

The Development of the Terminology of *al-Hikmah* in the History of Usul al-Fiqh

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Abstract

The development of knowledge is important in any science for it is a necessity in order to achieve the truth and true knowledge. However, it can also cause some polemic on certain matter for which in order to solve that polemic it will need further elaboration and examination of various aspects pertaining to such matter such as the term used as defined by classical scholars. This study will be focusing on the term of *al-Hikmah*, its definition and interpretation both in the field of Quranic Exegesis (*Tafsir*) and The Principles of Islamic Jurisprudence (*Uşūl al-Fiqh*) from classical and contemporary scholars' perspectives. As data collection in this qualitative study, the method of documentation was used and the literatures of Uşūl al-Fiqh and Tafsir were examined. Meanwhile, the data were analysed using the method of content analysis. This study has found out that throughout the period of development in Uşūl al-Fiqh itself, the term of *al-Hikmah* has gone through some changes from the first time it was formulated and was defined by classical Uşūl scholars with various perspectives in connection with other terminology in Uşūl al-Fiqh such as *al-'illah* and also with other branches of knowledge such as Theology or Dialectic (*Kalam*).

Keyword: Hikmah, 'illah, underlying cause, wisdom behind rulings, ta'lil al-ahkam, ta'lil bi al-hikmah, Usul al-Fiqh.

Introduction

The development of certain terms in disciplines of sciences throughout its history from the beginning of its formulation until this age is a normal phenomenon. There are certain terms in a particular discipline which have its meaning differ significantly from other discipline. The Principle of Islamic Jurisprudence or Uşūl al-Fiqh is also not free from this phenomenon. Imam Abu Hanifah once used the term "fiqh" to refer to the knowledge of faith in Islam or Islamic belief system in his book *al-Fiqh al-Akbar* but after his time the meaning of the term "fiqh" was specifically referred to Islamic jurisprudence (M. Zuhdi & P. Ismail, 2004).

Similarly, the term "*al-hikmah*" or famously translated as wisdom discussed in the disciplines of Uşūl al-Fiqh differs from its normal usage, or in any other branch of disciplines such as Quranic Exegesis (*tafsir*), philosophy, *tasawwuf* and others. However, upon a more

detailed examination, the term “*hikmah*” has also seen development within the corpus of Uṣūl al-Fiqh itself throughout its discourse and have cause some dispute or polemic on certain matters such as ratiocination using *hikmah* (*ta’lil bi al-hikmah*) instead of ‘illah and others. Therefore, in order to solve the polemic of that particular problem, first the term *al-hikmah* as understood and defined by classical Usul scholars in their writings of Usul al-Fiqh must be examined. Moreover, definition of the term *al-hikmah* must be understood from a historically consecutive point of view from its first definition formulation until this day. This has to be done to see if its definition has gone through a tremendous development or change, or is understood by the Usul scholars as the same meaning throughout history.

Research Methodology

Method of document analysis was used as data collection method. The writings of Uṣūl al-Fiqh were examined specifically when the term of *al-Hikmah* was concerned. Usually it is discussed in the Analogy (*Qiyās*) section. As will be seen below, this study has chosen the classical writings of Uṣūl al-Fiqh from the period of Imam al-Juwayni (d.487H/1094M) until the contemporary. The interpretations of *al-Hikmah* were also acquired from the writings of classical and contemporary Tafsir. Content analysis method was used as method of data analysis, and analysis of *al-Hikmah* was developed in this study based on information obtained from the writings of Uṣūl al-Fiqh and Tafsir respectively.

Findings

The Linguistic Meaning of al-Hikmah

The word wisdom linguistically is to know the best of matter through the best of science. Some scholars defined wisdom as the science which will not allow bad things to mix up with good things or to be good things (al-Sa’di, 2000:104).

The Use of al-Hikmah in the Quran and Sunnah

There are several meanings that have been understood by Islamic scholars from the use of the word “wisdom” in the Holy Quran and al-Sunnah depending on the context it is used in certain verses. The following are the meanings of word “wisdom” used in the Quran and Sunnah:

First: The Holy Quran and Knowledge of Its Various Branches of Sciences.

Scholars have interpreted the word “wisdom” as the Quran (Ibn al-Jawzi, 2002:165 & 179) more so if the word “*al-Hikmah*” is used alone without the inclusion of the word “*al-Kitab*” (Ibn Qayyim, 1427H:1/295). As verses of the Qur’an which states:

ادْعُ إِلَى سَبِيلِ رَبِّكَ بِالْحِكْمَةِ وَالْمَوْعِظَةِ الْحَسَنَةِ

Translation: Invite (all) to the way of Thy Lord with wisdom and good instructions.

Al-Nahl,

16:125

It also has been interpreted as the Quran and an in depth understanding or comprehension about it such as to know its *muhkam*, *mutasyābih*, *nasikh* and *mansūkh* (al-Tabari, 2000: 5/576).

