figure (tawasut). In using the principle of maqasid al-syari'ah, Al-Ghazali is not rigid as those who refused to use it; he is not over possessed with using it as the followers of Maliki, and he is not wild when using it as at-Tufi [8].

It is from Al-Ghazali's moderate attitude, his compromising behaviour, of his fiqh of middle ground, that we can expect to be able to connect a variety of different interpretations or legal decision in the midst of contemporary Islamic society. More than it, the authors comprehend that the middle way is about proportionality. So, the legal decision based on the concept of maslahah, one that is based on its proportion, is also a part of a fiqh of the middle ground [10].

This study is of a library research mainly focusing on Al-Ghazali's work, al-Mustasfa min Ilmil Usul and other relevant literatures. The data collected are analyzed through a content analysis method, that is by making some inferences and data contextualizing processes. The analysis covers a mapping of Maqasid al-Syari'ah, elements of Maslahah in the deradicalization program of Islamic understanding, and the relevance of that program with Al-Ghazali's maqasid al-syari'ah concept.

2. DERADICALIZATION OF ISLAMIC UNDERSTANDING

2.1. The Concept of Deradicalization of Islamic Understanding

Deradicalization of religious understanding becomes a serious interest for many people. Countries in the world also extend solemn attention toward deradicalization programs of religion. Among countries that have realized it are Saudi Arabia, Yemen, Singapore, Iraq, Sri Lanka, and Indonesia [11].

Angel Rabasa clarifies that generally deradicalization is defined as an adoption process of extremist credo system, including the readiness to use endorsement or to facilitate violence as method to influence social change. The deradicalization is a process to leave the world view of the extremists [12].

Deradicalization of Islamic understanding is a process implemented on mission to neutralize ideology, radicalism, and militant which utilizes extreme manner and even the use of violence for Islamic preaching (dakwah Islamiyah). The deradicalization of understanding is done through an interdisciplinary approach that soft, by interpreting religious texts contextually, and prioritizing the values of humanity, inclusiveness, tolerance, unity, and fraternity among fellow humans [13].

Basically, the operation of deradicalization is same as an operation of radicalization, but it is different in term of contents delivered. Meaningfully, the model and operation of deradicalization also can use model and radicalization operation [13]. Muhammad Abdurrahman explains that deradicalization program is executed by referring to process of isolation to anyone voluntarily, from their extreme views. This "isolation" points to process of displacement to anyone from extreme parties' activity without having to alter their perspective [14].

Deradicalization of Islamic understanding is carried out to ward off radicalism and terrorism which are often acted out on behalf of religion. The use of such religious approach is significant to share to society, a religious understanding that is correct, contextual, and respectful to the values of humanity. A contextual understanding and an indigenisation of humanity values of religion will give birth to religious actions that are far from violence, radicalism, and terrorism [15].

2.2. Deradicalization of Islamic Understanding in Indonesia: Urgency and Its Measure

The second characteristic of a terrorist attack lately is their religious backgrounds [16]. Smelser also asserts that the determinant factor of terrorism, except of political, economy, and culture factor, is ideology [2]. Sentiment of religion can trigger and cause for radicalism and terrorism in the modern era [3]. The reason why a person becomes a terrorist is the same as his or her reason to choose a profession: market condition, social network, education, and individual's priority. By the scientific basis, the deradicalization of religious understanding is necessarily performed to cope with terrorism.

There are at least two types of deradicalization program: explicit and implicit. The explicit deradicalization program is assigned to prisoners of terrorism who embrace a violence ideology. While the implicit deradicalization program tries to avoid ideological confrontation and focuses on prisoner's need and emotion [11].

