

# Journal of Islamic Thought and Civilization (JITC)

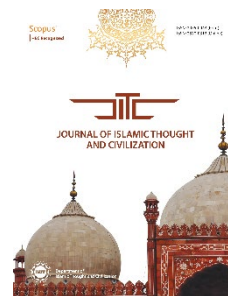
Volume 13 Issue 1, Spring 2023


ISSN<sub>(P)</sub>: 2075-0943 ISSN<sub>(E)</sub>: 2520-0313

Homepage: <https://journals.umt.edu.pk/index.php/JITC>



Article QR



- Title:** **Abdullah Saeed's Construction of the Hierarchy of Values in the Qur'ān: A Philosophical Hermeneutic Perspective**
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- DOI:** <https://doi.org/10.32350/jitc.131.09>
- History:** Received: August 20, 2022, Revised: May 02, 2023, Accepted: May 26, 2023, Published: June 20, 2023
- Citation:** Barsihannor, M. Ilham, Andi Tri Saputra, and Abdul Syatar. "Abdullah Saeed's Construction of the Hierarchy of Values in the Qur'ān: A Philosophical Hermeneutic Perspective." *Journal of Islamic Thought and Civilization* 13, no. 1 (2023): 119–132. <https://doi.org/10.32350/jitc.131.09>
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- Conflict of Interest:** Author(s) declared no conflict of interest



A publication of

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# Abdullah Saeed's Construction of the Hierarchy of Values in the Qur'ān: A Philosophical Hermeneutic Perspective

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## Abstract

This study aims to elaborate Abdullah Saeed's hierarchy of values construction. The hierarchy of values is one of the most significant elements in Abdullah Saeed's contextual approach. This concept defines the basic requirements for contextual interpretation of the Qur'ān in a global-unrestricted and limited restricted context. In this way, interpreters can identify the level of urgency, complexity, and ambiguity of values in the verses of the Qur'ān. This study deploys a qualitative research method, with Abdullah Saeed's works as the main reference point, especially the one entitled as *Interpreting the Qur'ān: Towards a Contemporary Approach* and *Reading the Qur'ān in the Twenty-First Century: A Contextualist Approach*. Abdullah Saeed's hierarchy of values construction is then analyzed using philosophical hermeneutics by Hans-Georg Gadamer. The findings of this study, namely Abdullah Saeed's construction of a hierarchy of values cannot be separated from the Australian social and cultural context, which encouraged Saeed to understand Islam's flexibly. Saeed formulates a value hierarchy into five categories, namely obligatory values, fundamental values, protective values, implementational values, and instructional values. Basically, the value hierarchy put forth is little more than a synthesis of various concepts initiated by early Muslim scholars such as Umar bin Khattab and medieval scholars such as al-Thufi, Ghazali, 'Izz al-Din bin 'Abd al-Salam, al-Shatibi, and Fazlur Rahman.

**Keywords:** contextual interpretation, hierarchy, philosophical hermeneutic, Qur'ānic interpretation

## Introduction

Abdullah Saeed asserted that the interpretation of the Holy Qur'ān contextually expects the interpreter to keep an eye on the hierarchical nature of the values found in text.<sup>1</sup> The methodology of interpretation was closely related to this concept. The concept of pious charity, which is addressed frequently in the Qur'ān and encompasses many ethical and moral values, can be used as a point for considering this hierarchy.<sup>2</sup> Even though a series of values were included within this broad concept,

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<sup>1</sup>Abdullah Saeed, *Reading the Qur'ān in the Twenty-First Century: A Contextualist Approach*, I (London: Routledge, 2013), <https://doi.org/http://dx.doi.org/10.4324/9781315870922>.

<sup>2</sup>Khaled Abou El Fadl, "Qur'ānic Ethics and Islamic Law," *Journal of Islamic Ethics* 1, no. 1-2 (2017): 7–28, <https://doi.org/10.1163/24685542-12340002>.

they do not require to be placed at the same level of significance.<sup>3</sup> A misreading of Qur'ān, due to a failure to recognize a hierarchy in these values, would contradict its universal principles.<sup>4</sup>

The idea of the 'Contextualist Approach' in *Tafsīr Al-Qur'ān* initiated by Abdullah Saeed was inspired by Fazlur Rahman's (1919-1988) dual motion theory.<sup>5</sup> This explained that an interpreter of the Qur'ān tries to capture the legis ratio<sup>6</sup> of legal ethics verses by going back to the time of the revelation, by paying attention to the linguistic aspect, and its historical context. Therefore, it captures the literal and substantive meanings of the verses.<sup>7</sup>

In declaring the 'Double Movement Theory,' Abdullah Saeed proposed several methodological stages for the interpretation of the Qur'ān.<sup>8</sup> Stage one, is encountering with the text, while the second stage includes critical analysis consisting of linguistics, literal context, literary form, related texts, and precedents. The third stage develops the meaning for the first recipient, consisting of socio-historical context, the worldview, the nature of the message, which is either legal, theological, ethical, contextual, or universal in its nature developing a relationship of the whole message of the Qur'ān. The fourth stage develops the meaning for the present, which consists of the current context analysis, the current versus the socio-historical context, the meaning of the first recipient to the present, the contextual message versus the universal, and the application in the current scenario.<sup>9</sup>

