

THE CONTRIBUTION OF JASSER AUDA IN *MAQASHID AL SYARI'AH* CONCEPT ON ISLAMIC EDUCATION PSYCHOLOGY

Sangkot Sirait¹, Erika Setyanti Kusuma Putri²

UIN Sunan Kalijaga Yogyakarta

Email: sangkot_sirait@yahoo.co.id¹, erika.kusumaputri@uin-suka.ac.id²

Evita Yuliatul Wahidah

STIT Muhammadiyah Bojonegoro

Email: evitayuliatulwahidah.21@gmail.com

Benny Prasetya

STAI Muhammadiyah Probolinggo

Email: prasetyabenny@gmail.com

Ulfa

Universitas Nahdlatul Ulama Sunan Giri Bojonegoro

Email: ulfamasyhur8@gmail.com

Abstract

The academic problems in this research is to answer the position of Islamic Educational Psychology that should be, by trying to view Islamic Educational Psychology from a philosophical perspective, for more precisely *maqashid shari'ah*. *Maqashid syari'ah* which was initiated by Jasser Auda is actually used for legal/sharia studies as a form of contemporary philosophy that responds to the dullness of the two previous philosophies, which are modern and postmodern philosophy. The concept of *maqashid shari'ah* that is often called the system philosophy approach has contributed to analyze the Islamic Education Psychology. With the six features, which are: Cognitive traits, Wholeness, Openness, Interrelated Hierarchies, Multi-dimensional, Always Aiming (purposefulness), that become the frame of reference in this paper to analyze Islamic Educational Psychology. This research began by reviewing the biography and thoughts of Jasser Auda about *maqashid shari'ah*, that continued by Jasser Auda's recommendations in system analysis. The next study examines the contribution of Jasser Auda's *maqashid al syari'ah* in Islamic Educational Psychology which shows that Islamic Educational Psychology is a dynamic discipline.

Keywords: *Maqashid Al-Syari'ah*, Jasser Auda, Islamic Education Psychology

INTRODUCTION

Islamic Educational Psychology is a scientific discipline that has always been closely associated with the world of psychology and education. The connection with psychology is due to there are many theoretical interconnections used by psychology with those that exist and develop in psychology. The theories of developmental psychology, personality psychology, and mainstream theories in psychology such as behaviorism and psychoanalysis seem to be required menus that must be understood by Islamic educational

psychology students and academics. Islamic educational psychology discourses, (including Islamic sociology, Islamic economics, Islamic banks, Islamic politics, and others labeled as Islam) actually cannot depart from Western psychological and scientific concepts which are then justified by text (verses and hadiths). which is often called *versation*, but must be based on the treasures of Islam itself. The method that is used must also be the scientific method, the research variables taken must also undergo a process of Islamization firstly, either in the form of similarization, parallelization, complementation, comparison, inductification, or verification processes.

Islamic education Psychology is one of the Islamic problem studies which has the same position with other Islamic disciplines, such as Islamic economics, Islamic politics and so on. The placement of the word Islam here has the meaning of style, perspective, mindset, paradigm or flow. Islamic education psychology, the psychology that is built based on a pattern or has a mindset as applies to the scientific tradition in Islam, so that it forms a separate flow that is different from psychology in general. This statement places the psychology of Islamic education in a quite conflictual position.

Based from this anxiety, this paper will answer the question of where the correct position of Islamic education psychology should be. This paper tries to explore the Islamic Education Psychology with a philosophical perspective, more specifically the System Philosophy that initiated by Jasser Auda. The expectation is a mature attitude will emerge to view the Islamic education psychology without having to place it in a conflictual position. The argument of system philosophy selection in Jasser Auda's perspective provides three benefits to the development of Islamic studies. First, Jasser Auda succeeded in "contemporizing" Islamic law with a systems approach through *maqashid al-syari'ah*. Second, giving contribution to the development of Islamic legal theory through a new theory about *maqashid*. Third, Auda succeeded in modifying the system theory, so it became a new theory in Islamic philosophy, including the Islamic education psychology.

Method

This study uses a qualitative approach with the main data in the form of narrative, and the analysis uses certain logic and expertise, which called the content analysis method. Since this study is in the form of library research, various references and other library sources become primary data as well as the discussion.

JASSER AUDA AND HIS THOUGHTS

The Biography of Jasser Auda

For the contemporary Islamic law researchers, the name of Jasser Auda is definitely familiar. He is a Muslim intellectual who is on the rise lately. His works were not only appreciated in the Middle East, but also discussed by Western scientists, especially Americans.