The deradicalization program of Islamic understanding in Indonesia cannot disregard Islamic education. The religious education has significant influence. A religious education must be made as an instrument to implant the Islamic values respecting difference and tolerance toward other religions or other different religious understandings. The implanting of this values will be effective if it is executed by right solution and material. The school as one of institution giving religious education has strategic position into education to confront radicalism. In this context, Azyumardi Azra clarifies that a radical ideology have to be confronted by contraideology and religious and indonesia perspective. It is needed an optimal of relevant and ideological lesson such as Pancasila, civics teaching, and Islamic religious education. The other things also significantly performed are revitalization for student organization, both intra and extra curricular organizations. Moreover, the student organization in intra school (OSIS)

especially ROHIS (student mosque organization) is very active into the various religious event [2]. 17

Islamic university in Indonesia also has a strategic position to reform the relationship between religions, and is even made as a prominent aim of education. This step is performed through a formal learning, concerning democracy, citizenship, and initiative of divergent curriculum. Islamic universities promote civic concepts that emphasize diversity and inclusive society. The rich discourse about compatibility of Islam and democratic pluralism is a principle agenda in Islamic universities in Indonesia [3]. 18

It also needs a participation from the Islamic boarding schools (pesantren) and moderate religious organizations to fight against radicalism. The involvement of such an organization as Nahdlatul Ulama (NU) and Muhammadiyah will give effective effort to the prevention of radicalism through education [11]. 19

2.3. Comprehending Al-Ghazali's Concept of Maqashid al-Syari'ah

Al-Ghazali asserts that maqashid al-syari'ah (maslahah) is to protect the purposes of Islamic law (maqasid al-syari'ah). It is a source of the totality of Islamic law which in the practical level can be made as a paradigm for the determination of Islamic law. Therefore, perhaps there is a rule of Islamic law, both in al-Qur'an and Hadits, which is incompatible substantively with maqasid al-syari'ah, so that that law must be reformulated according to logical thinking of maqasid al-syari'ah. [23, p. 13][24, p. 8]

Abu al-Ma'ali al-Juwaini (w. 478 H) explained that the notion of maqasid al-syari'ah is a new concept that has a certain legal justification that goes beyond the different opinions in the schools of Islamic jurisprudence (fiqh) and even within the discipline of Ushul Fiqih (the principle of Islamic jurisprudence) itself, whose characteristics of truth is hypothetical (zhanni) [17] The concept of maslahah by al-Juwaini is apparently inherited to his pupil, al-Ghazali. There are two stages of expansion of al-Ghazali's thought concerning this discourse. According to asy-Syatibi, al-Ghazali in his book *Syifa 'al-Galil*, accepted the concept of maslahah for matters of daruriyah and hajiyah. However, his last opinion, as reflected in his book *al-Mustasfa min 'Ilm al-Ushul*, written a year before his death, argues that the concept of maslahah can be extended to matters that are daruriyah, qat'iyyah, and kulliyah [18].

Maslahah observed from aspect of corrected or not by theorems of Islamic law (syara') is divided into three types: maslahah corrected by syara', maslahah canceled by syara', and maslahah which is not corrected by syara' (there is not special theorem correcting or canceling it) [18].

Al-Ghazali notes that maslahah as maqashid al-syari'ah is divided into three types. He asserts that maslahah is referred to as aims of syara' or Islamic Law. According to his opinion, if referring to maslahat al-daruriyyat, there are five types of maslahah of maqasid al-syari'ah such as

maintaining religion, soul, mind, generation (generation or respectability), and wealth. All that contains the spirit to protect these principles is called maslahah, while all that has the spirit to break these principles is called mafsadah [18].

Based on that description, the concept of maslahah, which is Al-Ghazali's maqasid al-syari'ah, includes five principles: the first is to guard the religion. Related to this point, Allah gives a legal pronouncement to holy war and obliges all Muslims to have education, as a way to build and to carry out Islamic civilization. The second is to keep the soul. Related to this point, it is able to be studied a verse and hadits which extend obligation to Muslim to protect a human's soul and prohibit to kill and even to hurt other people. Moreover, if it is deeply comprehended, a command to work is an effort to protect human's life.