Apart from the above, five hierarchies of values were compiled according to which each verse of the Qur'ān could be identified. These include obligatory, fundamental, protection, implementation, and instructional values.<sup>10</sup> The concept asserted that before entering the realm of interpretation, knowledge of the position of Qur'ānic verses is important to obtain the substance of the message. In

<sup>3</sup> Anwar Mujahidin, "The Dialectic of Qur'ān and Science: Epistemological Analysis of Thematic Qur'ān Interpretation Literature in the Field of Social Sciences of Humanities," *Esensia* 19, no. 2 (2018), <https://doi.org/https://doi.org/10.14421/esensia.v19i2.1563>.

<sup>4</sup> Abdullah Saeed, "Some Reflections on the Contextualist Approach to Ethico-Legal Texts of the Qur'ān," *Bulletin of the School of Oriental and African Studies* 71, no. 2 (2008): 221–37, <https://www.jstor.org/stable/40378768>.

<sup>5</sup> Fazlur Rahman is a Professor of Islamic Thought in Department of Near Eastern Languages and Civilizations, University of Chicago. He was born in British India, an area that is now part of Pakistan, on September 21, 1919 and died in Chicago, in July 1988. Muhammad Yusuf, Nahdhiyah, and Anwar Sadat, "Fazlur Rahman's Double Movement and Its Contribution to the Development of Religious Moderation," *International Journal of Islamic Studies and Humanities* 4, no. 1 (2021): 51–71, <https://doi.org/https://doi.org/10.26555/ijish.v4i1.2667>; Yusef Waghid and Nuraan Davids, "Fazlur Rahman, Islamic Philosophy of Education and the Islamisation of Knowledge," in *International Handbook of Philosophy of Education* (Springer, 2018), [https://doi.org/http://dx.doi.org/10.1007/978-3-319-72761-5\\_30](https://doi.org/http://dx.doi.org/10.1007/978-3-319-72761-5_30).

<sup>6</sup> Faiq Ainurrafiq, "The Use of Hermeneutics Double Movement Fazlur Rahman In Comprehending Hadith of The Unsuccessful Leadership Of Women," *Jurnal Ushuluddin* 7, no. 2 (2019): 132–44, <https://doi.org/http://dx.doi.org/10.24014/jush.v27i2.6719>.

<sup>7</sup> Fazlur Rahman, *Islam and Modernity: Transformation of an Intellectual Tradition* (Chicago: University of Chicago Press, 1982), 5. <https://ia903207.us.archive.org/2/items/FazlurRahmanIslamandModernity/FazlurRahmanIslamandModernity.pdf>.

<sup>8</sup> Abdullah Saeed, *Interpreting the Qur'ān: Towards a Contemporary Approach* (Toronto: Routledge, 2006), <http://dx.doi.org/10.4324/9780203016770>.

<sup>9</sup> Mayadina Rohmi Musfiroh, and Sahiron Syamsuddin, "Contextualization of Qiwwamah Meaning: Reflection on Abdullah Saeed, Application and Consistency," *PALASTREN Jurnal Studi Gender* 13, no. 2 (2020): 321, <https://doi.org/10.21043/palastren.v13i2.7191>.

<sup>10</sup> Saeed, *Interpreting the Qur'ān: Towards a Contemporary Approach*.

this context, Abdullah Saeed gave a categorization of the verses of the Qur'ān belonging to the hierarchy of values.<sup>11</sup>

The ideas developed in Muslim scholarship were categorized into certain patterns to enrich the study of the Qur'ān/ Muslim scholars organized the concepts and theories they developed into specific frameworks in order to enhance the comprehension and analysis of the Qur'ān.<sup>12</sup> In this context, hierarchical values developed from the previous Muslim scholarship. Therefore, the original findings of Abdullah Saeed still have their authorship and foundation from the pre-existing thinking.

The inspiration for this concept was influenced by the idea of value-based interpretation initiated by Fazlur Rahman. Concerning this, Rahman in his work entitled *Islam and Modernity* explained that moral values are an important axis in the whole system, and it is from these values that an Islamic law is produced. Thereby, it indicated that the law is the last part of this link and it is the regulator of all the religious, social, political, and economic institutions of a society. There is an inherent relevance between the law and people's daily lives because their life is built on moral standards. Therefore, any social change entrusts a reinterpretation of a legal product.<sup>13</sup> According to Saeed, Fazlur Rahman did not end up with a concrete hierarchy of values.

