

Standing and Position of Islamic Law as Science in the Context of the Philosophy of Science (Study on the Tree of *Rene Descartes* Philosophy and the Loops of Knowledge Scheme of Gerald M. Edelman)

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Abstract

This study aims to find out the standing and position of Islamic law as a science in the context of the philosophy of science. Research conducted with normative method resulted in the finding that in *Rene Descartes*'s philosophical tree scheme, Islamic law, in this case is that the Qur'an and Hadith (As-Sunnah) are "rainwater" that provides the source of life for the philosophical tree. The "rainwater" enters the soil and then "absorbed" by the roots of metaphysics to then grow the stems of physics that branch into various sciences and fruits that are useful for human life as the purpose of Islamic law itself. Meanwhile, in the loops of knowledge scheme of Gerald M. Edelman, Islamic law as a science is included in the study of culture in sub-actions and societies because in principle Islamic law is sourced from the Qur'an and Hadith (As-Sunnah) is a way of life for human beings to act and behave and establish relationships with fellow human beings and society as Allah says in the Qur'an and the Hadith of the Prophet Muhammad.

Keywords: Islamic Law; Philosophy; *Rene Descartes*; Science.

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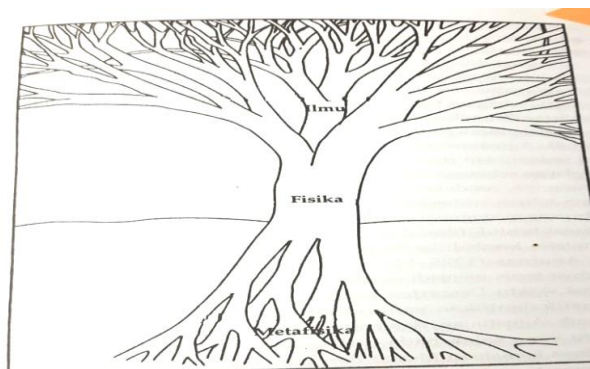
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Introduction

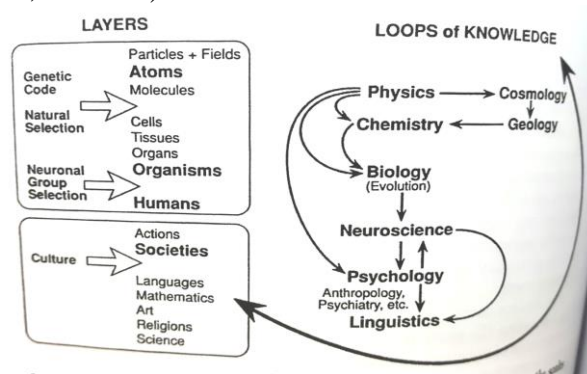
History says that all science comes from physics. Rene Descartes illustrates the position of Physics in the structure of science as a "Tree of Philosophy" as follows (Stephen Palmquis, 2007: 73).



Picture 1. *Rene Descartes*'s Tree of Philosophy

Rene Descartes philosophy tree describes that at the most basic level (roots) in the philosophy of science is metaphysics. In metaphysics, people seeks to find an investigation into the problem of existence. In metaphysics people try to found that existence has a nature, namely general characteristics, so that metaphysics becomes an investigation into the nature of existence.

Gerald M. Edelman in his book entitled "Bright Air, Brilliant Fire: On the Matter of the Mind" describes the position of physics in the structure of science with other sciences as follows: (Gerald M. Edelman, 1992:48).



Picture 2. Loops of knowledge by Gerald M. Edelman

If we carefully examine the picture of loop of knowledge by Gerald M. Edelman as mentioned above, it will be found something worthy of research, namely the position of law as a science. On the basis of this, related to the philosophy of science, the author wants to examine the position and position of Islamic law as a science in the context of the philosophy of science.

Islamic law was chosen as the author's theme because Islamic law is based on two main sources of law, namely the Al-Qur'an and As-Sunnah which the Al- The Qur'an is a revelation that was revealed by Allah SWT to the Prophet Muhammad through the angel Gabriel, in other words Islamic law comes directly from Allah SWT, this is different from other laws which are sourced from human ratio. In addition, if humans with their knowledge (science) are unable to solve a problem that occurs or cannot explain the phenomena that occur, then they will "return" to the teachings of their religion, that is, if Muslims will return to the Qur'an. because in it there are instructions and guidance from Allah SWT.

