

Facing Differences: Ethics and Boundaries in Disagreement

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ABSTRACT

Adhering to the Qur'an and the Sunnah is an obligation for every Muslim without exception. *Ikhtilaf* refers to the divergence between two parties in their quest for truth. Differences, pros and cons, will always arise in the dynamics of life. Disagreements among Muslims can be something beautiful. Differences of opinion, within the framework of knowledge, are considered a blessing; they enrich knowledge and understanding. Many issues faced by the Muslim community already have their foundations and references in the form of evidence from the Qur'an and Hadith. Proper etiquette in responding to differences includes adhering to a balanced methodology, avoiding extremism in religion, refraining from fanaticism toward individuals or groups, maintaining good assumptions about others, and avoiding quarrels and debates.

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1. Introduction

The primary guidance for Muslims is the Qur'an and the Sunnah. All Islamic teachings originate from these two sources. However, scholars often differ in interpreting, understanding, and deriving legal rulings from them. This is also true in Indonesia. These differences may concern issues that have existed for a long time or newly emerged matters due to evolving times, changing circumstances, advancements in science and technology, or issues that are currently being widely discussed. There are also issues that have yet to arise but may emerge in the future.

Disagreements, differences, pros, and cons will inevitably appear in many aspects of life. Even something originating from the Almighty, Allah the Exalted, can lead to differing interpretations. Therefore, differences are an unavoidable part of life because humans are social beings, and it is impossible to avoid them. Allah says: "If Allah had willed, He could have made you one community; but He intended to test you by what He has given you. So, compete with one another in doing good. To Allah, you will all return, and He will then inform you concerning that over which you used to differ" (Qur'an, 5:48).

Disagreements in scientific matters are a blessing for all of us, as they broaden our knowledge and understanding. This fact is evident from the examples set by earlier scholars, such as the four great Imams—Hanafi, Maliki, Shafi'i, and Hanbali. Among the many *asbab al-ikhtilaf* (reasons for differences) among scholars, we find that these differences often arise because of their adherence to

the Qur'an and the Sunnah. Remarkably, these differences exist because the Qur'an itself accommodates the possibility of divergent interpretations.

Numerous issues faced by the Muslim community already have clear foundations in the Qur'an and the Sunnah. However, differences in scholars' approaches to interpreting and understanding the texts have led to varying legal rulings. If matters explicitly addressed in the Qur'an and the Sunnah can lead to *ikhtilaf* (differences) in interpretation and legal conclusions, then it is no surprise that more ambiguous matters, with no clear explanation in the primary sources of Islamic law, will generate even greater divergence in interpretation, understanding, and rulings.

To delve deeper into the topic of differences of opinion, their rules, how to distinguish between justified and unjustified opinions, the ethics and attitudes required in handling differences, understanding the contexts and conditions under which differences are acceptable, and finding solutions to potential conflicts arising from differences of opinion, this journal article provides further explanation.

2. Method

The method described in this article involves a literature-based study. This method consists of four stages of research: preparing necessary tools, compiling a list of useful references, allocating time for research, and reading or taking notes from study materials. Data collection is carried out by searching for and gathering resources from various sources, including books, journals, and prior studies. References obtained are critically analyzed and thoroughly reviewed to support the suggestions and ideas presented.

3. Results and Discussion

A. Differentiating Between Justifiable and Unjustifiable Differences of Opinion

Opinions That Are Not Justifiable. Many laypeople who have not studied *fiqh* (Islamic jurisprudence) may find the differences among scholars perplexing. When they read discussions about *fiqh* issues, they often encounter explanations highlighting differences of opinion among scholars[1]. Frequently, they find references to Madhhab A, Madhhab B, or specific scholars offering differing opinions

Frequently, when people read writings related to *fiqh* studies, they find that the content elaborates on the differences of opinion among scholars. It is not uncommon for these writings to mention Madhhab A, Madhhab B, or references to specific scholars with differing views. Each scholar presents their own perspective, and these opinions often differ significantly from one another. This divergence can sometimes leave readers more confused rather than enlightened[2].

The following questions are often raised: Isn't this religion one? Isn't Islamic law unified? Isn't there only one truth that is indivisible? Isn't the source of Islamic law one as well—Allah's revelation?[3].

Why, then, do differences exist? Why are there multiple opinions on a single issue? Why isn't there a single unified stance among the madhhabs, so that Muslims, as one *ummah*, can easily choose a single opinion and reference?

Some people even mistakenly assume that these differences reflect contradictions within Islamic law, contradictions in its sources, or divisions in creed, similar to those found in other religions such

as the divisions between Orthodox Christians, Catholics, and Protestants. Such assumptions are entirely false. The differences among *fiqh* schools of thought in Islam are actually a blessing and a source of ease for the Muslim *ummah*. This vast wealth of Islamic jurisprudence is a source of pride and dignity for its adherents[4].