The foregoing argument also demonstrated that Abdullah Saeed's study and concept was a continuation and improvement of Fazlur Rahman and other Muslim scholars' work who contributed to the formation of this idea. This is seen in the citation of Zainuddin Abu Hamid Muhammad bin Muhammad al-Tusi al-Gazali al-Syafi'i (450-505 A.H./ 1058-1111 C.E.), Abū Muḥammad 'Izz al-Dīn 'Abd al-'Azīz bin 'Abd al-Salām bin Abī al-Qāsim bin Ḥasan al-Sulamī al-Syāfi'ī (577-660 A.H. / 1182-1262 C.E.), and Abu Ishaq Ibrahim bin Musa bin Muhammad al-Lakhmi al-Maliki (720 – 790 A.H./1320 – 1388 C.E.) in explaining the fundamental values.<sup>14</sup>

This study seeks to elaborate the concept of the hierarchy of values in the Qur'ān, as a product of interpretation offered by Abdullah Saeed, not as a theory or a concept within the framework of contextualist interpretation. Additionally, the concept was analyzed from a philosophical hermeneutics point of view to understand the philosophical and literary interpretations. The background of the drafting was investigated using the perspective of historically effected consciousness and the fusion of horizons, which is a theoretical framework initiated by Hans-Georg Gadamer (1900-2002).

Hans-Georg Gadamer is a leading philosopher in the field of hermeneutics. He was born in Marburg, Germany in 1900. In general, his thoughts are based on phenomenology. His most important work is *Wahrheit and Methode* (1960).<sup>15</sup> Gadamer's hermeneutic perspective is seen as providing space for readers to understand a text. In the reading process there will be a dialogue between the reader and the current context on the one hand and the text with its unique context on

<sup>11</sup>Sun Choirol Ummah, "Abdullah Saeed's Contemporary Interpretation Method," *Humanika* 18, no. 2 (2019): 126-42, <https://doi.org/10.21831/hum.v18i2.29241>.

<sup>12</sup>Saeed, *Reading the Qur'ān in the Twenty-First Century: A Contextualist Approach*.

<sup>13</sup>Rahman, *Islam and Modernity: Transformation of an Intellectual Tradition*.

<sup>14</sup>Latifah A.M and Sharifah Nayan, "Ratio- Legal Fazlur Rahman's Hermeneutics and Its Influence on Sisters-in-Islam," *Jurnal Living Hadis* 6, no. 1 (2021): 105-20, <https://doi.org/https://doi.org/10.14421/livinghadis.2021.2648>.

<sup>15</sup>Edi Muliono, *Learning Hermeneutics: From Philosophical Configuration Towards Islamic Studies Praxis*, I (Jogjakarta: IRCiSoD, 2012).

the other. Gadamer's hermeneutic method functions to "contest" an establishment, ideological hegemony, and standardization of text interpretation.<sup>16</sup>

## 2. Literature Review

Several other studies reviewed the topic regarding the issues surrounding Abdullah Saeed's thoughts. However, the object focuses more on the methodological aspects of the interpretation. For instance, Lien Iffah in "Contextual Interpretation of Abdullah Saeed: A Refinement to Fazlur Rahman's Tafsir Ideas," explained that Abdullah Saeed translated Rahman's thinking into a more rigid framework, with clearer stages.<sup>17</sup> The same result was stated by Ahmad Zaini in "Abdullah Saeed's Model of Interpretation of the Qur'ān,"<sup>18</sup> Hatib Rachmawan in "The Hermeneutics of the Contextual Qur'ān: Methods of Interpreting the Qur'ān of Abdullah Saeed,"<sup>19</sup> M. Solahudin in "Discussing Abdullah Saeed's Contextualist Approach in Understanding the Qur'ān,"<sup>20</sup> Muhammad Hasbiyallah in "Contextual Interpretation Paradigm: Efforts to Ground the Indigo-Values of the Qur'ān,"<sup>21</sup> and Thoriq Aziz Jayana in "The Model of Qur'ānic Interpretation in Abdullah Saeed's Contextual Interpretation Approach."<sup>22</sup>

None of the previous studies has examined Abdullah Saeed's concept of values hierarchy. Furthermore, this concept can be said to be an original finding in formulating a hierarchy of values in the Qur'ān that is not explicitly described.<sup>23</sup> The current study is more descriptive and does not provide a sharp analysis, which shows the extent of the novelty of the idea. It seeks to fill the by uncovering the hierarchical construction of the values of the Qur'ān in the Abdullah Saeed's thoughts. This was conducted by making Gadamer's philosophical hermeneutic theory, which is a tool for analysis. Hans-Georg Gadamer's hermeneutical perspective considers that in reality, that belongs to a person is formed as an accumulation of various clumps that surrounded them in the

<sup>16</sup>Matthew W. Knotts, "Readers, Texts, and the Fusion of Horizons: Theology and Gadamer's Hermeneutics," *Acta Universitatis Carolinae Theologica* IV, no. 2 (2014): 233-46; Abdul Halim, *Aswaja: Nahdatul Ulama Politicians Gadamer's Perspective of Hermeneutics*, I (Jakarta: LP3ES, 2014).

<sup>17</sup>Lien Iffah Naf'atu Fina, "Abdullah Saeed's Contextual Interpretation: A Completion of Fazlur Rahman's Tafsir Ideas," *Hermeneutik* 9, no. 1 (2015): 65, <https://doi.org/https://doi.org/10.14421/esensia.v12i1.707>.