Jasser came from Cairo. His youth was spent studying religion at the al-Azhar Mosque from 1983 to 1992. While studying at al-Azhar, he studied at Cairo University majoring in communication science. He studied this communication science until he achieved an MSc (Master of Science) degree at the same campus.

After achieving the degree, this admirer of Von Bartalanffy moved to Canada to continue his doctoral studies. This time he chose a slightly different concentration than before, which was system analysis.

Jasser studied Islamic law very seriously: he also continued his master's studies in Islamic law at the Islamic University of America, then continued his doctorate program in the same field at the University of Wales in England.

Yusuf al-Qardhawi, Thaha Jabir al-Alwani, Hasan Turabi, and Isma'il Sadiq al-'Adawi were among the figures who influenced Jasser Auda's Islamic legal thought. They are known as intellectuals who often ask for Islamic law renewal, not only in the realm of fiqh, but also in ushul fiqh.

From his educational background, it can be seen that Jasser is not only mastered religious knowledge, but also studied general knowledge. Safvet Halilovic, Professor of Al-Qur'an Tafsir and Anthropology at Zenica University, said that Jasser is a contemporary Muslim intellectual who is broad-minded, has deep knowledge of Islam, and understands the contemporary realities of Muslims well.

Jasser Auda is an associate professor at the Qatar Faculty of Islamic Studies with a focus on public policy studies in the Islamic studies program. He is a member of the University of Waterloo, Canada, the founder of the Dublin-based international Muslim clerical union. He obtained his Ph.D from the University of Wales, England, in the concentration of Islamic Law Philosophy in 2008 and his second Ph.D. degree was obtained from the University of Waterloo, Canada with a study of systems analysis in

2006. Master of Fiqh was obtained from the Islamic University of America, Michigan, in the aims of Islamic law (*Maqashid al-Shari'ah*) in 2004. Jasser Auda is the director and founder of the Maqashid Research Center and Philosophy of Islamic Law in London, England. And has written a number of books, and the latest in English is; *Maqashid al-Shari'ah* as Philosophy of Islamic La, London: IIIT, 2008. Successfully published 8 books and hundreds of articles in books, DVDs, public lectures, and online journals spread all over the world.¹

Jasser Auda's Thought About *Maqashid Al Syari'ah* Academic Problems

Auda's academic problems began by questioning Islamic law, which according to him has not been able to reflect the nature of *rahmatan lil 'alamin* as the main basis of Islam. The occurrence of several criminal acts which not to mention terrorism in the name of Islamic law, the low Human Development Index of the Muslim community, and the occurrence of human rights violations. About *Maqashid Al Shari'ah* Academic Problems

The attachment of the word terror with Islam has actually begun to occur in the 1990s, so it is not surprising when in 1996 Samuel P. Huntington was already worried about the potential of Islam as one of the most effective forces as a barrier to Western interests, even in terms of its political manifestations, Islam was called by Huntington as a substitute. Marxism,² or in John Esposito's term, Islam is the green menace (green danger) which replaces the red menace (red danger, c.q. socialist-communist).³ The World Trade Center (WTC) tragedy of September 11, 2001 became a decisive important point in the history of Islamic politics. The word *jihad* gets a new meaning and is used more globally. *Jihad* is not only interpreted in a religious and spiritual sense as according to the Qur'an.⁴ The word *jihad*, which basically has a positive meaning, in the fact experiences a pejorative or deteriorating meaning. The term *jihad* has a very complex meaning; includes wars of independence and resistance, militant *jihads*, holy and dirty wars and so on, all declared as *jihad*. *Jihad* is not only aimed at the despotic rulers in the Islamic world,

¹ Mohammad Darwis: "Maqâshid al-Shariah Metode Analisis Sistem dalam Filsafat Hukum Islam Studi Pemikiran Jasser Auda", in M. Arfan Mu'ammam, Abdul Wahid Hasan, et.al., *Studi Islam Perspektif Insider Outsider*, (Yogyakarta: Ircisod, 2013), p. 389-390.

² Samuel P. Huntington, *Benturan Antar Peradaban dan Masa Depan Politik Dunia*, terj. Sadat Ismail, (Yogyakarta: Qalam, 2003), p. 187.

