

SHIYASAH THOUGHT: AMAR MA'RUF NAHI MUNKAR ACCORDING TO AL-MAWARDI

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Abstract:

This research aims to enhance our understanding of Muslim figures with political ideologies, examined through the concept of hisbah "Amar ma'ruf nahi munkar" (enjoining what is right and forbidding what is wrong). The research employs a library research approach, drawing on both primary and secondary data sources. Primary data is collected through translations of Ahkam As-Sulthaniyah, while secondary data consists of writings on the political ideologies of other Muslim figures and related political thought. Through a thorough and authoritative literature review, it is found that governments have a vested interest in ensuring social justice and morality within society through governmental oversight institutions. Al-Mawardi is a highly regarded Muslim scholar known for his political ideologies, predating Western recognition of such ideologies. Hence, it is compelling to examine his political concepts within the framework of "Amar ma'ruf nahi munkar".

Keywords: Al Mawardi, Hisbah, Amar Ma'ruf Nahi Munkar

Abstrak:

Penelitian ini bertujuan untuk menambah wawasan kita tentang tokoh muslim dengan pemikiran politik di tinjau dari konsep hisbah "Amar ma'ruf nahi munkar". Penelitian ini menggunakan pendekatan library research dengan bersumber pada data primer dan data sekunder. Data primer dikumpulkan melalui kitab terjemah Ahkam As-Sulthaniyah dan data sekunder berupa karya-karya kepenulisan tentang pemikiran tokoh muslim lainnya dan pemikiran terkait politik. Melalui kajian kepustakaan yang mendalam dan otoritatif ditemukan adanya kepentingan pemerintah dalam memastikan keadilan sosial dan moralitas dalam masyarakat melalui lembaga pengawasan pemerintahan. Al-Mawardi merupakan ulama muslim yang sangat populer dengan pemikiran politiknya, jauh sebelum Barat mengenal pemikiran tersebut. Sehingga, menjadi daya tarik untuk di teliti terhadap konsep politiknya di tinjau dari konsep "Amar ma'ruf nahi munkar".

Kata Kunci: Al-Mawardi, hisbah, amar ma'ruf nahi munkar

INTRODUCTION

Islam as a perfect religion provides comprehensive guidelines for people's daily lives. From the spiritual, social, to legal aspects, Islam offers broad and deep guidance to guide individuals in every aspect of their lives. In its teachings, Islam not only provides

instructions on the rituals of worship, but also provides guidance on ethics, morality, human relations, economics, politics and more (Amin, 2016). Thus, Islam is considered an integral religion because it covers all aspects of human life and provides clear direction on how to live a meaningful and meaningful life in the view of Islam including in politics.

Politics in Indonesia has a history of change, recorded from the electoral phase starting from the New Order era to the reformation that shaped the 2024 elections to be mature (Tysara, 2024). This certainly attracts the attention of the community because the community is also the determinant in the next political direction. Elections are an opportunity for the community to voice their aspirations as people in determining the relay of government. However, unfortunately, there are many irresponsible people who misuse people's votes (Indonesia, 2024) unlike Islamic politics.

The political aspect of Islam refers to how Islam provides guidelines and principles for the organization of political affairs and governance in Muslim societies. It provides an understanding of how Islam views issues such as leadership, justice, and the relationship between religion and the state (Sholehuddin, 2014). One of the Muslim scholars who has an interesting concept of social and political thought is Al-Mawardi. Al-Mawardi's full name is Imam Abu Al-Hasan Ali bin Muhammad Al-Mawardi (Sholehuddin, 2014). Al-Mawardi is a Muslim figure who is not only famous in the Islamic world but also in the Western world.

Al-Mawardi lived in a less stable political period, namely during the Second Bani Abassiyah, where during the reign of two caliphs, namely Al-Qadir Billah and Al-Qa'im Billah (Saputri, 2022). Basrah and Baghdad became a place to study Al-Mawardi for 2 years, not only studying but he also served as a judge in various cities in turn (Kurnia, 2019).

Al-Mawardi reflected on socio-political realities that could produce views and thoughts that were not owned by previous Islamic thinkers (Amin, *Pemikiran Politik Al-Mawardi*, 2016). Al-Mawardi made a significant paradigmatic contribution to Islamic political thought. His contribution lies in the development of in-depth Islamic political theory and its influence on the system of government and law in Muslim societies of his time. This is illustrated by one of his famous works, namely "Al-Ahkam Al-Sultaniyyah"

(Diana, 2018). The book contains ideas about Islamic history related to the field of political science and social contract theory (Wahyudi, 2022).

Al-Mawardi is a Muslim figure who emerged with paradigmatic contributions related to the concept and interesting government system, underlining that the establishment of a state not only aims to reshape society in one community, but also to remind people of their weakness before God, so that humans need each other (Amin, *Pemikiran Politik Al-Mawardi*, 2016). It can be concluded that Al-Mawardi provides ideal thoughts about the caliphate. Therefore, this article will examine specifically the thought of shiyasah in terms of “Amar Ma'ruf Nahi Munkar” according to Al-Mawardi.