The legal issues of this research are: First, what is the position of Islamic law as a science in the context of the philosophy of science? Second, what is the position of Islamic law as a science in Gerald M. Edelman's Loops of Knowledge scheme?

Materials and Methods

The form of this research is normative juridical. The approach method used is a statutory approach that is carried out by examining laws and regulations related to legal issues (Marzuki, 2005). The process of searching for library materials, and in the form of secondary legal materials in the form of theories taken from various library article. (Arrizal, 2020). The research method used is a normative research method with primary legal sources, namely the Qur'an and Hadith. The nature of this research is descriptive, the analysis technique is deductive.

Results and Discussion

1. The Position of Islamic Law as a Science in the Context of the Philosophy of Science

The Qur'an is a source of knowledge, not just a source of Islamic law. The first verse of the Qur'an that was revealed shows the basis of science, namely the letter al-'Alaq verses 1-5:

"Read it by (mentioning) the name of your Lord who created. He has created man from a clot of blood. Read, and it is your Lord, the Most Gracious, Who teaches (humans) by means of the word. He teaches man what he doesn't know" (Qs. Al-'Alaq: 1-5).

Furthermore, it is also related to the arguments that physics as a natural science is the source of all knowledge, it is necessary for the author to convey the author's analysis of the relationship between the Qur'an and science. Natural knowledge, not only physics, but astronomy and biology.

If we look closely, in the Qur'an, it will be discovered a lot of science about the universe. In Yunus verse 5 which explains about astronomy or astrology:

"It is He who makes the sun shine and the moon shines and He has appointed manzilah (places) for the course of the month so that you may know the number of years and the calculation (time). Allah did not create it but with such rights. He explains the signs (of His greatness) to those who know."

Likewise with QS. Yasin verse 38-40:

"And the sun goes where it goes. Such is the decree of the Mighty, All-Knowing. And We have set for the month manzilah-manzilah, so that (after he reached the last manzilah) he returned as a form of old bunches. It is not possible for the sun to find the moon and the night cannot precede the day. And each one circulates in its orbit."

Another proof of the Qur'an as the basis of knowledge is the QS. An-Nahl verse 66 regarding animal science:

"And verily in the cattle there is a lesson for you. We give you a drink from on what is in his stomach (in the form of) clean milk between dung and blood that is easy to swallow for those who drink it."

Similarly, in the QS Ar-Ra'd verse 4 which explains the science of plants:

"And in this earth there are parts that are side by side, and vineyards, plants and date palms, branching and unbranching, are watered with the same water. We overestimate some of those plants over others about their taste. Verily, in that there are signs (of Allah's greatness) for a people who think."

As well as knowledge of earth sciences and natural sciences in QS. Qaf verses 7-8:

"And We spread the earth and We put on it solid mountains and We grew on it all kinds of plants that are beautiful to the eye, to be a lesson and a warning to every servant who returns (remembers Allah)."

And the QS Saba' verse 18,

"And We made between them and between the countries on which We bestowed blessings upon them, some neighboring countries and We fixed between them (distances) of travel. Walk you in these cities by night and by day in safety."

During the development of Islam, many Muslim experts became great people because they always held fast to the Qur'an. For example, at the time Islam entered Andalusia (Spanish) among others (Kazuhana El Ratna Mida, <http://bersamadakwah.net/al-quran-as-source-ilmu-knowledge>):

- 1) Abbas Bin Faras as an expert in chemistry and astronomy. He was the first inventor to make glass from stone.
- 2) Ibrahim Bin Yahya Al-Naqqas famous in astronomy. Knowledge that can know the occurrence of solar or lunar eclipses and can also know the length of time the eclipse occurs. Ibrahim Bin Yahya invented modern binoculars that can determine the distance between the solar system and other stars.
- 3) Ahmad Bin Ibas from Cardova is an expert in medicine.
- 4) Umm al-Hasan bint Abu Ja'far and Al-Hafidz are two women as medical experts.