يُؤْتِي الْحِكْمَةَ مَنْ يَشَاءُ ۗ وَمَنْ يُؤْتَ الْحِكْمَةَ فَقَدْ أُوتِيَ خَيْرًا كَثِيرًا ۗ وَمَا يَذَّكَّرُ إِلَّا

أُولَئِكَ الْأَنْبِيَاءُ ﴿١٢٥﴾

Translation: He Granteth wisdom to whom He pleaseth; and he to whom wisdom is granted receiveth indeed a benefit overflowing; but none will grasp the Message but men of understanding.

al-Baqarah, 2:269

Wisdom also comes with the meaning of the warnings contained in the Quran in terms of the rules and prohibitions (al-Razi, 1427: 2/399) in the context of knowing these things along with the wisdom behind these rules and prohibitions. Only then it will produce the desired total understanding of it. It is a reflection understood from the following verse:

وَمَا أَنْزَلَ عَلَيْكُمْ مِنَ الْكِتَابِ وَالْحِكْمَةِ يَعِظُكُمْ بِهِ

Translation: And the fact that He sent down to you the Book and Wisdom, for your instruction.

al-Baqarah, 2:231

حِكْمَةٌ بَالِغَةٌ فَمَا تُغْنِ النُّذُرُ

Translation: Extensive wisdom - but warning does not avail [them].

al-Qamar, 54:5

In short, the interpretation of wisdom suggests that it is the knowledge of the meanings of the Quran (al-Nasafi, 2005: 3/243), its realities, its secret and objectives, its alignment with nature (Ibn Ashur, 1984: 1/723), its law, halal and haram, command and prohibitions (al-Tabari, 2000: 9/200) and others as Allah says:

وَأَنْزَلَ اللَّهُ عَلَيْكَ الْكِتَابَ وَالْحِكْمَةَ وَعَلَّمَكَ مَا لَمْ تَكُن تَعْلَمُ

Translation: Allah hath sent down to Thee the Book and wisdom and taught Thee what Thou knewest not (before).

al-Nisā', 4:113

In one of the tradition of the Prophet pbuh also showed that the meaning of wisdom is the Quran when he said: "There is no envy except in two: a person whom Allah has given wealth and he spends it in the right way, and a person whom Allah has given wisdom and he gives his decisions accordingly and teaches it to others" (al-Bukhari, 1400H: 43). The same hadith from another narration from Ibn Umar r.a. with the words "a man whom Allah has given the Quran so he stands to recite it during the day and night" (al-Asqalani, 1379H: 1/167). While in another hadith narrated by Ibn Abbas r.a., he said that the Prophet bring myself to his chest and said, "O Allah, teach him wisdom" (al-Asqalani, 1379H: 6/466) and in another narration, "O Allah, teach him al-Kitab (the Quran)" (al-Asqalani, 1379H: 7/100).

Second: Sunnah of the Prophet Muhammad pbuh and the Knowledge of It.

Hikmah is usually understood as the Sunnah of the Prophet pbuh (Ibn Ashur, 1984: 1/723; al-Tabari, 2000: 3/87, 5/15, 6/423 and 7/370) and it is also Imam al-Shafi'i's interpretation of *hikmah* (al-Razi, 1420H: 4/59). This interpretation of *hikmah* especially if it is coupled with the word *al-Kitab* (Ibn Qaiyyim, 1427: 1/295) such as in the following verses of Quran:

رَبَّنَا وَأَبْعَثْ فِيهِمْ رَسُولًا مِنْهُمْ يَتْلُوا عَلَيْهِمْ آيَاتِكَ وَيُعَلِّمُهُمُ الْكِتَابَ وَالْحِكْمَةَ وَيُزَكِّيهِمْ

إِنَّكَ أَنْتَ الْعَزِيزُ الْحَكِيمُ

Translation: "Our Lord! send amongst them a Messenger of their own, who shall rehearse Thy signs to them and instruct them Scripture and Wisdom, and sanctify them: for Thou art The Exalted In Might, The Wise."

al-Baqarah, 2:129

لَقَدْ مَنَّ اللَّهُ عَلَى الْمُؤْمِنِينَ إِذْ بَعَثَ فِيهِمْ رَسُولًا مِّنْ أَنفُسِهِمْ يَتْلُوا عَلَيْهِمْ آيَاتِهِ
وَيُزَكِّيهِمْ وَيُعَلِّمُهُمُ الْكِتَابَ وَالْحِكْمَةَ وَإِن كَانُوا مِن قَبْلُ لَفِي ضَلَالٍ مُّبِينٍ ﴿١٢٩﴾

Translation: Certainly did Allah confer great favour upon the believers when He sent among them a Messenger from among themselves, reciting to them His verses and purifying them and teaching them the Book and wisdom, although they had been before in manifest error.