³ John Esposito, "Political Islam Beyond the Green Menace", <http://Islam.uga.edu/espo.html>

⁴ Muhammad Faisol, *Pendekatan Sistem Jasser Auda Terhadap Hukum Islam: Ke Arah Fiqh Post-Postmodernisme*, Kalam: Journal of Religion and Islamic Thought Study, Volume VI, Number 1, June 2012, p. 39-63

but includes all levels of society and civilians. *Jihad* turned into a terrible threat (terror). *Jihad* is a global threat. Not only in Western countries, but also in Muslim countries or those with a majority Muslim population.⁵

Moreover, other concerns that have driven Jasser Auda are the main problems that facing by Islamic world currently, which are political participation and democratization, a failed economic and education system, the growing threat of religious extremists (fundamentalists), the impact of globalization, as well as fostering pluralism and a modern understanding of tolerance. based on mutual understanding. Even according to the results of the United Nations Development Program (UNDP) survey, it is stated that the human growth index in a world with a Muslim majority population shows a very low level. The low growth index is caused by several important factors, including illiteracy, education, economic and political participation, empowering women and their participation in the political stage or public sphere.⁶

The reality of the Islamic world like that intrigued Jasser Auda to question the Islamic Shari'a again; Where is Islamic law today? How is Islamic law able to play a positive role in responding to the crisis currently facing the Islamic world? Is there a problem in Islamic law?

Based on it, Jasser Auda conducted a critical study and remapped *Maqâshid al-Shariah* through the integration of scientific approaches (systems theory), social science (human development), and contemporary humanities such as issues of human rights, gender, and inter-religious relations.⁷

Jasser Auda's Perspective of *Maqashid Al-Syari'ah*

Jasser's thought has made a major contribution in reforming the methodology of Islamic law. However, Jasser's thinking is also inseparable from the traditional classification of *maqashid* into three levels of necessity, those are necessity or *daruriyat* (emergency/*daruriyyat*), necessity or *hajjat* (*hajiyyat*), and completeness or *tahsiniyyat* (*tahsiniyyat*). One of his inspiring works is *Maqashid al-Shari'ah* as Philosophy of

⁵ John L. Esposito, *Unholy War: Teror Atas Nama Agama*, terj. Syafruddin Hasani (Yogyakarta: Ikon, 2003), 1st Edition, p. 196-197.

⁶ Jasser Auda, *Maqaid al-Syariah as Philosophy of Islamic Law: a Systems Approach* (London: The International Institute of Islamic Thought), 2008, p. xxii.

⁷ M. Amin Abdullah, Prawacana dalam Jaser Audah, *Al-Maqasid untuk Pemula*, terj. Ali Abdelmon'im, p. xi.

Islamic Law: A Systems Approach. In this book, Jasser tries to discuss three sciences at once: *maqashid al-shari'ah*, *ushul fiqh*, and system philosophy. These three knowledges were previously separate and disconnected from each other. Interestingly, Jasser was able to make it a single unit and integrated with each other. What he did was not much different from al-Ghazali's attempt to adopt the science of logic to improve the methodology of Islamic law.

Jasser Auda's perspective of the system departs from a fairly in-depth comparative study, after examining several theories about the system from Bertalanffy, Katz and Kahn, Ackoff, Churchman, Bowler, Maturana and Varela, Koestler, Weaver, Simon, Jordan, Beer, and Skyttner.

This systems analysis actually is a new discipline that popularized by Bartalanffy and Lazlo. Bartalanffy himself was originally a biologist. Through this science he noticed that the human organs were interrelated with each other. For example, when someone has a heart disease, it doesn't mean that the cause is only damage to the heart, but it could be because there are other organs or cells that are damaged, which affects the performance of the heart.

This kind of thinking model was developed by Bartalanffy to become an established theory, which can be applied in physics, administration, management, and even Islamic law. In the context of Islamic law, Jasser is the first scientist to develop a systems approach to analyze the problems of Islamic law.

The systems approach initiated by Jasser Auda is part of the *Maqâshid al-Shariah* discourse which he studies with a contemporary perspective.⁸ Of course Jasser Auda is not the first to review *Maqashid al-Shariah*,⁹ but he felt the need to bring up the theme again because in the contemporary context Muslims need a refresher on *Maqâshid al-Shariah*, especially because Muslims are currently facing some quite acute problems. For this reason, he raised *Maqâshid al-Shariah* by using a systems approach to make it more

⁸ Mohammad Darwis: "Maqâshid al-Shariah Metode Analisis Sistem dalam Filsafat Hukum Islam Studi Pemikiran Jasser Auda," in M. Arfan Mu'ammam, Abdul Wahid Hasan, et.al., *Studi Islam Perspektif Insider Outsider*, (Yogyakarta: Ircisod, 2013), p. 389-390.

