



Comparative Study of Legal Between Islamic Universalism in Classic and Modern Civilizations

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Abstract

Islamic civilization has experienced several periods, where in each period it always shows the values of Islamic universalism in various aspects of life which can be a lesson for Muslims in the current era of globalization. The principles of government developed by the Prophet were based on verses of the Qur'an such as the principle of equality (Al-Musâwa), the principle of independence (Al-Hurriyyah), the principle of plurality (Taaddudiyah). These principles were later developed to become the principles of nation and state that we know today. The universalism of this principle can not only be developed in Islamic countries but also non-Muslim countries.

Keywords: *Classical Civilization; Islamic Universalism; Modern Civilization*

Introduction

The historical study of Islamic civilization has undergone several periods, where each period always shows the universal values of Islam in various aspects of life which can be a lesson for Muslims in the century of globalization as it is today. In this paper, we discuss the universalism of Islam in the days of classical and modern Islamic civilizations (Saputra 2018). Indonesia is a country that has a high level of plurality. Differences in various aspects of religion, culture, ethnicity, race, class, and various other forms of diversity are an inseparable part of life. This difference is a big capital in building a life full of rich treasures of life. Each of them can enrich the other and provide useful life perspectives to improve the quality of life together. Managing plurality is not an easy job. Thoughts, ideas, ideas, and strategies that make it possible to realize a harmonious life must be continuously sought. (Naim 2017).

The discourse around Islamic universalism cannot be separated from the concept of maqashid al-syari'ah, which is familiarly known as dharuriyat al-khamsah, namely: 1) the right to life (hifdz al-hayat), 2) the right to defend religious beliefs (hifdz al-din), 3) the right to think and have an opinion (hifdz al-aql), 4) the right to procreate (hifdz al-nasl) (Peradaban and Kunci 2015). About dharuriyat al-khamsah

above, Islam pays great attention to its actualization. Therefore, Islam also provides several rules and signs as well as operational instructions, although they are still very general. It is precisely in this generality that Islam finds its vital source. Because it will always be responsive and dialogical to the development of the times. This is where Islam is known as a religion that has breadth and flexibility (Sumbulah 2018).

Islam is the last divine religion that has been revealed to complete the teachings of previous religions. Islamic teachings encompass various commands and prohibitions neither limited by space nor time; so its teachings are valid from the time it is revealed until the end of time, without any limitation of certain people or nations. That's why Islam is very interesting to study by its adherents, as well as others. Nurcholish Madjid is one of the figures in this country who tends concerning Islamic studies. Islam Universalism is a Nurcholish idea that is questioned for using the suffix "ism". This research is questioning the Islam Universalism concept offered by Nurcholish and its correlation to Islam as rahmatan lil'alam religion. This study aims to find answers to Islam Universalism from Nurcholish Madjid perspective, as well as the correlation between Islam Universalism and Islam rahmatan lil'alam religion.

This is a literature study, as the data is taken from the collected works, writings, and texts. The approach is a qualitative-historical-philosophical one because such theories and ideas are taken from Nurcholish writings in the past. Meanwhile, the analysis of research is conducted after documentary data collection using descriptive analysis, namely by reducing data, presenting it, and then drawing conclusions from the data that have been discovered. Further, Islam Universalism of Nurcholish Madjid has no significant difference from the concept of Islam as a rahmatan lil 'alam religion. Because three things are standing out of ideas: (1) the meaning the word Islam means submission-which is human nature; (2) Islam is revealed for the prosperity of the earth, by providing rules to men as God's representatives; (3) the context of Islamic teachings is not limited to space and time (Widasari 2016).

Islamic universalism manifests itself in several important manifestations, the best of which is in its teachings. Islamic teachings which include aspects of faith, shari'ah, and morals (which some people often narrow down to only decency and attitude to life), reveal their great concern for the main problems of humanity. This can be seen from the six general objectives of shari'ah namely; guarantee the safety of religion, body, mind, lineage, property, and honor (Nurcholish Madjid 2007). In addition, Islamic treatises also display noble social values, which can be said to be the basic goals of shari'ah, namely; justice, ukhuwwah, takaful, freedom, and honor. By looking at the above, the researcher wants to examine the comparison of Islamic universalization laws in classical and modern civilizations.

Research Method

This study will explain various research methods for conducting legal research with a literacy study approach to unravel contemporary legal issues. This research was conducted by tracing library materials for further use as a basis for analyzing the problems studied (Sugianto and others 2021).

Results and Discussion

Theological Study of Islamic Universalism in Civilization

The meaning of universalism in Islam is that the Muslim community is whole and constitutes one unit, even though there are different ethnicities, nations, and languages. Or it could be said that Muslims have a universal principle where there are no boundaries between countries, ethnicities, and languages.