Āli 'Imrān, 3:164

وَأَنْزَلَ اللَّهُ عَلَيْكَ الْكِتَابَ وَالْحِكْمَةَ وَعَلَّمَكَ مَا لَمْ تَكُن تَعْلَمُ

Translation: Allah hath sent down to Thee the Book and wisdom and taught Thee what Thou knewest not (before).

al-Nisā', 4:113

وَأَذْكُرَنَّ مَا يُتْلَىٰ فِي بُيُوتِكُنَّ مِنْ آيَاتِ اللَّهِ وَالْحِكْمَةِ

Translation: And remember (O You the members of the Prophet's family, the graces of Your Lord), that which is recited in your houses of the Verses of Allah and al-Hikmah (i.e. Prophet's Sunnah legal ways, etc. so give your thanks to Allah and glorify his praises for this Qur'an and the Sunnah).

al-Ahzāb, 33:34

هُوَ الَّذِي بَعَثَ فِي الْأُمِّيِّينَ رَسُولًا مِّنْهُمْ يَتْلُوا عَلَيْهِمْ آيَاتِهِ وَيُزَكِّيهِمْ وَيُعَلِّمُهُمُ الْكِتَابَ
وَالْحِكْمَةَ وَإِن كَانُوا مِن قَبْلُ لَفِي ضَلَالٍ مُّبِينٍ ﴿٦٢﴾

Translation: It is He who has sent amongst the unlettered an apostle from among themselves, to rehearse to them His Signs, to sanctify them, and to instruct them in Scripture and Wisdom, although they had been, before, in manifest error.

al-Jumu'ah, 62:2

It is therefore clear that wisdom is the knowledge of Allah's rulings which cannot be known except through description and explanation of the Prophet pbuh (Al-Zamakhshari, 1407H: 1/87, 95, 124, 189 & 239). In fact, it is said that wisdom is the determination of the legal rulings through the revelation. However, the interpretation of hikmah as the Sunnah is more common and more popular. As such, the meaning of wisdom in this context is the Sunnah of the Prophet delivered orally which describe and explain anything that is not described in detail in the Quran (Ibn al-Qayyim, 1427: 1/295).

Third: Deep Understanding and Knowledge of Religion.

Hikmah is knowledge of religion and also can be interpreted as deep understanding of Islam as a religion (Ibn al-Jauzi, 2002:799; al-Ṭabarī, 2000:3/87, 211 & 5/578) as can be seen in this verse:

يُؤْتِي الْحِكْمَةَ مَنْ يَشَاءُ ۚ وَمَنْ يُؤْتَ الْحِكْمَةَ فَقَدْ أُوتِيَ خَيْرًا كَثِيرًا ۗ وَمَا يَذَّكَّرُ إِلَّا أُولُو الْأَلْبَابِ ﴿٢٦٦﴾

Translation: He Granteth wisdom to whom He pleaseth; and he to whom wisdom is granted receiveth indeed a benefit overflowing; but none will grasp the message but men of understanding.

al-Baqarah, 2:269

It is also said that wisdom is the knowledge of halal and haram and in depth understanding of both of it (al-Nasafi, 2005: 1/159). Imam Malik narrated that Luqman al-Hakim had instructed his son: "My son, be close to the ulama (Islamic scholars) and join them with both your knees. Allah gives life to the hearts with the light of wisdom like Allah gives life to a dead land with rain from heaven" (al-Zurqānī, 2003: 4/683).

Fourth: The Truth in Words and Actions.

Hikmah is knowing the right thing and then acting according to it as well as accuracy in speech and actions. This cannot be done except by full understanding of the Quran and Sharia as well as grasping the real concept of faith in Islam (Ibn al-Qayyim, 1427: 2/296). Wisdom also removes ignorance and errors which can be attained through righteous action and speech (al-Razi, 1420H: 4/59). It is words that are true and certain that was born as a result of sound knowledge and a healthy mind (al-Tabari, 2000: 3/87 & 5 / 576-578). Allah said:

وَلَقَدْ آتَيْنَا لُقْمَانَ الْحِكْمَةَ أَنْ اشْكُرْ لِلَّهِ

Translation: We bestowed wisdom on Luqman, he said: "Show (thy) gratitude to Allah."

Luqmān: 12

There are also opinions that said that hikmah is knowledge of things that exist and doing good deeds (Al-Zamakhshari, 1407H: 1/691; al-Nasafi, 2005: 3/406). Thus, all words which are true and accurate followed by an act of purification are wisdom (Ibn al-Jawzi, 2002: 165 and 1205). Allah said in the Quran:

وَشَدَدْنَا مُلْكَهُ ۖ وَآتَيْنَاهُ الْحِكْمَةَ وَفَضَّلْنَا الْخِطَابَ ﴿٣٨﴾

Translation: We strengthened his kingdom, and gave him wisdom and sound judgment in speech and decision.

Ṣād, 38:20

Wisdom can also be said as the correct words which follow the right things such as using words that have a clear and well-defined meaning through naqli and aqli sources exhaustively and have been removed from any alien, wrongs and confusing elements (Nasri, 2007: 39). This is the essence of wisdom as mentioned by the Prophet pbuh:

الحكمة ضالة المؤمن فحيث وجدها فهو أحق بها

Translation: Wisdom is the lost property of the believer, wherever he found it he is entitled to it.

(Ibn Majah,

n.d.:2/1395)

Fifth: Union of Knowledge and Action.