⁹ After Abu Ishaq Al-Syathibi (passed away 790 H) who is considered the Father of *Maqâshid al-Shariah* in general for being the most brilliant reviewer of *Maqâshid al-Shariah* in the Middle Ages, there were commentators in the 20th century such as Muhammad Tahir Ibn Assyria (1879-1973) who claimed to be the "Father of Contemporary *Maqâshid al-Shariah*," just then appeared Jasser Auda with the latest approach.

suitable and appropriate for the contemporary world community to understand. The System Approach can be called the advantage of Jasser Auda in conducting a critical study of *Maqâshid al-Shariah*. This is because the systems approach is the most responsive effort to the dynamics of scientific development which is increasingly differentiated and needs to be re-integrated. In the realm of Islamic scholarship, Jasser Auda's efforts are also in line with the demands of some Muslim intellectuals to roll out scholarship which borrow the term of M. Amin Abdullah, has an "inter, multi, pluri-disciplinary character."¹⁰ The systems approach also seems to be an accommodative approach to various interests in a pluralistic society. This approach is expected to be able to provide a new way of looking at *Maqâshid al-Shariah* so that sharia products can be the benefit to the people as a whole so that the ideals of Islam as rahmatan lil 'alamin can be achieved.

The systems approach initiated by Jasser Auda is the concept of Islamic System Philosophy. But before we can understand the concept, we must first explain what is meant by "system" and what is "system philosophy." The system is something that consists of several interconnected chain with one another as a whole and intact.¹¹ Merriam-Webster dictionary also defines the system as a group of related parts that move or work together.¹² Jasser Auda emphasized that an efficient system must include several features which include goal-orientation, openness, cooperation between sub-systems, hierarchical structure, and balance between decomposition and hierarchy.¹³ Jasser Auda's perspective about the system departs from a fairly in-depth comparative study, after examining several theories about the system from Bertalanffy, Katz and Kahn, Ackoff, Churchman, Bowler, Maturana and Varela, Koestler, Weaver, Simon, Jordan, Beer, and Skyttner.

Jasser Auda's Recommendations in Systems Analysis

Systems philosophy is a middle way between realist and nominal tendencies in providing answers about the relationship between the system and the real world;

¹⁰ M. Amin Abdullah, Prawacana dalam Jaser Audah, *Al-Maqasid untuk Pemula*, translation. Ali Abdelmon'im, p. xi.

¹¹ Musyarofah and Chumaidah, "Maqâshid al-Shariah Metode Analisis Sistem dalam Filsafat Hukum Islam Studi Pemikiran Jasser Auda", in M. Arfan Mu'ammam, Abdul Wahid Hasan, et.al., *Studi Islam Perspektif Insider Outsider*, (Yogyakarta: Ircisod, 2013), p. 435

¹² www.merriam-webster.com/dictionary/system

¹³ Jasser Auda, *Maqasid Al-Shariah as Philosophy of Islamic Law; A System Approach* London&Washington: The International Institute of Islamic Thought, 2008), p. 34.

The realist sect views object reality as a real being that is outside and separate from individual consciousness, while nominal sect views object reality as subjective and born from one's mental awareness. System philosophy explains that the nature of the relationship between the system and the real reality is correlative. It means, our thoughts and feelings are able to understand the world in the form of a relationship (correlation) between *maujud* reality without being separated from it and without any conformity. The system becomes the mean to organize our thoughts about real reality. Viewing reality through the system is a process of knowing. Base on this reason, Jasser Auda makes systems theory as an approach to Islamic law.

In order to apply systems theory as an approach of Islamic law, Jasser Auda builds a set of categories, which are cognitive nature, wholeness, openness, interrelated hierarchy, multi-dimensionality and purposefulness.

First, cognitive nature. Cognitive nature is the nature of knowledge that builds the Islamic legal system. Islamic law is established based on the knowledge of a faqih on the texts that become legal reference source. In order to dismantle the validation of all cognitions (knowledge of texts or *nasy*), Auda emphasizes the importance of separating the text (al-Quran and sunnah) from people's understanding of the text. There must be a distinction between sharia, fiqh and fatwa. According to him, fiqh is the result of interpretation, understanding and views of legal experts on the text. So far, fiqh (as an interpretation result of the text) is understood in a confused manner and equated with sharia itself. In fact, it is often claimed as a command from God that can be distorted for authoritarian interests. Fiqh is the effort of a fiqh expert that born from thought and ijihad based on the Qur'an and Sunnah in order to find the intended meaning. The understanding has high possibility of being wrong in comprehending God's intent. Fiqh is understanding, and understanding requires knowledge skills. While knowledge becomes a strength for someone in connecting concepts with holistic meanings through reason.¹⁴ According to Jasser Auda, a concrete example of this misunderstanding is the assumption that the status of *ijmak* in Islamic law is equated with the main text (al-Quran and sunnah). *Ijmak* is not a source of Islamic law. But *ijmak* is nothing but multiple-participant decision making; merely a consultation mechanism. *Ijmak* is only used among the elite, it is

¹⁴ Jasser Auda, *Maqashid al-Syari'ah as Philosophy...*, p. 29.

