



Reading Engineer's Concept of Justice in Islam: The Real Power of Hermeneutical Consciousness (A Gadamer's Philosophical Hermeneutics)

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Abstract:

This paper aims to describe the concept of justice in Islam interpreted by Ali Asghar Engineer by using Gadamer's philosophical hermeneutics. Gadamer's philosophical hermeneutics is ontological rather than methodological and it has been very influential in interpretation world. Engineer's work in interpreting the concept of justice in Islam, in the notion of Gadamer's philosophical hermeneutics, is affected by his horizon and fusion of horizons. His prejudices into the world lead him to bring about the idea of liberation by doing liberative interpretation. It is hoped that his liberative interpretation will influence Muslims' way of thinking and gradually can challenge the structures of modern oppressions so that people will live in justice and peace. Since all Engineer's efforts to interpret Qur'an and hadiths in liberative spirit are initiated by his question into the world, it means that he shows his ability to see what is questionable which is the real power of hermeneutical consciousness. This paper attempts to present the basic concepts of Gadamer's philosophical hermeneutics then use them to analyze the interpretation on justice made by Engineer based on his liberative idea.

Keywords

Justice, Hermeneutical Consciousness

The real power of hermeneutical consciousness is our ability to see what is questionable (Hans-Georg Gadamer 2004, 13)

Introduction

Justice is considered as one of the ideal concept to be implemented in this world community to reach a peace world. Many scholars have tried to find out the ideal concept of justice from several resources as well as religious leaders who attempt to find it out from their scriptures.

In Islam, justice has been a fundamental commitment and its concept and practice are written in Qur'an. Many Muslim scholars have done several interpretations on it, and one of them is Ali Asghar Engineer.

Therefore, in this paper, I attempt to discuss the concept of justice in Islam, interpreted by Ali Asghar Engineer, an Indian Muslim and Islamic scholar, from Qur'an and *hadiths* in his essay written in his book entitled "Islam and Liberation Theology: Essays on Liberative Elements in Islam and his other writing about the concept of justice in Islam using Gadamer's philosophical hermeneutics.

In this article, I will present the basic concepts of Gadamer's philosophical hermeneutics for then use them to analyze the interpretation on justice made by Engineer based on his liberative idea.

Gadamer's Philosophical Hermeneutics

Gadamer's philosophical hermeneutics is explained in his book "Truth and Method". Gadamer intended Truth and Method to be a description of what we always do when we interpret things (even if we do not know it): "My real concern was and is philosophic: not what we do or what we ought to do, but what happens to us over and above our wanting and doing".

Gadamer (2004, 3) argues that the problem of language has engaged in the same central position in current philosophical discussion since "language is the fundamental mode of operation of our being-in-the-world and the all embracing form of constitution of the world". Consequently, we always view the pronouncements of the sciences that are

set in nonverbal signs. Furthermore, he calls this view as “hermeneutics”.

Gadamer's philosophical hermeneutics is ontological rather than methodological and it has been very influential in interpretation world. Many scholars attempt to use this philosophical hermeneutics in interpreting art like paintings, poem and prose. Moreover, there is also a trend among religious scholars to implement it in order to interpret scriptures.

The Task of Philosophical Hermeneutics

To start with, I would like to cite Gadamer's argument (2004) on the task of philosophical hermeneutic:

“ philosophical hermeneutics takes its task the opening up of the hermeneutical dimension in its full scope, showing its fundamental significance for our entire understanding of the world and thus for all the various forms in which understanding manifests itself; from inter-human communication to manipulation of society; from personal experience by the individual in society to the way in which he encounters society; from the tradition as it is built of religion and law, art and philosophy, to the revolutionary consciousness that unhinges the tradition through emancipator reflection.”

Bringing this task of philosophical hermeneutics into Engineer's writing on the concept of justice in Islam, we can find out that the intention of Engineer in interpreting some *ayat* and *hadith* related to justice was to show the significance of our understanding about justice in order to lead us into the real justice which is really needed nowadays.

In interpreting the concept of justice based on the *ayat* in Qur'an and hadith, Engineer started from the real situation in this world in which the modern structures of oppression are exist. This start displays Engineer's understanding of the world that orders him to have better understanding on the original concept of justice in Islam in order to get rid of oppression.