Wisdom is a combination of knowledge and action. A wise man, who has been given wisdom and nicknamed al-Hakim (man of hikmah) is a knowledgeable person who performs actions based on true knowledge (al-‘Ālim al-‘Āmil) and can be seen by the firm of his knowledge and the perfection of his action (al-Zamakhshari, 1407H:1/316; Ibn al- Jauzi, 2002:165; al-Nasafi, 2005:1/140; al-al-Rāzi, 1420H: 25/191). The man who is given hikmah has been given blessings beyond count as Allah says in Quran:

يُوْتِي الْحِكْمَةَ مَنْ يَشَاءُ ۚ وَمَنْ يُؤْتَ الْحِكْمَةَ فَقَدْ أُوتِيَ خَيْرًا كَثِيرًا ۗ وَمَا يَذَّكَّرُ إِلَّا أُولُو الْأَلْبَابِ ﴿٥٢﴾

Translation: He Granteth wisdom to whom He pleaseth; and he to whom wisdom is granted receiveth indeed a benefit overflowing; but none will grasp the message but men of understanding.

al-Baqarah, 2:269

Sixth: Revealed Holy Books

We see some of the verses from the Quran as stated below:

فَهَزَمُوهُمْ بِإِذْنِ اللَّهِ وَقَتَلَ دَاوُدُ جَالُوتَ ۖ وَآتَاهُ اللَّهُ الْمُلْكَ وَالْحِكْمَةَ وَعَلَّمَهُ مِمَّا يَشَاءُ

Translation: By Allah’s will they routed them; and David slew Goliath; and Allah gave him power and wisdom and taught him whatever (else) He willed.

al-Baqarah, 2:251

وَيُعَلِّمُهُ الْكِتَابَ وَالْحِكْمَةَ وَالتَّوْرَةَ وَالْإِنْجِيلَ ﴿٥٣﴾

Translation: And Allah will teach him the Book and Wisdom, the law and the Gospel.

Ali Imran,

3:48

أَمْ يَحْسَدُونَ النَّاسَ عَلَىٰ مَا آتَيْنَهُمُ اللَّهُ مِن فَضْلِهِ ۗ فَقَدْ آتَيْنَا آلَ إِبْرَاهِيمَ الْكِتَابَ وَالْحِكْمَةَ ۖ وَآتَيْنَهُم مَّلَكًا عَظِيمًا ﴿٥٤﴾

Translation: Or do they envy Mankind for what Allah hath given them of His bounty? But we had already given the people of Abraham the Book and Wisdom, and conferred upon them a great kingdom.

Al-Nisa’,

4:54

وَإِذْ عَلَّمْنَاكَ الْكِتَابَ وَالْحِكْمَةَ وَالنُّورَ وَالْإِنجِيلَ ﴿١١٠﴾

Translation: Behold! I taught Thee the Book and Wisdom, the law and the Gospel.

al-Māidah, 5:110

وَلَمَّا جَاءَ عِيسَى بِالْبَيِّنَاتِ قَالَ قَدْ جِئْتُكُمْ بِالْحِكْمَةِ وَلِأُبَيِّنَ لَكُمْ بَعْضَ الَّذِي تَخْتَلِفُونَ فِيهِ ۖ فَاتَّقُوا اللَّهَ وَأَطِيعُوا ۗ ﴿٦٣﴾

Translation: When Jesus came with clear signs, He said: "Now have I come to you with Wisdom, and in order to make clear to you some of the (points) on which ye dispute: Therefore, fear Allah and obey me.

al-Zukhruf, 43:63

The word Hikmah in the verses of the Quran as mentioned above have been interpreted by some scholars of Tafsir as the books from heaven or sky (kitab Samawi) such as Injil (Bible), Taurat (Torah) and Zabur, and also the past or previous Shariah which have been revealed to the prophets before Islam (al-Nasafi, 2005:3/33 & 4/100; al-Zamakhshari, 1407H:1/691 & 4/80).

Seventh: Prophethood (*Nubuwwah*).

Scholars have also interpreted hikmah as prophethood (al-Qurtubi, 1964: 18/258; Ibn al-Jawzi, 2002: 154, 165, 292 and 799; al-Tabari, 2000: 5/372, 8/481 & 579; al-Rāzi, 1420H: 2/400). Hikmah also means putting things in its right place and in proper condition. Hence, for the good that will come into being with the perfection and realization of that hikmah, it has to and can only be achieved by prophethood (al-Rāzi, 1420H: 6/517). This has truly been shown by all of the prophets especially Prophet Muhammad pbuh. Allah says in the Quran:

وَشَدَدْنَا مُلْكَهُ ۖ وَءَاتَيْنَاهُ الْحِكْمَةَ وَفَضَّلْنَا الْخِطَابَ ﴿٢٠﴾

Translation: We strengthened his kingdom, and gave him wisdom and sound judgment in speech and decision.

Ṣād, 38:20

فَقَدْ ءَاتَيْنَا آلَ إِبْرَاهِيمَ الْكِتَابَ وَالْحِكْمَةَ وَءَاتَيْنَاهُمْ مُلْكًا عَظِيمًا ﴿٥٤﴾

Translation: But we had already given the people of Abraham the Book and Wisdom, and conferred upon them a great kingdom.