LITERATURE REVIEW

The article written by Fenolia Intan Saputri with the title “Study of Imam Al-Mawardi's Constitutional Thought” discusses what is in Al-Mawardi's book *al-Ahkam as-Sulthaniyyah Fi Al-Wailaayah Ad-Diniyyah* which is then translated with the book title “Laws of State Administration in Islamic Shari'a”. This conceptual study examines how the thoughts of Imam al-Mawardi in the context of the present by looking at the opinions of scientists in the field.

Rashda Diana wrote an article entitled “Al-Mawardi and the Concept of Statehood in Islam” discussing Al-Mawardi's thoughts on the concept of state, state institutions and social contract theory. In this article discusses how the idea of state administration by prioritizing institutional approaches.

The article written by Moh. Sholehuddin with the title “The Concept of Statehood in Al-Mawardi's Political Thought” which discusses the concept of Al-Mawardi's statehood with the relationship of *ahl al-'aqd wa al-hall* with the caliph. The article focuses on how good *muamalah* between leaders and their communities. The research results of the article are between the leader and his people who show social contract relations, as well as carrying out their roles with mutual benefit.

METHOD

This research uses a library research approach with a descriptive analysis method. Data collection in library research is through collecting various library data. The library research approach is research that describes research sourced from various

documents that have been collected. In general, library research uses two data sources, namely primary and secondary data. Primary data that refers directly to the translated book “Ahkam Sulthaniyyah” and secondary data that refers to the source of writing works in the form of articles concerning political theory from Imam Al-Mawardi and other philosophers.

RESULT AND DISCUSSION

Biography of Al-Mawardi

Abu Hasan Ali bin Habib Al-Mawardi Al-Basri is the full name of Al-Mawardi. Al-Mawardi was born in Bashrah in 364 H (975 M) and died in 450 H (1059 M) in Baghdad. (Linda, 2022). Al-Mawardi's nickname comes from two combinations of words namely ma'un (water) and ward' (rose) because Al-Mawardi came from a family that earns from selling rose water (Ramadhan, 2021). His father named Muhammad bin Habib who is not only a seller of rose water, but also a famous scholar at the time (Arifin, 2018). Al-Mawardi was born into a family that is very concerned about science, therefore from childhood he used to study science. Such a call is also because Al-Mawardi has intelligence, and his expertise in oratory, debate, argument and has the intelligence to analyze every problem he faces (Bakry, 2021).

Al-Mawardi's educational journey began in his hometown, Bashrah, which is famous as a center for the study of science in the Islamic world. He studied the science of fiqh from the scholar Abu Al-Qasim Abdul Wahid Al-Shaimari, an expert in fiqh who is famous for adhering to the Shafi'i school of thought (Sahidin, 2021). Al-Mawardi continued his education in Baghdad at Al-Za'farani University. There he studied law, grammar and literature with scholars Abdullah Al-Bafi and Sheikh Abu Hamid Al-Asfarayni (Al-Haq, 2021). In a short time Al-Mawardi has mastered Islamic insights well such as hadith, fiqh, political ethics and literature. Starting from serving in various places then entrusted as Qadhi al-Quzat in Ustuwa a district in Nishabur (Amri, 2016).

Al-Mawardi is known as a clerical figure who is popular with the Imam Shafi'i madhhab and has great potential in the development of the Abbasid Daulah government (Sholehuddin, 2014).

Al-Mawardi continued to gain his knowledge by studying from one scholar to another and the majority of the teachers he went to were high priests in Baghdad. Al-

Mawardi's position increased after he settled back in Baghdad and became a supreme judge, namely Qadi Al-Qudat, advisor to the caliph or king in the field of religion and government (Sugianto, 2020).

Because of his tenacity in pursuing his scientific activities as an author and writer gave birth to the best works that until now have spread throughout the world. The works of Imam Al-Mawardi are in the field of Fiqh: Kitab Al-Hawi Al-Kabiru, Al-Iqna'u, Politics: Kitab Al-Ahkam As-Sulthaniyyah, Siyasatu Al-Wizarati wa Siyasatu Al-Maliki, Tashilu Annadzari Wata;jilu Adz-Dzafari fi Akhlaqi Al-Maliki Wasiyatu Al-Maliki, Siyasatu Al-Maliki and Nashihatu al-Mul, Field of Tafsir: Tafsiru Al-Qur'an Al-Karim, Al-Amtsalu wa Al-Hikamu, An-Nukatu wa Al-'Uyunu, Literature: Adabu ad-Dunya wa Ad-Dini, The field of creed: A'lamu An-Nubuwwah, Economics and Politics: Adab Ad-Dunya wa Al-Din, Al-Hawi and the most famous book, Al-Ahkam As-Sulthaniyyah (Mutasir, 2018).

As a result of gaining knowledge through studying with scholars, Al-Mawardi has a talent and tendency for political fiqh that began to be ingrained in his body. One of his works on political fiqh, namely *Al-Ahkam Al-Sulthaniyah wa Al-Wilayat Al-Diniyah* (Bakry, 2021).