<sup>18</sup>Ahmad Zaini, "Abdullah Saeed's Interpretation of The Qur'ān," *ISLAMICA: Jurnal Studi Keislaman* 6, no. 1 (2011), <https://doi.org/http://dx.doi.org/10.15642/islamica.2011.6.1.25-36>.

<sup>19</sup>Hatib Racmawan, "Contextual Koran Hermeneutics: Methods of Interpreting the Qur'ān Abdullah Saeed," *Afkaruna* 9, no. 2 (2013): 148-61, <https://doi.org/10.18196/AIJIS.2013>.

<sup>20</sup>M. Salahudin, "Discussing Abdullah Saeed's Contextual Approach to Understanding The Qur'ān," *Qof* 2, no. 1 (2018): 50-64, <https://doi.org/10.30762/qof.v2i1.499>.

<sup>21</sup>Muhammad Hasbiyallah, "The Contextual Interpretation Model: Efforts to establish the values of the Qur'ān," *Al-Dzikra: Jurnal Studi Ilmu Al-Qur'ān Dan Al-Hadits* 12, no. 1 (2018), <https://doi.org/10.24042/al-dzikra.v12i1.2924>.

<sup>22</sup>Thoriq Aziz Jayana, "The Model of Interpretation of the Qur'ān in the Approach to Contextual Interpretation Abdullah Saeed," *Al-Quds: Journal of Qur'ānic and Ḥadīth Studies* 3, no. 1 (2019): 37-52, <https://doi.org/10.29240/alquds.v3i1>.

<sup>23</sup>Aan Najib, "Contextual Qur'ān Interpretation: The Study on the Concept of Hierarchy of Values Abdullah Saeed," *Journal of Islamic Studies and Culture* 4, no. 2 (2016): 94, <https://doi.org/https://doi.org/10.15640/jisc.v4n2a9>.

past.<sup>24</sup> At this point, Hans-Georg Gadamer's hermeneutics is used to understand Abdullah Saeed's text not only as a text alone, but also as a reality itself.

### 3. Hermeneutics of Hans Georg Gadamer

The theoretical construction refers to the philosophical hermeneutics initiated by Hans Georg Gadamer. Firstly, historically effected consciousness. According to Gadamer, historically effected consciousness is a theory about hermeneutic awareness.<sup>25</sup> Sahiron Syamsuddin called it "awareness of historical influence."<sup>26</sup> Therefore, there is no objective knowledge of this phenomenon.<sup>27</sup> The essence of this theory suggested that an interpreter should have subjectivity in the adherence to the interpreter's life history. Secondly, fusion of horizons. This theory is a continuation of the above pre-understanding. The fusion of horizons is also referred to as the 'merging'. This approach holds that once a person has a pre-understanding, the interpreter should work to rehabilitate the concept. Horizon is a stretch of vision that includes everything seen from a certain point of departure.<sup>28</sup>

Gadamer gives two divisions known as historical and present horizons. The present horizon is the form or result of the constant testing of prejudices. It cannot be formed without the existence of a horizon of the past.<sup>29</sup> Sahiron Syamsuddin explained that in the process of interpretation, one should realize the two horizons. First is the horizon of knowledge, which is contained in the text and second is the horizon of understanding or the reader. These two horizons are always present in a process of understanding and interpretation. An interpreter always begins with the hermeneutic horizon but realizes that the text may be different from the reader.<sup>30</sup> Gadamer argued, "Tensions between the two can be addressed" when the items are shared. Combining or dialoguing both horizons will result in one new understanding, which is the fusion theory's essence.

### 4. Biographical Portraits and Intellectual Contributions of Abdullah Saeed

Abdullah Saeed is an Omani Muslim thinker and academic born in the Maldives on September 25, 1964.<sup>31</sup> His intellectual career started after leaving Maldives for Saudi Arabia in 1977, where he completed his education and earned a bachelor's degree in Islamic studies at the Islamic University of Saudi Arabia in the city of Medina in 1986.<sup>32</sup> After completing his studies in Medina, Saeed

<sup>24</sup>Forrest Clingerman et al., "REVIEWS 695 Forrest Clingerman, Brian Treanor, Martin Drenthen and David Utsler (Eds.)," 2016, 2015–17, <https://www.researchgate.net/publication/264570605>

Interpreting Nature The Emerging Field of Environmental Hermeneutics Groundworks Ecological Issues in Philosophy and Theology.

<sup>25</sup>Itñaki Xavier Larrauri Pertierra, *Gadamer's Historically Effected and Effective Consciousness* (Cambridge University Press, 2022), <https://doi.org/http://dx.doi.org/10.1017/S0012217322000178>.

<sup>26</sup>Sahiron Syamsuddin, *Interpretation and Development of Qur'ānic Sciences*, 1st ed. (Yogyakarta: Pesantren Nawesea Press, 2017).