This can be seen from his statement below:

“it is not the aim of this paper to attempt a thorough reappraisal of the ideals of Islam and practices of Muslim, all we want to do is to throw some light on the concept of justice in Islam so as to be better able to understand what Islam originally stood for. An attempt would also be made to show in brief what the modern structures oppression are and how Islamic theology can provide liberative zeal to rid humanity of these structures of oppression.”
(Engineer 1990,51)

Moreover, his being-in-the-world as Muslim is one of the significance factors that influences his work in interpreting Qur'an and *hadiths*. Looking at his activities in interpretation, it is likely that as a Muslim scholar, he wants to take part in helping his Muslims community to get betterment in their lives by attempting in interpreting Qur'an and *hadiths*.

Furthermore, his attempt in interpreting *ayat* and *hadith* related to justice is not only utilizing methodic way but also dialectic ones. In methodic way, he uses his knowledge on linguistic in Arabic language, whereas in dialectic way he makes conversation with the text by questioning the real concept justice in Islam in order to answer issues on oppression that occur in today's world. Of course, his using of the dialectic way was affected by his personal experiences in his society and his concern on it.

Horizons

Gadamer defines the horizon as “the range of vision that includes everything that can be seen from a particular vantage point (Gadamer 2004, 302). It means that a horizon is defined physically based on the dimensions of time and distance that are visible from a certain vantage point. However, talking about vantage point, it can be also defined as the belief system, desires, and imaginings of an individual. Within this concept, a horizon of an individual is shaped by history of that individual both personal and socio-cultural. Therefore, the horizon of an individual

brings about the range of vision into comprehension (Rees, 2003).

The horizon that posits the vantage point of Engineer in looking and interpreting *ayat* and *hadith* about justice was shaped by both his personal and socio-cultural history. His personal and his socio-cultural history as a person born in Bohra community (Shi'ah Isma'ili Muslims) that made him see much exploitation in the name of religion transform his belief system and encourage his desires to help his community by doing liberation theology.

"I came to the conclusion at an early age that an organized religion can become totally subservient to the powerful vested interests. It no longer remains a means of enriching inner spiritual life but only an instrument of exploitation and servitude to vested interests. And when I read and re-read the Qur'an I was more and more convinced that the real purpose of religion is to enrich inner life and to seek closeness to God". (Engineer 2001)

That is why, in finding out the concept of justice in Islam, Engineer always starts from a liberative spirit and challenges oppressive structures. He states that the sense of justice in Qur'an does not merely mean the rule of law but also means distributive justice. He further gives emphasis by borrowing Socrates idea that law is often laid down by the rich and the mighty (Engineer 1990, 52).

In dealing with the concept of justice in terms of economy, he points out that Qur'an does not provide any economic dogma but only makes "value-oriented declarations" to establish a society based on values of justice and fairness. Once more, he stresses that Qur'an warns people "not to strengthen of oppression and exploitation under any circumstances" (Engineer 1990, 52).

Furthermore, Gadamer argues that the horizon is something into which we move and it also moves with us (Gadamer 2004, 304), so that we have a possibility to talk of "the narrowness of horizon, or the possible expansion of horizon, of the opening of horizons, and so forth (Gadamer

2004, 302). Moreover, we cannot speak about a fixed horizon or a closed horizon because our horizons can be changed depending on the events that happen in our life in which we participate.

It is clearly seen from the interpretation work of Engineer that his horizon has being transformed by his participation in the events happened in his life. His liberative idea in interpreting Qur'an and hadith was influenced by his experience of witnessing such kind of oppressions in his society. Then, as time went by, his horizon was keeping moving in line with his knowledge development by reading many books from many different great thinkers and seeing other oppressions outside his community. Finally, he came to a new horizon which guided him in understanding things that addressed in his life.