5) Ibnu Batuthah from Tangier, Moroccan geographer, etc

Likewise, the second source of Islamic law, namely Hadith (As-Sunnah) is also a source of knowledge (Yusuf Al-Qardhawy, 1998:101-102). An example is about the benefits of olives. From the Hadith Riwayat At-Tarmidhi, the Prophet Muhammad SAW said:

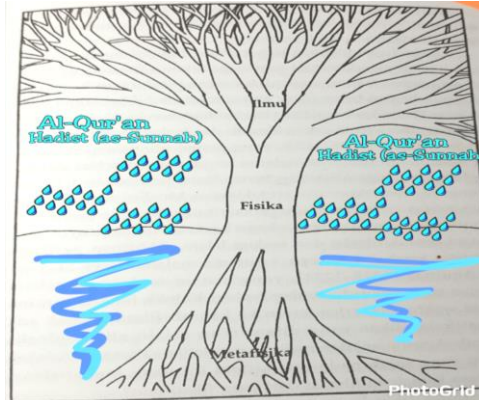
كُلُوا الزَّيْتِ وَأَدْهِنُوا بِهِ فَإِنَّهُ مِنْ شَجَرَةٍ مُبَارَكَةٍ

"Eat olives (as a side dish with bread) and be oily with them, verily it comes from a blessed tree."

In the above hadith, it is explained that olives and their oil have properties and also come from a blessed tree. Olives (as fruit) and olive oil have been mentioned in the Quran seven times. The olive tree has been known since ancient civilizations as one of the most important oil plants. Recent research has shown that olive oil contains very little fatty acids, even the fat it contains is not a filling fat. Therefore, this oil contains very high health value.

Through a series of elaborate studies and experiments it is proven that consuming olive oil on a regular basis contributes effectively to preventing various diseases. Among them, blockage of coronary arteries (coronary heart), increased levels of harmful fats in the blood, high blood pressure, urinary stones, and some cancers (such as stomach, colon, breast, uterine, and skin cancer). Olive oil can also be used to prevent ulcers of the digestive system (ulcer of the stomach) (Zaghlul An-Najar, 2011:232).

Based on the things that the author has described above, and returning to the arguments which state that physics is all sources of knowledge and has also been described by Rene Descartes with the Tree of Philosophy, the author found the position of Islamic law as a science from the Qur'an and Hadith.(As-Sunnah).as follows.



Picture 3. Philosophy Tree - The Position of Islamic Law as a Science in the Context of Philosophy of Science

The image that the author made above is a modification of Rene Descartes' Tree of Philosophy. In the picture composed by the author, a contrario makes the author more convincing, namely if people cannot explain scientifically the events that occur or are experienced, the answer will lead to religious arguments, which in this is Islam, with the main source of law is Al-Qur'an and Hadith (As-Sunnah). In the tree of philosophy-Rene Descartes describes that Physics is the source of knowledge, while metaphysics is an understanding of why a natural phenomenon can occur which is then explained by physics, so Islamic law in this case the Qur'an and Hadith (As-Sunnah) is the rainwater that gives life to the tree of philosophy. The rainwater enters the soil and is then "absorbed" by the roots of metaphysics to then grow the stems of physics that branch into various sciences and fruits that are useful for human life as the purpose of Islamic law itself. Such is the position of Islamic law in the philosophy of science, namely as the source of all knowledge.

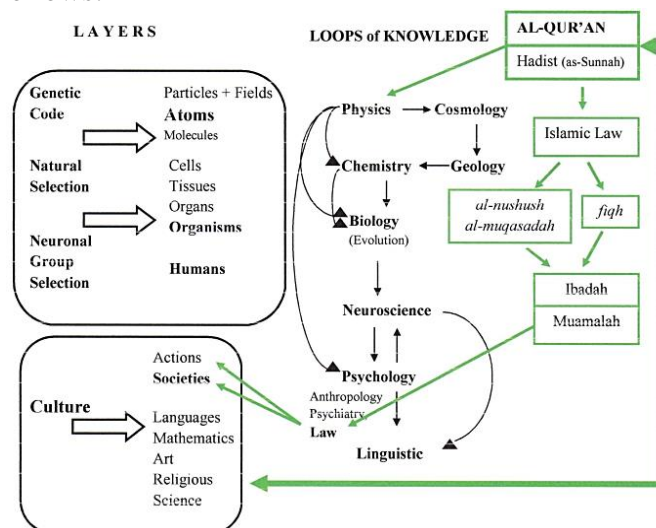
Likewise, it is not true that humans use the term creating because only Allah SWT is the One Who Creates. Humans only find it sourced from the orchestration of concepts that fly in the universe created by Allah SWT and this happens at the metaphysical level.