<sup>27</sup>Jon Nixon, "Gadamer: 'The Problem of Method'," in *Education Research Department Seminar* (Lancaster University Education, 2017), <https://doi.org/10.13140/RG.2.2.23722.21449>.

<sup>28</sup>Paul Regan, "Hans-Georg Gadamer's Philosophical Hermeneutics: Concepts of Reading, Understanding and Interpretation," *Meta* 4, no. 2 (2012): 286-303.

<sup>29</sup>Oscar Moro Abadía, "Hermeneutical Contributions to the History of Science: Gadamer on 'Presentism'," *Studies in History and Philosophy of Science Part A* 42, no. 2 (2011): 372-80, <https://doi.org/https://doi.org/10.1016/j.shpsa.2010.12.003>.

<sup>30</sup>Syamsuddin, *Interpretation and Development of Qur'ānic Sciences*.

<sup>31</sup>Jayana, "The Model of Interpretation of the Qur'ān in the Approach to Contextual Interpretation Abdullah Saeed."

<sup>32</sup>Muchlisin, "Contextual Interpretation: A Study of the Concept of Abdullah Saeed's Hierarchy of Value."

continued his academic career at the master's level in applied linguistics at the University of Melbourne, Australia. In 1992, he completed his doctoral program in Islamic Studies at the same University.<sup>33</sup> Furthermore, he joined as a young lecturer at the Department of Asian Languages and Anthropology at the university, which awarded him master's and doctorate degrees. Three years later, he was appointed as a senior lecturer at the same university. In 2000, Saeed was listed as a member of the Professors Association and three years later, he won the title of Professor in the field of Arabic and Islamic Studies.<sup>34</sup>

The intellectual contributions can be seen in the academic works conducted since 1997.<sup>35</sup> Saeed wrote an article entitled "*Ijtihād* and Innovation in Neo-Modernist Islamic Thought in Indonesia," which was published in 1977. Additionally, he published a book titled *Islamic Banking and Interest: A Study of Prohibition of Riba and Its Contemporary Interpretation*,<sup>36</sup> which is his dissertation written in 1996. He offered an interpretation from the point of view of morality and humanity unearthed from the spirit of the Qur'ān and *Sunnah*.

Saeed wrote another article titled "Rethinking Citizenship Rights of Non-Muslims in an Islamic State: Rachid al-Ghannushi's Contribution to the Evolving Debate".<sup>37</sup> In the article, Saeed highlighted the issue of the rights of non-Muslim minorities in Islamic countries. This article briefly discusses the issues of freedom of belief, religious conversion, equal rights to public office, and equal treatment of Muslims and non-Muslims.

Saeed has also written two articles that have been published as two chapters, titled "Muslim Communities in Australia". The first is titled "Searching for Identity: Muslims in Australia" co-written by Shahram Akbarzadeh.<sup>38</sup> The introduction to the book "Muslim Communities in Australia" sets out the context for Australian Muslims. Saeed and Akbarzadeh showed that Australian Muslims, particularly the second and third generations, have added new elements to their identities

In this situation, they developed a bond with Australian identity without compromising their Islamic and ethnic identity. Meanwhile, the Australian identity complemented their religious and ethnic identity.<sup>39</sup> Saeed and Akbarzadeh viewed the phenomenon as a possible realization of a hybrid Islamic identity based on a commitment to the secular norms of Australian society, Islamic traditions, and ethnicity.

<sup>33</sup>Saeed, *Reading the Qur'ān in the Twenty-First Century: A Contextualist Approach*.

<sup>34</sup>Racmawan, "Contextual Interpretation of the Qur'ān: Methods of Interpreting the Qur'ān Abdullah Saeed."

<sup>35</sup>Abdullah Saeed, "*Ijtihād* and Innovation in Neo-modernist Islamic Thought in Indonesia," *Islam and Christian-Muslim Relations* 8, no. 3 (1997): 279-95, <https://doi.org/10.1080/09596419708721127>.

<sup>36</sup>D. Ismail, M. N. Sayuti, and D Farid, "Conventional Banking, Sharia Banking, and Financial Justice," *Journal of Economic Studies* 04, no. 02 (2020): 63-75, <https://doi.org/10.32506/joes.v4i2.640>.

<sup>37</sup>Abdullah Saeed, "Rethinking Citizenship Rights of Non-Muslims in an Islamic State: Rashid Al-Ghannūshi's Contribution to the Evolving Debate," *Islam and Christian-Muslim Relations* 10, no. 3 (1999), <https://doi.org/10.1080/09596419908721189>.

<sup>38</sup>Abdullah Saeed, and Shahram Akbarzadeh, "Searching for Identity: Muslim in Australia," in *Muslim Communities in Australia* (Sydney: A UNSW Press, 2001).

<sup>39</sup>Nebras Sawalha, "Muslims in Australia: The Bond between Indigenous Australians and Islam," *Crescent Wealth*, 2021, <https://crescentwealth.com.au/muslim-community/muslims-in-australia-the-bond-between-indigenous-australians-and-islam/>.