Al-Nisa',

4:54

فَهَزَمُوهُمْ بِإِذْنِ اللَّهِ وَقَتَلَ دَاوُدُ جَالُوتَ ۖ وَءَاتَيْنَاهُ اللَّهُ الْمُلْكَ وَالْحِكْمَةَ وَعَلَّمَهُ مِمَّا يَشَاءُ ﴿٢٥١﴾

Translation: By Allah's will they routed them; and David slew Goliath; and Allah gave him power and wisdom and taught him whatever (else) He willed.

al-Baqarah, 2:251

Eighth: Knowledge and Understanding of the Secrets of Things and Reality.

Hikmah is a true knowledge which can inspire oneself to conduct a meaningful and beneficial act (Ibn 'Asyūr, 1984:3/61) because he/she understand and can comprehend that that knowledge contains beneficial and meaningful secrets, lessons or wisdom behind it, and as such demanded it to be obeyed and acted upon (Riḍa, 1990:11/205). Allah said in the Quran:

وَأَذِّنْ لِقَوْمِكَ الْحِكْمَةَ وَالنُّورَ وَالْإِنْجِيلَ

Translation: Behold! I taught Thee the Book and Wisdom, the law and the Gospel.

al-Māidah, 5:110

There are opinions of scholars who said that wisdom is to know the secrets of various things, while some said that it is reason or intellect (*'aql*) for the medium to grasp wisdom is within a healthy and safe mind (Ibn al-Jawzi, 2002: 799; al-Tabari, 2000: 3/87). There are also opinions that said hikmah is to know something which is right and contains no mistakes in it, therefore it is not wisdom unless it is a knowledge that is protected from any mistakes and ignorance. Thus, they defined wisdom as knowing the reality of a matter within the scope of capabilities of man to know, without incorporating elements of intricate (*mutasyabih*) or in other words not confused nor mistaken in the context of defining and searching 'illah and reasons. It is a plural noun for all the disciplines of knowledge or sciences that discuss the benefits of human's affair and belief system, and it is a continuous benefit (Ibn 'Asyur, 1984: 14/327).

Ninth: Fear and *Wara'*

Hikmah also has been interpreted by scholars as a sense of fear (to Allah) and abstinence or scrupulousness (*wara'*). However, this interpretation is more inclined towards the effect of the wisdom after it is inherent in human being which come into effect after the wisdom have been truly understood by man (al-Jawziyah, 1427H: 2/295; Ibn al-Jawzi, 2002: 165).

Tenth: Right, Accurate, Clear, True and Congruent Explanation.

Hikmah can also be interpreted as words and actions which show and explain the truth and righteousness, and reject falsehood and doubt, as well as distinguish between the two (al-Zamakhsyārī, 1407H:2/634; al-Nasafī, 2005:1/286 & 2/253). It is also explaining that which is suitable or appropriate to the situation and born from a pure heart. Allah said in the Quran:

أَدْعُ إِلَى سَبِيلِ رَبِّكَ بِالْحِكْمَةِ وَالْمَوْعِظَةِ الْحَسَنَةِ

Translation: Invite (all) to the way of Thy Lord with wisdom and good instructions.

al-Naḥl: 125

Eleventh: The Secrets of Things and Understanding of Islamic Law

Hikmah is knowing the secrets and benefits of a matter or more accurately the secrets of religious laws, shariah, moral value and their meaning. It is knowledge about secrets in things, understanding its laws, clarification of the benefits within and explanation of the principles on how to conduct it. Someone will never be considered as *al-Hakim* if he only performs an act without knowing the positive and negative aspects (*maslahah* and *mafsadah*) of that action. If that is the case then he would be called a madman. Wisdom is revealing secrets to the reality of things and a perfect knowledge about it and knowing wisdom and objectives of the Shariah as viewed from the aspect of *maslahah* and *mafsadah* (al-Razi, 1420H: 2/422 & 4/59). Allah said in the Quran:

رَبَّنَا وَأَبْعَثْ فِيهِمْ رَسُولًا مِنْهُمْ يَتْلُوا عَلَيْهِمْ آيَاتِكَ وَيُعَلِّمُهُمُ الْكِتَابَ وَالْحِكْمَةَ وَيُزَكِّيهِمْ
 إِنَّكَ أَنْتَ الْعَزِيزُ الْحَكِيمُ ﴿١٢٩﴾

Translation: "Our Lord! Send amongst them a messenger of their own, who shall rehearse Thy signs to them and instruct them in scripture and wisdom, and sanctify them: for Thou art The Exalted in Might, The Wise."