The differences among scholars (*fuqaha*) occur only in secondary issues (*furu'*) and matters of *ijtihad* (independent reasoning), not in fundamental principles, core teachings, or creed (*aqidah*). Never in Islamic history has a *fiqh* disagreement among madhhabs led to armed conflict that threatens the unity of the Muslim *ummah*[5]. This is because their differences are confined to minor issues that do not endanger the faith. The type of disagreement that is condemned and divides the Muslim community weakening its existence is that which pertains to matters of creed.

The root cause of differences among scholars lies in the varying levels of human understanding when interpreting divine texts, drawing legal conclusions, understanding the wisdom behind Islamic laws, and grasping the reasoning (*'illat*) behind specific rulings[6]. These differences do not contradict the unity of Islamic law's sources. Islamic law itself does not contain any internal contradictions. Differences arise because of human limitations and weaknesses.

Despite these differences, people are still required to act according to one of the available opinions to make practicing religion easier, as divine revelation has ceased. For a *mujtahid* (independent jurist), however, they must act according to the results of their own *ijtihad*, based on their strongest interpretation of the divine texts. It is this process of interpretation that gives rise to differences of opinion. The Prophet Muhammad (peace be upon him) said: "If a *mujtahid* exercises *ijtihad* and is correct, they will receive two rewards. If they err, they will still receive one reward—except in cases where definitive evidence (*qathi'*) with a clear and certain meaning exists, such as evidence from the Qur'an, *mutawatir* (mass-transmitted) Sunnah, or widely accepted *ahad* Hadith. In such cases, there is no room for *ijtihad*." [7].

Opinions That Permit Differences. Scholars, especially those from the four major Islamic schools of thought Hanafiyah, Malikiyah, Shafi'iyah, and Hanabilah have frequently differed on secondary (*furu'iyah*) matters in *fiqh* (Islamic jurisprudence)[8]. For example: First, some scholars recite the *basmalah* (Bismillah) during the recitation of Surah Al-Fatihah in prayer, while others do not[9]. Second, some perform *qunut* in the Fajr (dawn) prayer and consider it a highly recommended Sunnah (*sunnah muakkadah*), while others regard it as an innovation (*bid'ah*). Third, some scholars hold that vomiting, nosebleeds, or cupping nullify ablution (*wudu*), while others say these do not, allowing prayer to continue even after such occurrences[10]. Fourth, some scholars assert that skin-to-skin contact between a man and a non-mahram woman invalidates ablution unless a barrier is present, while others argue it does not[11]. Fifth, some consider eating camel meat or consuming food directly cooked over an open flame as invalidating *wudu*, while others disagree[12].

Despite these differences, such disagreements have never hindered unity in communal prayer (*jama'ah*), where the imam and the congregation may belong to different schools of thought and hold differing opinions[13].

One illustrative example involves Abu Yusuf, who believed that cupping invalidates ablution. Nonetheless, he prayed behind Caliph Harun Al-Rashid, who led the prayer immediately after cupping without renewing his ablution[14].

Similarly, Imam Ahmad ibn Hanbal held that nosebleeds and cupping nullify ablution. Yet, he permitted prayers led by imams who believed otherwise, such as Imam Malik and Said ibn Al-Musayyib. When asked why he allowed this, Imam Ahmad replied, “*Should we not pray behind Imam Malik and Said ibn Al-Musayyib?*” both of whom maintained that cupping and nosebleeds do not nullify ablution. Imam Ahmad respected their views despite disagreeing with them[15].

Imam Al-Shafi’i also provides an example of respect for differing opinions. He strongly held that performing *qunut* during the Fajr prayer is a *sunnah muakkadah*. However, when leading prayers in a mosque near the tomb of Imam Abu Hanifah, he deliberately omitted the *qunut*. When asked why, Imam Shafi’i responded, “*Should I contradict Abu Hanifah in his own domain?*” These examples reflect the scholars' profound respect for differing views and their efforts to maintain unity among Muslims[16].

B. Evaluating the Ethics and Attitudes Required When Facing Differences

Conflict and hostility tend to escalate when disagreements are accompanied by inappropriate actions or words. Even when disagreements are unavoidable, it is impermissible to insult, ridicule, mock, or curse others. Negative behaviors like these are strictly prohibited[17].

Avoid Insults, one of the most disgraceful behaviors is to demean, humiliate, or mock those who hold differing opinions. Unfortunately, it is not uncommon to encounter statements or remarks that lack any sense of decorum, such as: “*This opinion can only come from ignorant, foolish, and careless individuals.*”, “*These people are nothing but a group of fools, misguided, rash, and ignorant.*”, “*This view is only upheld by those who lack faith, weak resolve, and are easily swayed by worldly desires.*” such statements are unacceptable and contrary to the ethical principles of scholarly disagreement[18].

Provide Complete and Honest Citations

An essential etiquette when addressing differing opinions is to refrain from outright dismissing someone else’s view. Instead, one should first quote their opinion accurately, along with the reasoning and arguments they provide[19].