exclusive.¹⁵

Second, Wholeness. By borrowing systems theory, Jasser Auda states that any cause-and-effect relationship should be seen as parts of the whole picture. The relationship between the parts plays a certain function in a system. The interrelationships between relationships are built as a whole and are dynamic, not just a collection of static parts. Jasser Auda believes that holistic (thorough) principles and ways of thinking are important in life in *ushul qh* because they can play a role in contemporary reform. Through this way of thinking, a holistic understanding will be obtained so that it can be used as permanent principles in Islamic law.¹⁶ Auda tries to bring and expand *maqashid al-syari'ah* from the individual dimension to the universal dimension so that it can be accepted by the general public; that's what he calls *maqashid alamiyah*, such as justice, freedom, and so on. He also uses the principle of holism to criticize the principle of causality in the science of kalam. According to Auda, the impossibility of creation without a cause will shift to the impossibility of creation without a purpose; God's care for life will directly shift to balance, humanity, ecosystems and subsystems on earth; and the classical cosmological argument that God is the first mover will shift to the systematic and integrative design argument of the universe.

Third, Openness. In systems theory it is stated, that a living system is an open system. Even the system that seems dead is essentially an open system. The openness of a system depends on its ability to achieve its goals under various conditions. This condition affects the achievement of a goal in a system. Condition is environmental influences. An open system is a system that always interacts with the conditions/environment outside it. By adopting such a system theory, Jasser Auda said that the Islamic legal system is an open system. The principle of openness is important for Islamic law. The opinion which states that the door of *ijtihad* is closed will only make Islamic law becomes static. Whereas *ijtihad* is an urgent matter in *qh*, so that legal experts are able to develop certain mechanisms and methods to respond a new problem.¹⁷

Therefore, openness needs to be done through the first mechanism of

¹⁵ *Ibid.*, p. 46

¹⁶ *Ibid*

¹⁷ *Ibid.*, p. 47

openness by changing the cognitive culture. A person's cognition has closely related to his worldview of the world around him. Worldview itself is a view of the world or an understanding about reality as a whole and a general view about the cosmos. It includes a system of principles, views and beliefs that determine the direction of a person's activities, both individual and social.¹⁸ So, cognitive culture means a mental framework and awareness of the reality which with it, a person interacts with the outside world. Changing the cognitive culture means changing the point of view, frame of mind or worldview. A faqih catches *maqashid al-shari'ah* from behind intentions that intended by the Maker. It means that it is very possible that the *maqashid al-syari'ah* is a representation of the worldview of a faqih. Changes in the worldview of legal experts are intended as an extension of *urf* considerations to obtain universal goals from law. Unfortunately, so far the notion of *urf* tends to be literal and connotes Arabic customs which are not necessarily compatible with other regions. For example, the problem about the implementation of the marriage contract and Friday *khutbah* (speech) which are required to use Arabic, thus reducing their function for Muslims who do not understand Arabic. Jasser Auda also emphasized that *qh* should accommodate *urf* to meet the demands of *maqashid al-syari'ah*, although sometimes *urf* is different from the meaning indicated by the text. The Arabian Peninsula is an environment that becomes a reference for Qur'an. Therefore, in exploring the meaning of the text (al-Qur'an) the question of what around the Qur'an as stated by Amin al-Khulip is important to pay attention. Here, it may be important to consider Auda's invitation regarding the significance of *urf* as something that must be considered and developed in Islamic law. Second, openness to lost ideas. Since the beginning, Islamic law experts have been open themselves to *Isafat*, especially Greek *Isafat*. Al-Ghazali has developed several important concepts that borrowed from Greek *Isafat*, and changed them into the main terms that used in Islamic law, such as attribute predicate becomes *al-hukm*, middle term becomes *al-illah*, premise becomes *al-muqaddimah*, conclusion becomes *al-far* and possible becomes *al-mubah*. In Islamic law, the *qiyas* method is used as a development form of the syllogistic deduction model in Aristotelian philosophy. Qiyas method is used as a system of reasoning in Islamic law.

¹⁸ Lorens Bagus, *Kamus Filsafat*, Jakarta: PT. Gramedia, 1996, 1st Edition, p. 1178.