Islam does not discriminate against skin color, language, nation, rank, degree. The essence of Islamic teachings lies not in ethnicity or ancestry, but in the oneness of Allah SWT (tauhid). A very important implication of the teachings of monotheism is the unity of humanity. In terms of law, the universality of Islam can also be seen in its legal principles. Based on the principle of human unity, Islamic law provides guarantees and protection for everyone, without discrimination (Wahid 2006).

The universality of Islam can be seen from its characteristics, including (1) the Religion of Allah. Islam originates from Allah, in the form of direct revelation (al-Quran); (2) Covers all aspects of life, both individual, community, state, etc.; (3) Applies to all people until the end of time; (4) Following human nature; (5) Putting reason in the best place; (6) Keeping grace for the universe; (7) Oriented to the future without forgetting the present; and (8) Promising al-Jaza' (the day of vengeance).

Islamic Universalism is "Arguments and basics regarding the idea of universalism both historically, sociologically and theologically and the substance of its teachings, among others, can be seen from several sides, there are (Cox 2013): *First*: The definition of the word Islam itself is the attitude of submission to God which is a natural human demand. *Second*: It is a fact that Islam is the religion that has most influenced the hearts and minds of various races, nations, and tribes with a fairly large area covering almost all climatological and geographical characteristics and within it, there is racial and cultural pluralism. *Third*: Islam deals with humanity because it is with humans without space and time restrictions. *Fourth*: The characteristics and quality of the basic teachings of Islam itself. The characteristics and qualities of the basics of Islam which contain universalist values include monotheism, ethics and morals, forms and systems of government, social, political, and economic, democratic participation (deliberation), social justice, peace, education and intellectualism, ethics work, environment and so on.

Comparison of Classical and Modern Islamic Law Universalism

Harun Nasution divided the History of the Development of Islamic Civilization into three periods, namely the classical period (650-1250 AD), divided into two periods, namely: the period of Islamic progress I (650-1000 AD), and the period of disintegration (1000-1250 AD). Medieval Period (1250 – 1800), and **Modern Period** (1800 AD). This classical period can be divided into two periods, namely the Islamic Progress I period and the Disintegration period (Muh. Subhan Ashari 2020).

- a. **Progress Period I (650 – 1000 M)**, This period was a period of expansion, integration, and the golden age of Islam. In terms of expansion, before the death of the Prophet Muhammad in 632 AD, the entire Arabian Peninsula was already under Islamic rule, and expansion into areas outside Arabia began at the time of the first Caliph Abu Bakr al-Siddik. The Khulafa al-Rashidin Period; The Caliph Abu Bakr (632-634 AD); The Period of Caliph Umar bin Khattab (634 – 644 AD); The Caliph Usman bin Affan (644 – 655 AD); The time of the caliph Ali bin Abi Talib (656 – 661 AD); The Umayyad and Abbasid Dynasties; Umayyad Caliphate; and the Abbasid Caliphate (Harahap 2019).
- b. **Disintegration Period (1000 – 1250 M)**. Disintegration in the political field began to occur at the end of the Umayyad dynasty, but peaked during the Abbasid dynasty, especially in the caliphs who became puppets in the hands of the bodyguards. Areas far from the center of government in Damascus and then Baghdad broke away from the power of the caliph in the center and small dynasties emerged (Nugraha 2019).

Modern Period (1800 M) It is also called the renewal period because it is the time of awakening and awareness of Muslims towards their weaknesses and the possibility of progress in various fields,

especially in the fields of knowledge, and technology. In the renewal period, the development of science progressed. This can be seen in various countries, such as Turkey, India and Egypt. Sultan Muhammad II (1785-1839 AD) from the Ottoman Empire, made various efforts so that Muslims in his country could master science and technology. (Noor 2017).

However, the form of government initiated by the Prophet was not absolutely stipulated in the Qur'an because in fact the Qur'an is a corpus that can be interpreted by the Prophet's people until the end of time, but as a leader, the Prophet has laid down a principle of governance. The principles of government developed by the Prophet were based on verses of the Qur'an such as the principle of equality (Al-Musâwa), the principle of independence (Al-Hurriyyah), the principle of plurality (Taaddudiyah). These principles were later developed to become the principles of nation and state that we know today. The universalism of this principle can not only be developed in Islamic countries but also in non-Muslim countries.

Conclusion

Comparison of law in the constellation of classical and modern Islamic universalization lies in the Medina Charter, which is the basis for the development of science and technology for the people of Medina, but also the benefit of the whole world. The modern era is certainly a guarantee of a paradigm shift in the universalization of Islam which leads to family values, inter-religious harmony, world tolerance, and humanity, as well as harmonization of the formation of the world's modern civilization. Of course, this is interesting because it contains a philosophical value by looking at the axiological value of the transformation of modern technology and civilized world civilization.

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