The basis of the author's thinking is from the Hadith of Prophet Muhammad SAW as narrated by Bukhari and Muslim:

“Indeed, the parable of guidance and knowledge that Allah has sent me with is like the parable of rain that wets the ground on earth. Among these soils there are good types of soil that store water and grow plants and grass in abundance. Among the land there is also (*ajadib*) that can hold water so that Allah give benefits people with that water and then they drink it and water the livestock and water the plants. But the rainwater also hit another land called (*Qi'an*) which could not hold water and nor did we grow grass. The example is like the example of a person who understands the knowledge of Allah's religion and then benefits from something that Allah sent me with, He also learns and teaches it. And also the example of a person who is reluctant to raise his head for knowledge and does not want to accept Allah's guidance where Allah sent me with it.”

2. Position of Islamic Law as Science in the Loops of Knowledge Scheme Gerald M. Edelman

The position of Islamic law in the philosophy of science is the basis for the author to determine the position of Islamic law as a science in Gerald M. Edelman's Loops of Knowledge scheme as follows:



Before the author discusses further about the position or standing of Islamic law as a science in the context of the philosophy of science and the loops of knowledge scheme of Gerald M. Edelman above. The author believes that it is important to find a bridge between natural science and social science. Based on the author's reasoning, the bridge between natural science to social science is neuroscience-psychology. Neuroscience is the development of human biology that originates from medical science, which specifically studies the brain. The brain is an organ that regulates all aspects of the life of living things, humans and animals. All body movements are controlled by the brain. From human consciousness to eating, sleeping, learning, thinking, feeling, to innovative thinking and discovering everything starting from the brain (Yossef Santika, <http://darsani1.blogspot.co.id/2014/03/makalah-psikologi-semoga-bermenfaat.html>).

The task of neural science is to explain human behavior from the point of view of the activities that occur in the brain. Regarding neuroscience, Eric Kandel argues as follows, "The last frontier of the biological sciences—their ultimate challenge—is to understand the biological basis of consciousness and the mental processes by which we perceive, act, learn, and remember." Neuroscience is a field of science that specializes in the scientific study of

the nervous system. Some of the subjects studied include structure, function, evolutionary history, development, genetics, biochemistry, physiology, pharmacology, informatics, computational neuroscience and pathology of the nervous system. It has traditionally been seen as a branch of biology. However, currently many research collaborations have been carried out between fields of science within the framework of neuroscience, such as neuropsychology and cognitive disciplines, computer science, statistics, physics and medicine (Agfianto Eko Putra, <http://agfi.staff.ugm.ac.id/blog/index.php/2008/12/apa-itu-neurosains-neuroscience/>.)

Psychology is literally defined as the science of the soul. As a branch of science, psychology is included in the human sciences, especially the social sciences. The hallmark of the human sciences is to view humans as a whole as the object and subject of science. Another feature lies in the point of view and criteria for truth that are different from the natural sciences. Another feature emerges as a result of these characteristics, namely that between the subject and object of the human sciences there is a process of mutual influence. Psychology as part of the human sciences also has these characteristics (<https://technurlogy.wordpress.com/2010/03/26/cepat-filsafat-ilmu-dalam-psikologi/>.)

Psychology is a broad and ambitious science, complemented by biology and neuroscience at its borders with the natural sciences and complemented by sociology and anthropology at its borders with the social sciences.