al-Baqarah, 2:129

The Terminology of Hikmah According to Uşūl Scholars

Generally, when jurists discuss *hikmah* they tend to define it with two meanings. First: something which if seen to it, would be assumed that it is the effective cause or underlying cause (*'illah*) (al-Hukmi, 1994: 21). In other words, because of *hikmah* that the apparent or evident attribute (*al-waṣf al-zāhir*) were made as *'illah*. For example, difficulty (*masyaqqah*) in the context of journey (*saḥar*) is something that is appropriate or suitable for the legislation (*tasyrī*) of *Qasr* prayers. For difficulty of a journey is something which will make Muslim to be in a condition of hardship, Islam want to ease them in performing their prayers in the form of concession (*rukhsah*). In the case of adultery, mix or disorder of progeny is appropriate or suitable for the legislation of the hudud punishment (Syalabī, 1947: 136). Among the jurists who understand *hikmah* with this concept is al-Ghazzālī (n.d.:1/330), he said:

"There is nothing we meant by *hikmah* except as *Maslahah Mukhayyalah Munasabah*. As in the hadith of the Prophet "It is not permissible for the judge to pass sentence when in anger". Angry was made as a preventing cause because it will disturb or trouble the mind and correspondingly will block from sound thinking and reasoning process. Such effect is also found or exist in other factors such as hunger, thirst or pain and therefore are analogized to angry. Likewise, the ruling of guardianship of children is also concerned with *hikmah* which is the weakness of the children [in organizing their wealth and so on] and not because of "children" *per se*. Therefore, based on this *hikmah*, crazy is also a cause [for the ruling of guardianship of crazy people] as an analogy to the children case."

Al-Qarāfī (1973:405) defines *hikmah* as:

"Something which because of it that attributes become *'illah*. For example, the loss of mind has made intoxication as *'illah* whereas *'mazinnah*' is something that is correlated with *hikmah* which is a driving factor for a ruling, whether decisive or definitively (*qaṭ'i*) such as hardship in traveling or speculatively (*zanni*) such as wife who has been consummated in the case of validating of the offspring. While something which does not contain any *hikmah* is not *mazinnah*."

Al-Rāzī as was quoted from al-Raysuni (1995:236) stated:

"Indeed, ratiocination process is done with the properties or attributes associated with *maslahah* and *mafsadah*. That is to say, ratiocination is allowed because of the correlation and connection that exist between such attributes with *maslahah* and *mafsadah*. Attributes do not affect a ruling, however it is allowed in ratiocination process only because of that connection.

Therefore, it is clear that *maslahah* and *mafsadah* are the original and real factors that influence the law. Whereas attributes are only a parable (*majazi*), odd (*gharib*) and impending (*'arḍ*) factors..."

Second: Hikmah is something which resulted from the legislation of Shariah rulings either as realization of benefit (*maslahah*) or prevention of harm (*mafsadah*). For example, eliminating *masyaqqah* in the legislation of *Qasr* prayers is *hikmah*. Prevention of mixed offspring or preservation of the offspring in the case of prohibition of adultery and obligation to perform hudud punishment on adulterer are *hikmah* (Syalabī, 1947:136; al-Hukmi, 1994:21) which in itself is realization of benefit and prevention of harm.

This can be seen from the statement of al-Āmidī (2003:255), "consensus has been reached on the validity of the ratiocination (*ta'līl*) with attributes that are evident (*zahir*) and constant (*munḍabit*) which contain the possibility of *hikmah*." Whereas in Jam'ū al-Jawāmi' (al-Subki, n.d.:1/134): "*Hikmah* is the realization of benefit and its completion or prevention of harm and its removal." Abu Ishaq al-Shirāzī (1985:391) also said: "*al-Munāsabah* (reasonable or appropriateness) is something which is associated with producing *maslahah* or rejecting *mafsadah*". It can also be seen through the arguments used by those who object using *hikmah* in ratiocination by stating that *hikmah* is the fruit of the Shariah rulings (*thamarah al-hukm*) and it exists in the end or after the implementation of the law (al-Hukmi, 1994:22).

To put it simply Abd al-Ḥakīm al-Sa'di (2000:105) stated, the tendency of the majority of Uṣūl scholars in understanding hikmah is as something resulting as a consequence from the legislations of Islamic Jurisprudence and rulings, either as a realization of *maslahah* or prevention of *mafsadah*. While other Uṣūl scholars see hikmah as something which is *munāsib* (appropriate or in harmony with the basic purpose of the law) itself. Hence, they equate the term *maslahah* and *mafsadah* over the term hikmah.

For example, the statement saying, "The legislation of *Qasr* prayers is to reject and prevent hardship from people who travel (*muṣāfir*).” Thus, the first understanding would regard "prevent hardship" as hikmah. Conversely, from the second understanding point of view, the "hardship" itself is hikmah. Similarly, the statements that say "the prohibition of adultery is to prevent the mixing of progeny", then according to the first understanding "prevent the mixing of progeny" is hikmah while the second understanding states "mixed progeny" itself is hikmah because it is a *maslahah* (or *mafsadah*) that is appropriate and reasonable for the rulings of prohibition of adultery and obligation to sentence adulteress in hudud penalty (al-Sa'di 2000: 105).