According to Auda, the reasoning that used in traditional fiqh, in modern terms is called deontic logic. Or in fiqh is commonly known as *ma la yatimmu al-wajib illa bihi fahuwa wajib*. This reasoning is trapped in binary classification, insensitive to contemporary developments and monolithic in responding to a problem. Therefore, the current Islamic legal system must be open to the results of philosophical thought.¹⁹

Fourth, Interrelated. A characteristic of a system is that it has a hierarchical structure. A system is built from smaller subsystems below it. Interrelationships determine the goals and functions that achieved. The attempt to divide a whole system into smaller parts is a process of sorting out the differences and similarities among the many parts. The smallest part becomes a representation of the large part, and so in contrast. There is a homology between the Islamic legal system and the structure of society or the environment that surrounds it. The Islamic legal system is strongly influenced by the world view or ideology of a law expert (faqih). The ideology of a faqih develops as a result of certain social, cultural and economic situations that he faces in the social environment. A faqih as a subject part of a collective subject (society) accommodates himself (experiences structuring) in the environmental structure where a law is applied. In his kind of structuration process, the Islamic legal system acquires its meaning. Therefore, a product of Islamic law by a faqih cannot be separated from the context that surrounds him because what they call *maqashid al-syari'ah* is nothing but a manifestation of his mind (worldview) which means it is also influenced by external conditions.²⁰

According to Jasser Auda, *maqashid* is a goal that brings together each sect in *Fiqh*. It becomes a meeting point area between existing Fiqh sects. So, approaching Islamic law through the *maqashid* method is a safe way; Don't get stuck on text alone or certain opinions. But based on general principles that can bring together among Muslims, so that Muslims are able to answer common challenges.²¹

Fifth, Multi-dimensionality. A system is not a single thing. However, it consists of several parts that are interrelated with one another. Within the system there is a

¹⁹ *Ibid*, p. 209 - 211.

²⁰ *Ibid.*, p. 49.

²¹ *Ibid.*, p. 50.

coherent structure. Since a system consists of quite complex parts, it has a non-single dimensional spectrum. Islamic law can be analogous as a system. Islamic law is a system that has multiple dimensions. This principle is used by Jasser Auda to criticize the roots of binary opposition in Islamic law. According to him, the dichotomy between *qatiy* and *dhanniy* has been so dominant in the methodology of establishing Islamic law, that makes the terms of *qatiyyu al-dilalah*, *qatiyyu al-subut*, *qatiyyu al-mantiq* appeared. The binary opposition paradigm must be removed to avoid methodological reductions, aslo reconcile some contradictory arguments by prioritizing the *maqashid* aspect (the main purpose of the law). For example, the differences in the arguments in the sunnahs about worship that arise should be viewed from the side of *maqashid* (*taysir*); differences in hadiths that related with *urf* must be viewed from the perspective of *maqashid* of universality of law; and the existence of *naskh* should be seen as a gradual legal determination.²²

Sixth, Purposefulness. Every system has an output. This output is called the goal generated from the system network. In systems theory, goals are divided into goal (*al-hadaf*) and purpose (*al-gayah*). A system will produce a purpose (*al-gayah*) if it is able to produce its own goals in different ways and in the same way, or produce various goals and in various situations. While a system will produce goals (*al-hadaf*) if it is only in a constant situation, and is more mechanistic, it can only produce one goal. In this context, *maqashid al-syari 'ah* is in the sense of purpose (*al-gayah*). *Maqashid al-syari'ah* is not monolithic and mechanistic, but can vary according to situations and conditions. According to Auda, the realization of *maqashid* is an important and fundamental basis for the Islamic legal system. Exploring *maqashid* must be returned to the main text (al-Quran and hadith),²³ not the opinion or thoughts of faqih. Therefore, the realization of goals (*maqashid*) becomes a benchmark for the validity of each *ijtihad*, without relating it to certain tendencies or *madzab*. The purpose of establishing Islamic law must be returned to the benefit of the people around it.²⁴

JASSER AUDA'S MAQASHID AL SHARIA CONTRIBUTION IN ISLAMIC EDUCATION PSYCHOLOGY

Islamic Educational Psychology as a Dynamic Scientific Discipline

²² *Ibid.*, p. 52

²³ *Ibid.*, p. 54.

²⁴ *Ibid.*, p. 55.

As one of the scientific disciplines that cannot be separated from the dynamics of Islamic psychology in general, while, psychology is a scientific discipline which is considered by some people as an entity of empirical-realistic scientific representation so it is only possible to approach it with an objective approach. Its objective nature is what keeps it away from religious disciplines. In fact, among some psychologists there is an assumption that religious spirituality is the cause of the stagnation of science. On the other hand, in the perspective of some religious scholars, science is a threat to religious dogma.²⁵