In 2002, Saeed published an article titled as “The Charge of Distortion of Jewish and Christian Scriptures in the journal *The Muslim World*.”<sup>40</sup> Even though the Qur’ān paid homage, Muslims used some verses to claim that both books have changed in the current context.

Saeed's other contributions can also be seen in the collaborative works he wrote with his partner Akbarzadeh (2003) titled “The Official Ulama and Religious Legitimacy of the Modern Nation State,” in the book *Islam and Political Legitimacy*.<sup>41</sup> Through these writings, they try to describe the confrontation between Islam and politics in specific countries. In 2004, Said and Anthony H. Jones also explores Nurcholish Majeed's ideas with an article titled “Nurcholish Madjid and the Interpretation of the Qur’ān,” in *Modern Muslims Intellectuals, and the Qur’ān: Religious Pluralism and Tolerance*.<sup>42</sup> They explained how Nursholis Majeed interprets the Qur’ān in the context of the diversity of Indonesian society. In 2005, Said initiated the methodology of contextual interpretation with his work *Interpretation of the Qur’ān: Towards Contemporary Approaches*. In it, Said put forward various arguments to liberate the verses of legal ethics from the true meaning of law.

### 5. Construction of Hierarchy of Values and Analysis of Philosophical Hermeneutics

The concept of value hierarchy is an important instrumental tool in exploring the value base of the verses of the Qur’ān, which can be applied in the current context.<sup>43</sup> It allows an interpreter to identify the degree of urgency, complexity, and ambiguity of the values in the verses of the Qur’ān.

The absence of the interpreter's awareness of the existence of hierarchies in the values can lead to the birth of interpretations contrary to the universal value of the Qur’ān. Furthermore, Saeed asserted that the term 'value' means broader, not in a general sense. The 'value' is what a Muslim wants to adopt, follow, practice, or reject in terms of beliefs, ideas, and practices. Therefore, a tentative hierarchy of values was presented in the most important order.<sup>44</sup>

#### 5.1. Obligatory Values

In the first level of the hierarchy, Saeed referred to them as obligatory values. In the Qur’ān, there are fundamental values that are undoubted and are not tied to the cultural dimension. Muslims agree that values are the highest moral principles in Islam.<sup>45</sup> Furthermore, Saeed revealed that the verses of the Qur’ān are grouped into three categories.

First, verses contain values related to the belief system, such as faith, prophet hood, scripture, and the day of vengeance, or in other words, relating to the pillars of faith. Saeed listed QS an-Nisa: 136 as one of the prime examples of a verse in this category. Secondly, verses contain values related to aspects of worship that receive special emphasis in the Qur’ān, such as prayer, fasting, hajj, and remembering Allah. In other words, what is meant is a matter of worship repeatedly affirmed, universal, and unchanging. Saeed referred to it as mahdah worship.<sup>46</sup> Thirdly, verses related to the

<sup>40</sup>Abdullah Saeed, “The Charge of Distortion of Jewish and Christian Scriptures,” *The Muslim World* 92, no. 3-4 (2007): 419-36, <https://doi.org/https://doi.org/10.1111/j.1478-1913.2002.tb03751.x>.

<sup>41</sup>Abdullah Saeed, “The Official Ulama and Religious Legitimacy of the Modern Nation State,” in *Islam and Political Legitimacy* (London: Routledge, 2003).

<sup>42</sup>Anthony H. Johns and Abdullah Saeed, “Nurcholish Madjid and the Interpretation of the Qur’ān: Religious Pluralism and Tolerance,” in *Modern Muslim Intellectuals and the Qur’ān* (Oxford: Oxford University Press, 2004), <https://ixtheo.de/Record/391290541>.

<sup>43</sup>Lien Iffah Naf’atu Fina, “Abdullah Saeed's Contextual Interpretation: A Completion of Fazlur Rahman's Tafsir Ideas.”

<sup>44</sup>Saeed, *Reading the Qur’ān in the Twenty-First Century: A Contextualist Approach*.

<sup>45</sup>Saeed, *Interpreting the Qur’ān: Towards a Contemporary Approach*.

<sup>46</sup>Saeed, *Reading the Qur’ān in the Twenty-First Century: A Contextualist Approach*.



affirmation of the *halalness* and monasticism of something and there is no indication of conditional dependence or universal. Anything labeled as *halāl* or monastic cannot be reclassified as non-halal under any circumstances.

To detect the verses in this category, Saeed stated<sup>47</sup> that *uhilla* (along with its derivation) and *harramna* (and its derivation) editors fall into this category. Several examples of verses in this category included QS al-Māidah: 96, QS al-Baqarah: 187, QS al-Baqarah: 173 and 275.

Even though Saeed showed the characteristics of verses, the category is quite limited. Furthermore, the universality of the law is very logical and the legal status applies to the basic abilities and monastics. In other words, there is still room for the development and clarification of the intent of the order and prohibition. Among the examples of cases is the issue of usury, which is referred to as one of the verses of obligatory values. The prohibition contained in this verse is fundamental. The universality is not found in the definition of usury, in which there are many definitions that can be considered. The agreement was the monastic practice of usury with many transactions in the form of the practices. However, these transactions are not included in the practice of usury intended by the Qur'ān. In this third category, Saeed was not talking about the halal/haram products contained in the Islamic law books, but the fundamental value of the verses.