“All this combined gave me a new vision of life and its meaning. I came to the conclusion that reason is very crucial for human intellectual development but not sufficient. Revelation is also a very important source of guidance and inner development. Reason plays very crucial role in human life and its significance can never be underestimated but it has obvious limits and cannot answer the ultimate questions regarding the ultimate meaning and direction of life. It is revelation which is more helpful in this respect. I also came to believe that revelation cannot be contradictory to reason as many would like to believe. Revelation can and does go beyond reason but does not contradict it” (Engineer 1999).

“A careful study of the Qur'an also makes it very clear that revelation in no way is contradictory to reason. Both, in fact, are complementary to each other and one is incomplete without the other. While reason helps us understand the physical aspects of this universe (whole development of natural sciences depends on human intellect) revelation helps us find the ultimate answers to our origin and destination. While reason is an important source of enrichment of our material life revelation is necessary for our spiritual growth” (Engineer 1999).

The Fusion of Horizons

As Gadamer explains that our horizon moves with us, this leads us to find ourselves in the situation that we wish to understand, our task is to expose it. It means that this task is a never ending task and shows that we have countless capacity to process and expand our understanding on things. In this process, Gadamer argues that when our own horizon is understood in order to understand another, the fusion of horizons occurs (Gadamer 2004, 39).

A new understanding itself is gained through our eyes that are conditioned by our prejudice. That means our pre-understanding is led by our prejudgments that are constantly challenged over times and sometimes they come to the point which is called as a transformation. This process of gaining a transformation shows that human has “the untiring power of experience” in continuously forming a new pre-understanding. (Gadamer 2004, 38)

The fusion of horizons experienced by Engineer in proposing the concept of justice is when he was trying to expand his understanding on that concept. The motion of his horizons was initiated in his early age in which he saw injustice situation in his society that shaped his horizon from Islamic point of view. After he grew up and read many others' point of views, both religious and secular ones and also re-read Qur'an carefully, his horizons were fused. His horizons were constituted by religious and secular horizons in modern time.

The motion of Engineer's horizons can be found in his statement below:

“But the Qur'an was not dealing with a static situation; it was dealing with dynamic and changing society which would need knowledge to deal with very complex situations. Hence allegorical verses pregnant with meaning were also needed and such verses could be dealt with only by those who had adequate knowledge and intellectual sophistication and accomplishments. Thus, though the

Qur'an was dealing with very simplistic people it was not confining itself only to them. Its guidance had to transcend that situation.” (Engineer, 2001)

This statement describes the dynamics of his horizons. He sees Qur'an in the frame of dynamic situation hence in interpreting Qur'an, he always considers the dynamicity of the Islamic world, Muslims and also the world.

Engineer's fusion of horizons can be traced back from his explanation on justice by drawing what it is said in Qur'an supported by some relevant hadiths then he relates it to the real situation that happened in the Prophet era, his successors, and during the Umayyads and Abbasids. After that, he brings it into recent circumstances which is according to him is much more oppressive. This fusion brings about his opinion that the concept of justice has experienced a shift. What is understood by Muslims as justice nowadays is not the same as what Qur'an actually states about it.

In one passage he said: “the oppressive rule of the Umayyads and Abbasids pushed the Islamic concept of justice completely to the background and ever since righteousness became a ritualistic concept.” (Engineer 1990, 50)

His fusion of horizons then directs him to examine the real concept of justice stated in Qur'an by conforming it to other thoughts and real situation. It seems that his horizons are transformed and broadened through the fusion and they are becoming more comprehensive.

It seems to me that his pre-understanding on justice was really affected by his self reflection to the past events. He reflects what is happening now to what was happening in the past. Therefore, his presuppositions encourage him to question the concept of justice and then interpret it into more liberative interpretation.

Familiar and Strange

In philosophical hermeneutics, in describing how we place ourselves in relation to the events that occur in our lives, there are two terms, familiar and strange. The familiar refers to anything that makes us feel comfort and secure whereas the strange brings us into the feelings of failure and confused. Moreover, in our life, there is always a tension between the familiar and the strange in which the task of hermeneutics emerges. Our understanding begins when something deals with us (Gadamer 2004, 299).

Engineer's understanding about justice began when he saw religion committed oppression to its followers. On one hand, he became the stranger to those circumstances. On the other hand, he was familiar with Islamic teachings practiced in his family. This tension that came up between familiar and strange brought him into understanding.