History stated that most of modern psychology does separate God from human subjective experience. This subjective-religious experience is still seen as unscientific. In their perspective, if the experience is wanted to be scientified, it must complete the scientific standards: Logical-rational-empirical. As the heir of modernism, psychology is also in the train of the scientific method like other sciences. Therefore, the development of modern psychology is supported by three main pillars.²⁶ First, psychology must be universal. It means there are some general principles and the laws of possibility, which can be used as benchmarks for scientific development. For example, studies of perception, memory, and learning must be able to overcome the twists and turns of certain socio-historical factors. Second, based on empirical methods. Because it follows the rational considerations of logical empirical philosophy, modern psychology has also felt bound to a belief about truth through method. In particular, the belief that by using the empirical method, and especially controlled experimentation, the researcher can obtain absolute truth about the nature of the underlying problem and the causal networks in which the underlying problem is involved. Third, research as a locomotive of progress. The derivation of earlier theoretical assumptions is the final modernist belief, a belief in the progressive nature of research. Since the empirical method is applied to the psychology subject matter, psychologists are learning more and more about basic character. False beliefs can be avoided, and psychologists turn towards establishing the truth of neutral and reliable values about various segments of the objective world.²⁷

It is because modern psychologists deny the importance of the spiritual dimension,

²⁵ Robert. H. Thouless, *Pengantar Psikologi Agama*. (Jakarta: Raja Grafindo Persada 1992), p. 13.

²⁶ Thomas Kuhn, *The Structure of Scientific Revolution*. (Chicago: University of Chicago Press, 1970), p. 19.

²⁷ Fuat Nashori. Pergeseran Ilmu Pengetahuan dalam *Swara Pembaharuan*, 21 September 1996

especially in interpreting the phenomenon of unique human behavior that requires special analysis of psychological theories based on religious spirituality.

Jasser Auda's approach is philosophy, and because philosophy is "the mother of sciences", it is also not taboo if this philosophical approach is used to read scientific disciplines, including Islamic educational psychology.

In order to see the existence of the Islamic education psychology scientific position in this paper, six features of the of the Islamic system philosophy of thought by Jasser Auda will be applied which include: Cognitive nature, Wholeness, Openness, Interrelated Hierarchy, Multi-dimensional, Always Aims of purposefulness. In the aspect of "cognitive nature", Islamic educational psychology is a science that theoretically and practically emphasizes human rationality (cognition/*idrak*) and understanding. Islamic educational psychology is not a doctrinal science even though its principles can be extracted and developed from Islamic doctrine. Related to it, the psychology of Islamic education is not just a form of knowledge Islamization, but rather leads to Islamic knowledge. For some people, the Islamic education psychology has so far only been considered as a form of Islamizing educational psychology that was born from a secular womb. This perspective is understandable considering that the psychological theory of Islamic education is also widely adopted and is in accordance with the psychology of Islamic education. However, if it is said that the psychology of Islamic education is only a form of Islamizing educational psychology, this is what is felt to be inappropriate.

Knowledge Islamization is a reactive wave of scientific enthusiasm, or as an Islamic response to Western scientific progress, so that there is an impression to "Islamize" many fields of science that are considered "secular". This wave was driven by several figures such as Ismail Raji Al-Faruqi, Naquib Al-Attas, and so on. The result of the emergence of this Knowledge Islamization trend leads to the born of various new disciplines, such as Islamic Economics, Islamic Sociology, Islamic Psychology, and so on. Unfortunately, the academic community still doubts the scientific basis of these new disciplines, even though they are considered as inventive or talkative sciences.

Furthermore, Kuntowijoyo offered the concept of Islamic Science or Islamic Scientification. The basic assumption built in Islamic Science is that Islam is a source of knowledge that needs to be theorized in advance so that it can be widely useful, not limited to Muslims themselves but become a science that is *rahmatan li al-'alamin*.

Therefore, Kuntowijoyo builds a logical flow from demystification, integration, to objectification.²⁸ The point is values in Islamic doctrine must be extracted and theorized with the "language of knowledge" so that it can be digested and accepted widely.

With this mindset, the psychology of Islamic education is really about to be built. The psychology of Islamic education does need to absorb "greedily" Islamic doctrinal values, but there is no need to rush to impose them if they have not been scientifically theorized. It means the center of its work (before going to the practical realm) remains on efforts to educate Islamic messages so that they are efficient in providing education, guidance and teaching. Therefore, cognitive work is needed, especially to translate Islamic doctrine into the psychological principles of Islamic education. This is the reason why in this paper, the author agrees with Jasser Auda on the cognitive aspect of systems philosophy. The cognitive aspect becomes mandatory if you want the Islamic education psychology becomes a form of Islamic science and not just a talkative attitude towards Islamization of knowledge. It is important to erase the general assumption that Islamic educational psychology is merely an Islamization of general psychology.

The second feature in systems philosophy is wholeness. In the Islamic education psychology, the integrity referred to two things: the integrity of knowledge source and the integrity of service. For the first, the integrity of the source means that Islamic educational psychology is sourced from Islamic texts and educational psychology science that grew from the West. In other words, to borrow Mukti Ali's term, Islamic educational psychology must be a "*scientific cum doctrine*" science".