### 5.2. Fundamental Values

This second level in the concept of the hierarchy of values refers to the existence of the basic values of 'humanity' in the Qur'ān. Saeed showed several examples, including the protection of the right to life, family, or even property. According to the original thinkers in the field of *usūl*, there are five core principles, which can be applied.<sup>48</sup> In other words, Saeed made the concept of *maqashid shari'ah* initiated by *usūl* scholars to build the idea of fundamental value.

The fundamental value in the Qur'ān has been emphasized repeatedly and affirmed by strong textual postulates. These values are included in the basics of the teachings of the Qur'ān.<sup>49</sup> It takes more work to find a verse in the Qur'ān that contains basic moral principles. Previously, even though scholars have built up the five universal values in the Qur'ān, there is still a possibility they can be increased to obtain other values. Among these extensions are, for example, the group's preservation of stability (security and peace) and the preservation of the environment.

### 5.3. Protectional Values

Protectional and fundamental values are bonded by the same law to maintain the sustainability of each. The protection of property rights would be meaningless if it has not been translated into praxis. Unlike a fundamental value outside a single text as proof of its existence, protection depends on a text. By looking at the urgency of these protective values, the aspect of universality can also be extended. Therefore, these values cannot be separated from each other due to the concrete form of the previous knowledge.

### 5.4. Implementational Values

This is a specific action, used to carry out the protection value. Saeed exemplifies the issue of theft being banned in the previous value. The implementation value provides specific against those

<sup>47</sup>Saeed, *Interpreting the Qur'ān: Towards a Contemporary Approach*.

<sup>48</sup>Khaidir Hasram, "Legislative rules As a Basis for the Contemporary Jurisprudence Approach" *Mazahibuna: Journal of Comparative Doctrines* 1, no. 2 (2019): 146-65, <https://doi.org/https://doi.org/10.24252/mh.v1i2.11127>.

<sup>49</sup>Saeed, *Interpreting the Qur'ān: Towards a Contemporary Approach*.

who violate the ban, similar to QS al-Maidah: 38.<sup>50</sup> Therefore, all legal forms specified in the Qur'ān are the form of implementation of value protection.

It is different from the values that existed before which were universal. Furthermore, the tension in the debate among Islamic scholars is quite high. The first opinion insisted that this value should be applied anywhere or at least in areas where the majority of the people are Muslims. On the other hand, the second view considers that determining the importance of implementing the teachings in the present time really needs to be considered in the context of revelation (first century/7 AD), because it is very possible. In other areas, the punishment may be ineffective and require other forms of law.<sup>51</sup>

Saeed agreed more with the second view because his thinking was relevant to the context. Furthermore, the specific measures, such as the punishment of cutting hands, do not appear to be a fundamental purpose or value of the Qur'ān. This is because the Qur'ān is almost an indication of such commandments, which is a deterrence against any unacceptable deed.<sup>52</sup>

The argument put forward by Saeed, firstly relates to the objective conditions of the Qur'ān which is that after mentioning a verse about a certain law, there is always an injunction to repent, which can absolve him of punishment.<sup>53</sup>

Second, the practice of companions after the death of the Prophet (SAW): Saeed made the Caliph Umar ibn al-Khattab an example of such a case. At that time, Hazrat Umar (R.A) wanted to carry out the punishment of cutting hands for thieves who had committed acts of theft three times. However, Ali ibn Abi Talib who was Hazrat Umar's advisor refused to impose the sentence and proposed caning and confinement.<sup>54</sup>

The textual application of the law to theft cases cannot be conducted casually, rather many aspects need to be considered. Therefore, Saeed argued that in the values of this implementation, not everything is universal.

### 5.5. Instructional Values

This is the most numerous value in the Qur'ān and it is a measure or action taken when dealing with specific problems at the time of revelation. Furthermore, it refers to several instructions, directions, and advice of a specific nature in the Qur'ān, which is related to various issues, situations, environments, and certain contexts.

These instructional texts have special characteristics using various linguistic tools, such as command sentences (*amr*) or the word prohibition (*la*), a simple statement about charity, parables (*matsal*), and special stories or events. Several examples in this category are verses, namely commanding to marry more than one woman under certain conditions such as those found in QS an-Nisa': 2-3, relating to male leadership over women in QS an-Nisa': 34-35, containing the command to do good deeds to certain persons in QS an-Nisa': 36, relating to the prohibition against making

<sup>50</sup>Wahyuddin Naro et al., "Shariah Assessment toward the Prosecution of Cybercrime in Indonesia," *International Journal of Criminology and Sociology* 9 (2020): 572–86, <https://doi.org/https://doi.org/10.6000/1929-4409.2020.09.5>.

<sup>51</sup>Saeed, *Reading the Qur'ān in the Twenty-First Century: A Contextualist Approach*.