Law as a science is in the position of social science in the loops of knowledge scheme of Gerald M. Edelman. In the concept of state of law, the law is idealized as the commander in the dynamics of state's law. (Eviningrum et al, 2019). Legal science as part of social science focuses its object of study on society. Law is seen as a real symptom as a manifestation of the community's need for order and order in the social life of the community. In addition to being seen as a tool to control society (social control), the law also functions as a tool for change and as a tool to achieve substantial justice. Legal science views the law from two aspects namely law as a value system and law as a social rule.

Based on the legal position as the author has described above, the position of Islamic law in the sense of *muamalah* is the provisions that regulate human relations with humans and humans with society, so Islamic law is in the position of social science as well as the position of law as a social science (law as a social science). In particular, Islamic law as a science is included in the study of culture in sub-actions and societies because in principle Islamic law sourced from the Qur'an and Hadith (as-Sunnah) is a way of life for human beings to act and behave and establish relationships with others fellow human beings and society as the word of God in the Qur'an and the Hadith of the Prophet Muhammad as follows.

- 1) The Word of Allah SWT In Surah Al-An'am verse 155:

وَهَذَا كِتَابٌ أَنْزَلْنَاهُ مُبَارَكٌ فَاتَّبِعُوهُ وَاتَّقُوا لَعَلَّكُمْ تُرْحَمُونَ

"And the Qur'an is a book that We have sent down which is blessed, so follow it and be pious so that you may be given mercy."

- 2) The Word of Allah SWT In Surah Al-A'raf verse 3:

اتَّبِعُوا مَا أَنْزَلَ إِلَيْنَا مِنْ رَبِّكُمْ وَلَا تَتَّبِعُوا مِنْ دُونِهِ أَوْلِيَاءَ قَلِيلًا مِمَّا تَذَكَّرُونَ

"Follow what has been revealed to you from your Lord and do not follow other leaders besides Him. Very little you take lessons (from him). "

- 3) The Word of Allah SWT. in the letter Az-Zumar verse 55:

وَاتَّبِعُوا أَحْسَنَ مَا أَنْزَلَ إِلَيْنَا مِنْ رَبِّكُمْ مِنْ قَبْلِ أَنْ يَأْتِيَكُمْ الْعَذَابُ بَغْتَةً وَأَنْتُمْ لَا تَشْعُرُونَ

"And follow the best of what has been revealed to you from your God before the punishment comes to you suddenly, while you are not aware of it."

- 4) The Word of Allah SWT. in the letter An-Nisa 'verse 59:

يَا أَيُّهَا الَّذِينَ ءَامَنُوا أَطِيعُوا اللَّهَ وَأَطِيعُوا الرَّسُولَ وَأُولِي الْأَمْرِ مِنْكُمْ فَإِن تَنَازَعْتُمْ فِي شَيْءٍ فَرُدُّوهُ إِلَى اللَّهِ وَالرَّسُولِ

"Hi you who believe, obey Allah and obey the Messenger (His), and *Uli al-Amri* among you. Then if you disagree about something, then return it to Allah (the Qur'an) and the Messenger (Sunnah)".

- 5) The Word of Allah SWT in the QS An-Nisa' verse 80:

مَنْ يُطِيعِ الرَّسُولَ فَقَدْ أَطَاعَ اللَّهَ وَمَنْ تَوَلَّى فَمَا أَرْسَلْنَاكَ عَلَيْهِمْ حَفِيظًا

"Whoever obeys the Messenger, indeed he has obeyed Allah. And whoever turns away (from obedience), We have not sent you to be their guardian."

- 6) The Word of Allah SWT in the QS Al-Hasyr verse 7:

وَمَا ءَاتَاكُمُ الرَّسُولُ فَخُذُوهُ وَمَا نَهَاكُمُ عَنْهُ فَانْتَهُوا وَاتَّقُوا اللَّهَ إِنَّ اللَّهَ شَدِيدُ الْعِقَابِ

"What the Apostle gives you, accept it. Leave what he forbids; and fear Allah. Verily, Allah is very severe in punishment."