The Tendency of Uṣūl Scholars in Defining al-Hikmah

A more detailed and in-depth study has found that Uṣūl scholars view the term *hikmah* with a variety of different perspectives and tendencies in defining *al-Hikmah*. The description of definition of al-Hikmah among Uṣūl scholars are as follows:

1. Hikmah as Ma'nā Munāsib.

The first tendency in defining al-Hikmah is as *Ma'nā Munāsib*. This means Hikmah is something which is appropriate or reasonable (*munāsib*) to have in legislated Islamic ruling that will result from the implementation of such rulings, realization of *maslahah* or prevention of *mafsadah*. This definition has been used by Uṣūl scholars at the first stage of the development of the term *al-Hikmah* in *Uṣūl al-Fiqh* in general such as al-Shirazi, (1980: 465 & 459) al-Juwayni (1399H: 2/865 & 870) (m.487H / 1094M), al-Ghazzali (1971: 613) (m.505H / 1111M), al-Dabbūsi (2001: 14) (m.430H / 1038 m) and Sarakhsi (1997: 2/177, 179, & 236) (m.490H / 1096M). After this period, the definition of *Hikmah* changes variably.

2. *Hikmah as Maṣlaḥah.*

There are several different inclinations that can be termed as approaches used by Uṣūl scholars in defining *Hikmah* as *Maslahah*. These five approaches can be explained as follows:

First Approach: interpreting *Hikmah* as realization of *maslahah* or prevention of *mafsadah* and at the same time inserting philosophical thought by interpreting *maslahah* as pleasure and its ways, and *mafsadah* as pain and its ways. This is the approach used by al-Razi (1992: 53; al-Rāzi, 1997: 5/158, 287, 446 & 6/179) (m.606H / 1209M), al-Armawi (1988: 2/191), Ibn al-Tilmisāni (1999: 2 / 337-338), al-Baidawi (1343H: 4/75 & 260), al-Qarafi (1995: 7/3215) and others who followed them.

Second Approach: interpreting *Hikmah* as realization of *maslahah* or prevention of *mafsadah* without inserting any philosophical thought in interpreting *maslahah* and limiting it only to mean benefit and harm. This is the view of the Hanbalite school like Ibn Qudamah (1981:176 & 180) (m.620H), al-Ṭūfi (1998:3/386-387 & 445) (m.716H), Ibn Taimiyyah (2005:8/225, 285-286, 11/193, 20/316, 32/146-148), Ibn al-Qayyim al-Jawziyyah (1991:2/52, 117; 1996:2/315-316) and this is also the reality of Mu'tazilite's interpretation of *Hikmah* (Hasan al-Basri, 1403H: 1/166, 2/215, 235, 320; 1410H: 1/357).

Third Approach: interpreting *Hikmah* as realization of *maslahah* or its completion, or prevention of *mafsadah* or its reduction, but they also presuppose that this *Hikmah* must be what is meant by The Lawgiver (*Syara'*). Therefore, for them *Hikmah* is The Objectives of Shariah (*Maqasid al-Shariah*) to ensure the *maslahah* of humankind. Among them is al-Āmidī (2003:1/170 & 290-291; 2003:211) (m.713H/1314M), Ibn al-Hājib (1326H:124), 'Izz al-Dīn ibn Abd al-Salām (2000:1/7-9) and al-Syāṭibī (1997:1/385 & 2/9).

Fourth Approach: interpreting *Hikmah* as realization of *maslahah* or its completion, or prevention of *mafsadah* or its reduction. They also necessitated that *Hikmah* must be what is meant but not just by The Lawgiver (*al-Syāri'*) but also by the learned, Islamic scholars and intellectuals (*al-'Uqalā'*). They then interpreted the meaning of *maslahah* as pleasure while *mafsadah* is defined as pain. In fact, this approach is a combination between the first and the third approaches above. This view is represented by al-'Aḍad al-Dīn al-Ījī (2000:295 & 320) and Sa'ad al-Dīn al-Taftazāni (n.d.:2/127 & 318).

Fifth Approach: interpreting *Hikmah* as realization of *maslahah* or its completion, or prevention of *mafsadah* or its reduction, with the features of such *maslahah* is pleasure while *mafsadah* is pain. However, they added one more thing stating that *Hikmah* must be the driving factor (*bā'ithah*). There are two tendencies in understanding *Hikmah* as the driving factor:

The first tendency proclaimed that *Hikmah* is something which drives The Lawmaker for legislating a ruling consisting of objective, purpose and *maslahah*. This is the tendency of the later Hanafite scholars like al-Fannāri (2006:2/336 & 337) (m.834H), Kamal al-Humam (1999:3/334) (m.860H), Ibn Amīr al-Hāj (1999:3/334) (m.879H) and Amīr Bādshāh (n.d.:4/137) (m.972H). While the second tendency asserted that *Hikmah* is something which drives *mukallaf* (a competent person) for accomplishing law (*'ala al-Imtithāl*). This is the tendency of Tāj al-Dīn al-Subki (1996:4/49) and scholars who followed his writings as commentators such as al-Maḥalli (1996:4/40, 49 & 57), al-'Aṭṭar (n.d.:2/319), Ibn al-Qāsim al-'Ibādī (1996:4/49-51) and al-Bannānī (1982:2/244). It is also the tendency of Ibn al-Najjār al-Hanbalī (1992:4/40-41 & 44) (m.972H) and al-Syinqīṭī al-Malikī (2005:2/346).