<sup>52</sup>Muhammad Husni, "Integration of the Civil Society Development of the Prophet Muhammad ; Historical Perspective," *Pappaseng: International Journal of Islamic Literacy and Society* 1, no. 1 (2022): 47-57, <https://doi.org/https://doi.org/10.56440/pijils.v1i1.3>.

<sup>53</sup>Saeed, *Interpreting the Qur'ān: Towards a Contemporary Approach*.

<sup>54</sup>Husni, "Integration of the Civil Society Development of the Prophet Muhammad ; Historical Perspective."

infidels companions or friends in QS an-Nisa': 89-90, and relating to the suggestion of greetings in QS an-Nisa': 86. These five examples are verses containing instructional values with multilevel difficulties in the contextualization efforts.<sup>55</sup>

The difficulty is closely related to the questions surrounding the universality of such instructions. This instructional value goes beyond the specificity of culture and should be adhered to in all conditions. The value conditions at the time and the verses can be 'recreated' for the instructional rules applied. Furthermore, when the Qur'an mentions slavery in QS al-Baqarah: 177, QS an-Nisa': 36, QS an-Nūr: 33, and QS al-Balad: 12-17, the current social structure, which has already abolished slavery should be changed to carry out this instruction. The response of the Muslim community towards the verses containing instructive teachings was also very important.<sup>56</sup>

In QS an-Nisa': 34, which mentions about male leadership over women, a contextual response of the revelatory period was conveyed through this verse. Therefore, it was very thoughtful of them to consider the conditions of men and women at that time. In Hijaz society, women were not involved in decision-making, warfare, and the moment of deprivation of treasures. This verse can be seen as an expression of the values or beliefs of its time, specifically the notion that women should be "protected" by men. In its development, it was accepted and understood normatively by traditionalists.<sup>57</sup> Saeed recognized the difficulty in applying a uniform criterion to the interpretation of these Qur'anic verses, therefore, the scholar believed to have a pedagogical value heavily dependent on the context.

Saeed set out to establish guidelines for the readers by which readers could better perceive and absorb the verses' for its pedagogical significance. It is very important to explore the verses very carefully to obtain a conclusion on the universality of the value or hierarchy of values. The three concrete steps compiled are, namely looking at the frequency of occurrence of these values in the Qur'an, seeing its significance or emphasis in the proselytizing of the Prophet Muhammad (*SAW*), and seeing the relevance to the context of the Prophet Muhammad (*SAW*) and the first Muslim society. Saeed formulated this to measure the basic nature of its universality, the possibility of application, and the degree of necessity.

These three concrete steps resulted in some general rules, namely it can be assumed that a value has universal applicability when mentioned frequently in the Qur'an, the broader the scope of a particular value, the greater the likelihood to be applied universally, the more universal the relevance of a particular value, the greater the likelihood to be universally applicable, when a particular value meets all three of the above criteria, then it is most likely equivalent to a universal value, and when a particular value does not meet the above criteria, it is not universal and is only a particular or specific value.<sup>58</sup> Therefore, the hierarchical construction of Said's values above determines the classification of textual verses that are not contextually related. This was summed up in the table below to determine the unrestricted and restricted contexts.

Unrestricted Context	Restricted Context
Obligatory Values	
Fundamental Creed-Belief Dimensions	
Fundamental Dimensions of Worship	
Dimensions That Are Clear About <i>Halāl and Harām</i>	
Fundamental Values	

<sup>55</sup>Saeed, *Reading the Qur'an in the Twenty-First Century: A Contextualist Approach*.

<sup>56</sup>Saeed, *Interpreting the Qur'an: Towards a Contemporary Approach*.

<sup>57</sup>Zaini, "Model interpretation of the Qur'an Abdullah Saeed."

<sup>58</sup>Saeed, *Interpreting the Qur'an: Towards a Contemporary Approach*.

Unrestricted Context	Restricted Context
Protectional Values	Implementational Values
Instructional Values	Instructional Values
What Appears Frequently	What Appears Frequently
What Stands Out	What Stands Out
What's Relevant	What's Relevant

## 6. Conclusion

Based on the previous description, it can be concluded that there is an interpretive consciousness that forms the hierarchical structure of Abdullah Saeed's values. In this context, Abdullah Said's construction of a hierarchy of values cannot be separated from the Australian social and cultural context. From the perspective of Hans-Georg Gadamer's interpretations, it becomes clear that there is a mixture of past horizons in the form of knowledge contained in the text (the Qur'ān and Sunnah) on the one hand, and the current horizon, which is the form or result. From the continuous testing of bias in the thought space of Abdullah Saeed. Through the process of dialogue or merging between the two horizons, Said formulates a new knowledge or understanding that he calls the hierarchy of value. This concept defines the basic requirements for a contextual interpretation of the Qur'ān in a global-unrestricted and limited restricted context. That way, interpreters can identify the level of urgency, complexity, and ambiguity of values in the verses of the Qur'ān.

### Conflict of Interest

Author(s) declare that they have no conflicts of interest.

### Funding Details

This research did not receive grant from any funding source or agency.

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