The third is to protect the mind. Related to this point, the human is forbidden to do and to consume whatever can damage the mind and its function, both in al-Qur'an and al-Sunnah. The demand to seek knowledge also is an effort to guard mind and development human's thought and civilization. Moreover according to Jasser Auda, the scientific researchers also are the part of work to maintain intelligence on the context of contemporary maqasid [19], [20] The fourth is to maintain and to protect the generation. Related to this point, Islam as a religion in accordance with nature has prescribed to marry. Although a principle aim of marriage is not make generation, however through marriage, it becomes means to human's survival from generation to generation. Other than it, a marriage also is as effort to keep honor and generation then Islam forbids adultery. The fifth is to protect the wealth. Related to this point, Islam very suggests hard work and forbid to take other people's wealth without a legal transaction. According to Auda, the kind of guarding the wealth is promoting economic development, and encouraging prosperity to society [19].

The concept of maqasid al-syari'ah in a Ghazalian perspective is a combination of wahyu (God's revelation) and mind. It is written into book *al-Mustasfa min 'Ilmil Ushul*. Generally, through that book, Al-Ghazali tries to integrate the mind and the wahyu in the his legal theory of Islamic law. This effort is performed by him through the following. The first is by making closer and even integrating between two systems is Islamic knowledge bayani which refers to texts especially wahyu and burhani which based by human's independent reason [21]. The second is through maqasid al-syari'ah.

Al-Ghazali also studies about mantik (logic) and its connection to Islamic law, fiqh, and ushul fiqh. Al-Ghazali is the one who is responsible to integrate mantik with ushul fiqh. Basically, Al-Ghazali realizes that mantik is not related to ushul fiqh, but he deems that it is important to be known. Even he asserts that understanding mantik comprehensively is very significant such that whoever does not comprehend it, so his knowledge cannot be trusted [18]. By the result that, it is proper if Al-Ghazali utilizes Aristoteles's mantik as one legal requisite of ijtihad [22].

2.4. Deradicalization in Al-Ghazali's Perspective of Maqasid al-Syari'ah

The religion-based radicalism directing to terror act has caused significant damage. Even the act of radicalism and terrorism often caused dead victims. Additionally, terror motion which acts on behalf of religion indirectly has crossed out and made a bad image for religion especially Islam [23]. So, the deradicalization program is necessarily implemented to ward off terrorism.

The study for deradicalization observed through the concept of Al-Ghazali's maqasid al-syari'ah done by this article is explained into these points. They are as follows:

- The deradicalization of Islamic understanding as an effort to protecting the religion (hifzhud din): The radicalization, when it is apprehended holistically in the context of coping to acts of terrorism done in the name of Islam, can be categorized as effort to maintain religion. Because the act of radicalism harms Islam. Islam turns to be branded as a terror religion, and a religion that supports violence because of its few believers doing violent acts on behalf of *Jihad* and defending Islam. A terror act and radicalism in Indonesia has harmed Islam and Muslim in Indonesia recognized moderate, and respects to plurality [24]. So, an effort to dispel this problem is a linier measure by a means to protect Islam. The preventing for Islam from foul image is preventing Islam from stern accusation of religion, inhumanity, and incompatible with human right. Acts of terror in Indonesia causing damage of social domain and physical which often is born from transnational movement as Islamic State Iraq and Syria (ISIS) become serious challenge must be settled. Not only it has the impact to the performer and Muslim in Indonesia, but also it has the impact to the Muslims generally. Thus, have stigma about radical Islamic movement, extreme Islam, fundamentalism, militant, extremist, right Islam, and terrorism [23]. This fact demands a effort from all elements, not only it is the government, but also it is the society, particularly the Muslims who are so harmed because of acts of terror in the behalf of Islam and Islamic doctrine. Islamic educational institution and Islamic society organization have to have a role actively to ward off that radicalism and terrorism to protect pride of Islam and to ensure the society to live peacefully and comfortably, and to do daily activity normally without frightened by the acts of violence.
- The deradicalization of Islamic understanding as an effort to protecting the soul (hifzhun nafs): As