3. *Hikmah* is the attribute or something that is appropriate or reasonable for the legislation of Shariah rulings (*Sifat Munāsib*).

Generally, this definition is represented by the scholars of later origin such as Abd Rahman al-Syarbīnī (1982:2/243) and Muhammad Bakhīt al-Muṭīrī (1343H:4/261).

4. *Hikmah* as *al-Gharaḍ* (purpose).

Al-Gharaḍ is construed as benefit and harm, including what was interpreted as producing pleasure and its ways or pain and its ways. This approach has been ascribed to the Mu'tazilites by Fakhr al-Din al-Razi (1997: 5/131-133 & 176) based on their views in the discipline of Theology ('Ilm Kalam) on the debate of the act of God whether it has purpose and reason or not, and also the problem of the good and evil can be known through reason alone and so on.

Conclusion

This research has found few findings:

1. There are significant differences between the term of *al-Hikmah* used in the field of Quranic Exegesis and the term of *al-Hikmah* used in Shariah studies, especially in Uṣūl al-Fiqh.
2. In fact, such differences are needed because of the differences in topic of discussions between different fields of study such as in Quranic Exegesis and Shariah. In the field of Shariah specifically, it is discussed in order to make *ijtihad* or reasoning and as such, must be viewed within the corpus of Uṣūl al-Fiqh.
3. However, there is a continuity or correlation in the meaning of *al-Hikmah* discussed in the field of Uṣūl al-Fiqh and Quranic Exegesis especially for those scholars who defined *al-hikmah* as *maṣlaḥah*, wisdom, and secret and so on. This can be seen as the fact that each field of study can be influential on another and strengthening each other.
4. The development of the definition of *al-Hikmah* in the field of Uṣūl al-Fiqh itself also reflects the openness of Uṣūl al-Fiqh as a discipline of science. As such, it is not a static science, or cannot accept changes and developments, or old-fashioned, but it is dynamic, flexible and elastic, and in accordance with the development of the intellectual level, the needs of time and place and so on. The characteristic of Uṣūl al-Fiqh is similar to the characteristic of any science in Islam which is built to discover the truth and establish the correct knowledge on the basis of the most accurate information and not stray from the Shariah aspirations.
5. However, this development should not be misconstrued as to make Usul al-Fiqh to open as wide as possible simply in the name of renewal and reform, or on the grounds of changes in time and place. It still needs to be guarded so as not to be compromised by those who do not have any capacity to talk about it. It is a domain which should only be trusted to the recognized Islamic scholars and ulama.
6. Scholars of Uṣūl al-Fiqh have a variety of perspectives and tendencies in defining *al-Hikmah* and it can be concluded as:
 - a. *al-Maṣlaḥah*.
 - b. *al-Bā'ithah*.
 - c. *al-Ma'na al-Munāsib al-Ma'qūl*.
 - d. *al-Gharaḍ*.
 - e. *al-Maqṣūd Min Syar'i al-Ḥukm*.
7. As we observed these five tendencies among Uṣūl scholars in defining the term *al-Hikmah*, we can highlight some elements which are important to them as far as the term *al-Hikmah* in Uṣūl al-Fiqh (The Principles of Islamic Jurisprudence) is

concerned. These elements also have influenced Uşūl scholars in their opinion in approving or disapproving ratiocination using hikmah. These elements are:

- a. *al-Maşlahah*.
- b. *al-Bā'ithiyyah*.
- c. *al-Ma'āni*.
- d. *al-Gharaḍ wa al-Ghāyah*.
- e. *al-Maqāṣidī*.

8. Among the factors that led the jurists and Uşūl scholars to differ when defining the term of al-Hikmah are due to the differences in the methodology held by them and the tendency of their sect and school. In other words, they defined it in the context of definition that is in line with their methodology and also correlates with other similar terms or terms which have a connection to each other that are not outside the principles and rules of their methodology especially the term of *al-'illah*, *munasib* and *maslahah* which relate to each other especially when Uşūl scholars discussed it in the chapter of Qiyas. These varied definitions also exist as a consequence from the development of Uşūl al-Fiqh itself from the first time of its formulation until this day which has been manifested in the lengthy discussions among Uşūl scholars in their books.
9. As a conclusion from the above discussion about the definition of *al-Hikmah* according to the classical Uşūl scholars, in the author's opinion the definition which is best suited *al-Hikmah* as discussed in Uşūl al-Fiqh is "the appropriate and reasonable meaning (*ma'na munasib*) which is intended (*al-maqṣud*) by the Lawmaker (*al-Syāri'*) in legislating rulings to generate benefit or *maslahah* to mukallaf or reject harm or *mafsadah* from them". This definition is chosen by many contemporary Muslim researchers especially in a specific title "ratiocination using al-Hikmah" such as Rāed Naşri (2006), 'Ali 'Abbas al-Ḥukmi, (1994:16) and others as it included most elements used by classical Uşūl scholars in defining *al-Hikmah*.

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