Therefore, the scientific sources of Islamic educational psychology must come from the Qur'an and Hadith that related to educational psychology, also educational psychology theories in general. Second, intact in education which means Islamic educational psychology must carry out its duties in a complete manner according to its scientific responsibilities. The service needs to be carried out in its entirety as long as it is still within the scientific authority of Islamic educational psychology. However, if it is outside the authority, then it needs to be delegated or transferred to other professions, such as psychologists, psychotherapists and psychiatrists. It means in terms of education; an

²⁸ Kuntowijoyo, *Islam Sebagai Ilmu: Epistemologi, Metodologi dan Etika*, (Yogyakarta: Tiara Wacana, 2006). P. 34

educator needs to make maximum and thorough efforts in providing education and teaching to students.

The third feature is Openness. Islamic educational psychology must be an open science, it means that it is ready to accept influence from anywhere as long as it is in line with the principles of educational psychology and the principles of the Islamic faith. Even if the influence comes from scientific disciplines that develop from other religious traditions, for example from pastoral psychology, educational psychology in the Christian, Buddhist, and other religions, as long as it does not conflict with the two things above, then it may be accepted as enrichment material for Islamic educational psychology. That is why, if in the development of Islamic educational psychology, studies are carried out on other traditions that practice educational psychology, it should be justified and should not be forbidden. In this way, the psychology of Islamic education will be very rich with various perspectives.

Another form of openness, for example, it is related to the scope of study and education which continues to develop and adapted to the changing times demands. Contemporary issues require the psychology of Islamic education to develop, for example how the psychology of Islamic education plays a role in multiculturalism, counter-terrorism. Or how Islamic educational psychology moves with new media such as social media (facebook and it's type) and how Islamic educational psychology innovates by utilizing technology is a space for Islamic education psychology that has not been touched much. Without openness, the psychology of Islamic education only stops in the diktat, classrooms, and laboratories, without being able to come out to spread wider benefits.

The fourth feature is Multi-dimensional. The dimension in Islamic educational psychology is not different from educational psychology in general, although it does not rule out the possibility of the dimension's expansion. The psychological dimension of Islamic education needs to add a "basic concept" dimension, which are targets, methods, and goals. The basic concept dimension is very important because the psychology of Islamic education is built not only from a philosophical-scientific general scientific foundation, but also an Islamic foundation that contains doctrine.

The fifth feature is interrelated hierarchies. As a scientific discipline, Islamic educational psychology has interrelationships among the elements. If several dimensions

in the psychology of Islamic education are stated to be its elements, then all of these elements do not stand alone, but must be interrelated and even form a kind of hierarchy. For example, the method dimension is determined very much by the target dimension, besides that the method dimension will also be related to the purpose dimension. Likewise, the basic concepts of Islamic educational psychology, which certainly involve Islamic values, of course it would be related to various basic Islamic doctrines. Because of its fundamental nature, the basic concept of Islamic educational psychology will affect the entire scientific building of Islamic educational psychology.

The last thing about systems philosophy is its nature which always purposefulness. All sections of Islamic educational psychology are built with a clear purpose. There are at least two goals. First, as a scientific discipline, Islamic educational psychology as well as educational psychology aims to master science that leads to the essence of human mental activity, student growth and development, learning patterns and improvement/enrichment and evaluation systems. Scientific procedures and the obedience of ethic code is always pursued to achieve this goal. Second, the goal that is no less important is the goal that is encouraged by Islam, which are finding benefits (according to *maqashid al-syariah*) and the goal of *amar ma'ruf nahi munkar* (directing to goodness and preventing things that harm students).

CONCLUSION

With the application of the six features of System Philosophy to observe the Islamic education psychology, it can be concluded that Islamic educational psychology is actually not a static science but a science that continues to process. Because, if viewed with a systems philosophy approach, Islamic educational psychology is a science that is open and able to accept outside influences. This openness should make the Islamic education psychology more flexible, in the sense that there is no need to question whether the Islamic education psychology should be under the clump of educational science, or psychology. All of them can be a shelter for the Islamic education psychology. What is more important is the goal of science itself. This aspect of purpose or teleology becomes a very important element for Jasser Auda's system philosophy because it distinguishes it from modern and postmodern philosophy. In accordance with the System Approach initiated by Jasser Auda, Islamic educational psychology also has the same teleology as

other Islamic sciences, which is the spirit of *maqashid al-syariah* because Islamic educational psychology also acts as a science that wants to bring benefits to many people, and become *rahmatan lil 'alamin*.

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