Prejudice

According to Gadamer, prejudice indicates the biases of our openness to the world. "They are simply conditions whereby we experience something- whereby what we encounter says something to us (Gadamer 2004, 9). He further argues that "all suspension of judgments and hence, a fortiori, of prejudices, has the logical structure of a question" (Gadamer 2004, 299). He also states:

"The essence of the question is to open up possibilities and keep them open. If a prejudice becomes questionable in view what another person or a text says to us, this does not mean that it is simply set aside and the text or the other person accepted as valid in its place. Rather, historical objectivism shows its naivete in accepting this disregarding of ourselves as what actually happens. In fact, our own prejudice is properly brought into play by being put at risk. Only by given full play is it able to experience to the other's claim to truth and make it possible for him to have full play himself" (Gadamer, 1995, 299).

Historical consciousness and Understanding

Gadamer states that factors such as history and tradition, as well as actors such as the interpreter's aims, methods and themes, influence their interpretation of the text (Gadamer 1995, 299). He recognized the subjective nature of the interpretation as well as the subjective nature of the text. People always live within and create meaning through social, cultural and historical context where they are embedded and also through which they make sense of their world.

Therefore, understanding and meaning are not only resulted from the text but also resulted from the interaction between the text and the location of the interpreter in their life world, both cultural and historical context (Gadamer 1995, 299).

Engineer's understanding, as I have mentioned above, is influenced by his personal and socio-cultural history. This understanding has an effect on the meaning of the text interpreted. Meanings that come up from some *ayat* of Qur'an and hadith about the concept of justice, are directly and indirectly embedded by cultural and historical context of Engineer.

His location in India brings him to take Indian Muslims culture at that time in particular and also Muslims in general into consideration of his interpretation. He tries hard to dig more on the concept of justice in Islam in all aspects. He does not only explain justice in general meaning but also in more specific meaning.

Since many Muslims at that time still relied on agricultural as their main earning, Engineer pays attention more on this aspect although he admits that in Prophet's era in Mecca, there was any agricultural production. He starts by elucidating the concept of ownership in Islam by presenting two different opinions on that. Then, he goes on the historical context of the Prophet (Peace be Upon Him) and the spreading of Islam in giving details about sharecropping. Based on his interpretation on some hadiths, he concludes that the practice of sharecropping is actually banned in Islam

because Islamic economic ethics is prohibitive of exploitative practices as well as the practice of sharecropping. Besides that, sharecropping is part of feudalism which against the system of socio-economic justice in Islam (Engineer 1990, 55).

However, in practice, according to him, Muslims now including Ulama become the supporters of feudalism. Moreover, there are no Islam theologians who concern about loosening feudalism in Islamic world. Therefore, an attempt on reconstructing Islamic thought is needed to do that task (Engineer 1990, 56).

In terms of just trade practices, after looking some *ayats* about that thoroughly and then relates to the development that happened in Islamic world in the past and the present, he criticizes that today, Muslims tend to understand *riba* as still in its traditional meaning without considering the development of economic world. To him, *riba* is “any practice which leads to exploitation of man by man, including unjust profit (industrial as well as commercial)’ (Engineer 1990, 57).

This interpretation clearly shows the influence of Engineer's socio and cultural context in the meaning resulted.

Final Remarks

To sum up, Engineer's work in interpreting the concept of justice in Islam in the notion of Gadamer's philosophical hermeneutics is really affected by his horizon and fusion of horizons. As an intellectual Muslim who witnesses many oppressions in his society in particular and in larger Muslims society in general, his horizons keep moving and shape into the fusion that allow him to understand situation and also the text in more comprehensive understanding.

Furthermore, his prejudices into the world lead him to bring about the idea of liberation by doing liberative interpretation. It is hoped that his liberative interpretation will influence Muslims' way of thinking and

gradually can challenge the structures of modern oppressions so that people will live in justice and peace.

Finally, since all Engineer's efforts to interpret Qur'an and hadiths in liberative spirit are initiated by his question into the world, it means that he shows his ability to see what is questionable which is the real power of hermeneutical consciousness that I have quoted in the first line of this paper.

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