- 7) Hadith Rasulullah SAW narrated by Imam Muslim which reads:

حَدَّثَنِي أَبُو أُمَامَةَ الْبَاهِلِيُّ قَالَ سَمِعْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ

يَقُولُ اقْرَأُوا الْقُرْآنَ فَإِنَّهُ يَأْتِي يَوْمَ الْقِيَامَةِ شَفِيعًا لِأَصْحَابِهِ (رواه مسلم)

Has told me Abu Umamah Al Bahili he said; I heard the Prophet sallallaahu 'alaihi wasallam say: "Read the Qur'an, because it will come to intercede for its readers on the Day of Resurrection."

- 8) Hadith narrated by Ibn Majah which reads:

سَمِعْتُ الْعُرْبَاضَ بْنَ سَارِيَةَ يَقُولُ قَامَ فِينَا رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ

وَسَلَّمَ: عَلَيْكُمْ بِسُنَّتِي وَسُنَّةِ الْخُلَفَاءِ الرَّاشِدِينَ الْمَهْدِيِّينَ عَضُّوا

عَلَيْهَا بِالنَّوَاجِذِ (رواه ابن ماجه)

I heard 'Irbadl Bin Sariyah say; "One day the Prophet sallallaahu 'alaihi wasallam was standing in the midst of us, he said: let you hold fast to my sunnah and the sunnah of the khulafah ar-Rashidun who are guided. Bite the sunnah with your molars."

- 9) Hadith narrated by Imam Malik which reads:

و حَدَّثَنِي عَنْ مَالِكٍ أَنَّهُ بَلَغَهُ أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ

قَالَ تَرَكَتُ فِيكُمْ أَمْرَيْنِ لَنْ تَضِلُّوا مَا تَمَسَّكْتُمْ بِهِمَا كِتَابَ اللَّهِ

وَسُنَّةَ نَبِيِّهِ (رواه مالك)

"It has been narrated to me from Malik that it came to him that the Messenger of Allah Muhammad SAW said: "I have left for you two things which you will not go astray as long as you stick to them: the Book of Allah and the Sunnah of His Prophet."

- 10) Hadith narrated by Ibn Majah which reads:

مَنْ أَطَاعَنِي فَقَدْ أَطَاعَ اللَّهَ وَمَنْ عَصَانِي فَقَدْ عَصَى اللَّهَ (ابن ماجه)

"Whoever obeys me means he is obedient to Allah, and whoever disobeys me has disobeyed Allah."

From the loops of knowledge schema, the author as mentioned above, shows that between religion and science interact with each other, as stated by A.N. Whitehead who states that science and religion influence each other. Meanwhile, Supanto in the context of the relationship between religion and science gave opinion that religion and science cannot and should not be separated, let alone contradicted. Both must be seen as mutually constructive and complementary. Human reason should not be understood to have absolute autonomy without limits. Because there are areas of scientific development that cannot be answered only by science itself, but require ethical answers based on religion. That is the limitation of science. Therefore, religion, faith or belief should be the starting point in developing science.

Religion and science have an obligation to correct themselves because not only science is experiencing development, but also religion will continuously be in the process of development. The undeveloped knowledge of religion is the decline of religion. If religion does not renew itself continuously, then science becomes static. Thus the discussion of the position and standing of Islamic law as a science in the context of the philosophy of science, in which the author borrows Rene Descartes thoughts on the philosophical tree and the loops of knowledge scheme of Gerald M. Edelman which was later modified by the author.

Conclusion

1. Conclusion

The position of Islamic law originating from the Qur'an and Hadith (As-Sunnah) in the philosophy of science is as a source of all knowledge. In the tree of philosophy Rene Descartes describes that physics is the source of science, while metaphysics is an understanding of why a natural phenomenon can occur which is then explained by physics, then Islamic law in this case is the Qur'an and Hadith (As-Sunnah) is the rain that gives life to the tree of philosophy. The rainwater enters the soil and is then "absorbed" by the roots of metaphysics to then grow the stems of physics that branch into various sciences and fruits that are useful for human life as the purpose of Islamic law itself. The position of Islamic law in this case Islamic law in the sense of *muamalah*, namely the provisions that regulate human relations with humans and humans with society, then Islamic law is in the position of social science as well as the position of law as a social science (law as a social science). The suggestion is guidelines for human life to act and behave as well as establish relationships with fellow humans and society as the word of God in the Qur'an and the Hadith of the Prophet Muhammad.

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