Hisbah According to Al-Mawardi

Hisbah etymologically comes from the Arabic "ha-sa-ba" and "yah-subu" which means counting or estimating. Hisbah has other meanings, namely reward, reward and reward expected from Allah SWT. Ibn Taymiyyah defines hisbah as an institution that has the authority to enforce amar ma'ruf nahi munkar which does not include umara (ruler), Qadha' and wilayah al-mazalin (Rozi, 2019).

Al-Mawardi defines hisbah as an institution authorized to carry out amar ma'ruf nahi munkar. (Al-Mawardi, 2019). Allah Swt said:

وَلْتَكُنْ مِنْكُمْ أُمَّةٌ يَدْعُونَ إِلَى الْخَيْرِ وَيَأْمُرُونَ بِالْمَعْرُوفِ وَيَنْهَوْنَ عَنِ الْمُنْكَرِ وَأُولَئِكَ هُمُ الْمُفْلِحُونَ (آل عمران:

(104

"And let there be among you a group of people who call to virtue, enjoining the good and forbidding the evil. They are the lucky ones." (QS. Ali-Imran 104)

So, hisbah here uses the concept of “Amar ma'ruf nahi munkar”. Ibn Taymiyyah explains the purpose of hisbah, which is an order or call to carry out good (al-ma'ruf) and prevent evil (al-munkar), which is the task of the government in regulating and adjudicating both special and general cases that do not interfere with other institutions (Hajar, 2021).

No one knows for sure who originated this policy, but it still contributes to the concept of supervision. There are important contributions in hisbah, namely, First, providing a philosophical basis for the concept of supervision and secondly expanding the scope of supervision (Halim, 2011). Historically, hisbah has existed since the time of the Prophet and the first muhtasib (hisbah officer) in Islam was him (Noviyanti, 2015).

The hisbah officer or muhtasib is the party between the judge and the head of the criminal action section. There is a similarity of duties between the muhtasib and the judge, namely that they are similar in two respects. First, the limitations of the muhtasib (hisbah officer) duties from the judge in two respects and the advantages of the muhtasib (hisbah officer) duties from the judge in two respects (Al-Mawardi, 2019).

The similarities between the muhtasib (hisbah officer) and the judge are as follows:

1. It is permissible for the muhtasib (hisbah officer) and the judge to be consulted in matters of human rights. However, this does not apply to all charges, but only to three. Firstly, charges relating to cheating in measuring or weighing. Second, charges relating to price fraud. Third, charges relating to delay in repaying a debt which the debtor is able to repay. The Muhtasib (hisbah officer) is allowed to deal with these three matters and is not allowed to deal with other charges.
2. *The Muhtasib* (hisbah officer) has the right to require the accused to waive his rights. This does not apply to all rights; rather it applies only to those rights that he is justified in hearing the charges against (Al-Mawardi, 2019).

According to Al-Mawardi hisbah can be done by every Muslim. The difference to the hisbah done by Mutathawwi (voluntary hisbah actors) with muhtasib (hisbah officers). Al-Mawardi gave an explanation of the requirements to be muhtasib (hisbah officer), namely the people of Merdeka, fair, able to argue, sharp in thinking, strong religious foundation and know the evil around him (Al-Mawardi, 2019). Imam Al-Ghazali explained that hisbah has four pillars, namely, muhtasib (hisbah officer),

muhtasib 'alaihi (the person who commits al-munkar or bad deeds), muhtasib fih (the act that is prevented), nafs al-ihtisab (how to prevent evil) (Noviyanti, 2015).

As according to Al-Mawardi calling on goodness is divided into three parts, namely:

1. Calling to goodness with regard to the rights of Allah
2. Calling for the good that relates to human rights
3. Calling for goodness that relates to the rights shared between the rights of God and the rights of human beings.

Furthermore, preventing evil according to Al-Mawardi, namely:

1. Preventing wrongdoing that relates to the rights of Allah, for example with matters of worship
2. Preventing evils that relate to human rights, for example with haram matters.

Preventing evils that relate to the mutual rights of God and human rights, for example, in matters of muamalah.

CONCLUSION

The impact of the development of an increasingly complex and advanced society is the emergence of various institutions tasked with overseeing morality and justice. Therefore, the existence of oversight institutions has become very important and necessary. In order for the application of Islamic values in practice to remain clean, supervisory institutions are required to have high standards, adequate capacity, competent expertise and proven credibility. This means that they must be knowledgeable in the teachings of Islam and its shari'ah.

Al-Mawardi is a figure who is famous for his political science and with his work, namely the book "Al-Ahkam Al-Sulthaniyyah" provides an ideal picture of the supervisory institution of government authority. Through hisbah, we are taught to participate in commanding goodness and preventing evil "amar ma'ruf nahi munkar". Al-Mawardi's political thought on hisbah "Amar Ma'ruf Nahi Munkar" reflects the moral and ethical values promoted in Islam. The concept underscores the importance of government in ensuring social justice and morality in society, as well as the active role of society in fighting evil and promoting good.

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