explained previously, The radicalism and act of terror often effect victim. The terrorism causes victim universally saved, both by the state and by religion. More tragic, usually the victim of terrorism is innocent people. The various blasts of suicide bomb in the many places causing the many victims (innocent people). Although, it is motivated by teaching of religion (holy), a death of those doers hurt human values [24]. Based those explanations, the deradicalization as a means to tackling terrorism by using religious motives is a part of effort to keep human's soul. When act of terror can be prevented by efforts as persuasive and preventive, so these means basically are to maintain human's survival. Because of human's right to life is basic right which must be protected. Keeping and protecting human right are aim of *syariat* [19].

- The deradicalization of Islamic understanding as an effort of protecting the mind (hifzul 'aql): The deradicalization of Islamic understanding is an effort to return the order in society, a way of thinking, and a model to comprehend Islam, from a paradigm of violence to a paradigm of peace. The deradicalization is a means to eradicate radical Islam using a violence to solve a social and religion problem. In other words, the deradicalization is an enemy of a radicalization process. The deradicalization is interpreted as a process to make person's act to be radical. It is a concept covered by many backgrounds [25]. The radicalization is adoption process of faith from extremis group including wish to use, to support, and to facilitate a violent act as manner to carry out a social change [26]. The radicalization process is characterized by the existence of spreading of radical thinking to society, all at once recruiting cadre by radical or terrorist group [27]. So, actually the radicalization ruins person's thoughts from normal to be hateful toward other parties who have different thought. Other than that, the radicalism ending to acts of terror has significant impact in society's psychology. A terror will cause fear, paranoid, and safety and threat for the soul. It results to an anxiety, inconvenience in the life for society, and distrust for society to security in surrounding environment. Concerning to the impact of terror toward psychology reads [28]. Moreover, by the existence of online media, dissemination of news about the act of terror will spread easily, and along with it too spreads afraid to society [24]. Based on the descriptions above, so the effort to perform deradicalization of Islamic understanding is the form to guard one's mind

that is exposed by radical understanding and movement. To restore human's thought and attitude which by character does not hate to others. To return way of thinking which according to Islam must always think positively, and does not hurt and attacks others who do not agree. These means are part to protect mind (*Hifzul 'Aql*).

- The deradicalization of Islamic understanding as an effort of protecting the wealth (*hifzhul mal*): The act of terror has an impact to material detriment. Terror evidently has effected to an economic and business activity significantly [29]. Accordance with material, not only the impact of terror is micro, but also macro [30]. The presence of terror as bomb can fade investors' interest toward safety and stability of state so that they reluctantly conduct investment [31]. Even the investor who has invested can leave. Whereas it has been knowledge the investment is one of pillar of economic foundation to a regional or state. Moreover, the impact of terrorism has faded economic resource in the tourism sector [32]. Based this case, then the effort to prevent occurrence of a terror through deradicalization of religion understanding is able to be categorized as mean to guard the wealth (*hifzhul mal*). The deradicalization can combat acts of terror that brings damage and have an impact on the many material losses.

3. CONCLUSION

Observing the rampant terrorist acts in Indonesia, it is necessary to take a more serious effort to handle it, especially through a prevention strategy of the deradicalization programs. The deradicalization program of Islamic understanding as a means to combat terrorism motivated by religion is needed. The deradicalization of Islamic understanding does not conflict with Islamic law and values. Although it is not an obligatory according to Islamic law, the deradicalization of Islamic understanding needs be immediately carried out in order to avoid any greater danger caused by the acts of terror. This is an effort to create order, security, comfort, survival and civilization in society, which also is in accordance to the guidance and demand of Islamic teaching. Thus, it can be concluded that the concept of *maqasid al-syari'ah* set up by Al-Ghazali is very contextual to overcome the problem of deradicalization of Islamic understanding.

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