It is even more appropriate to attempt to validate their opinion as the result of an earnest effort in *ijtihad*. Only then should alternative opinions be presented, accompanied by supporting evidence and reasoning. Every view must be presented with honesty and fairness, without adding to or detracting from its content. Upholding academic integrity (*amanah ilmiyyah*) is crucial in this context. It is imperative to avoid baseless accusations or reckless criticism of others. The aim should be to evaluate differing opinions objectively and without blind partisanship[20].

Truth is not exclusively owned, finally, when presenting an opinion, it is permissible to express a subjective judgment. However, this must be done with politeness and proper etiquette. It is also beneficial to acknowledge that the opinion being put forward is not absolute truth and may be subject to error. Likewise, the opposing opinion should not be dismissed outright as wrong or misleading. Instead, it may also hold validity. Ultimately, truth belongs only to Allah[21].

C. Understanding the Contexts and Conditions When Differences Can Be Accepted

Although differences of opinion are permissible, there are boundaries within which they must remain. Differences of opinion become irrelevant and unacceptable when they extend beyond the permitted limits[22].

Branch issues vs. fundamental matters, religious themes are often divided into two categories: matters of *aqidah* (creed) and *shari'ah* (Islamic law). Both *aqidah* and *shari'ah* consist of foundational (*usul*) and secondary (*furu'*) matters. Differences of opinion among scholars are only allowed in secondary matters, whether in *aqidah* or *fiqh*[23].

An example of a fundamental *aqidah* issue is the belief that Allah SWT is One, indivisible, and incomparable. However, secondary issues in *aqidah* might include interpretations of Allah's names and attributes—such as what is meant by Allah's *kursi* (Throne), or His face, hands, and feet. Scholars may disagree on such matters without being labeled as disbelievers or destined for hellfire[24].

In *shari'ah*, a fundamental matter might be the obligation of performing the five daily prayers for every Muslim. In contrast, a secondary issue could be whether *qunut* in the Fajr prayer is a recommended Sunnah (*sunnah muakkadah*) or an innovation (*bid'ah*). Scholars are allowed to disagree on the ruling of *qunut*, but they cannot disagree on the obligation of the five daily prayers[25].

Unfortunately, in real-world practice, people often reverse these distinctions. Fundamental matters are sometimes debated or questioned, even though such debates can threaten the core principles of religion. Orientalists and liberalists often exploit this by attacking fundamental aspects of Islam under the guise of permissible intellectual debate[26].

Differences of opinion are not the same as division, many people mistakenly equate differences of opinion with division. However, for those who understand the rules, there is a vast difference between the two[27].

Some less-informed individuals may assume that differing opinions inevitably lead to conflict. While differences of thought are permissible, division and disunity are explicitly prohibited in the Qur'an:

وَاعْتَصِمُوا بِحَبْلِ اللَّهِ جَمِيعًا وَلَا تَفَرَّقُوا ۗ

“And hold firmly to the rope of Allah all together and do not become divided.” (Ali Imran, 3:103).

The People of the Book, namely the Jews and Christians, quarreled over fundamental religious issues. Their example serves as a warning to Muslims to avoid falling into the same pitfalls. Allah SWT says[28].

وَلَا تَكُونُوا كَالَّذِينَ تَفَرَّقُوا وَاخْتَلَفُوا مِنْ بَعْدِ مَا جَاءَهُمُ الْبَيِّنَاتُ وَأُولَئِكَ لَهُمْ عَذَابٌ عَظِيمٌ

“And do not be like those who were divided and differed after the clear proofs had come to them. And it is they who will have a great punishment.” (Ali Imran, 3:105)

The primary responsibility of scholars is to uphold the religion of Islam. Division among scholars is prohibited, as emphasized in the teachings of every prophet, including this verse:

شَرَعَ لَكُمْ مِنَ الدِّينِ مَا وَصَّى بِهِ نُوحًا وَالَّذِي أَوْحَيْنَا إِلَيْكَ وَمَا وَصَّيْنَا بِهِ إِبْرَاهِيمَ وَمُوسَى وَعِيسَى أَنْ أَقِيمُوا الدِّينَ وَلَا تَتَفَرَّقُوا فِيهِ ۗ

“He (Allah) has ordained for you of religion what He enjoined upon Noah and that which We have revealed to you (Muhammad) and what We enjoined upon Abraham, Moses, and Jesus—to establish the religion and not be divided therein.” (Asy-Syura, 42:13).

وَمَا تَفَرَّقُوا إِلَّا مِنْ بَعْدِ مَا جَاءَهُمُ الْعِلْمُ بَعِيًا بَيْنَهُمْ

“And they did not become divided until after knowledge had come to them—out of jealous animosity between themselves.” (Asy-Syura, 42:14)[29].

Differences of opinion are not hostility, permissible differences of opinion should not lead to enmity among Muslims, particularly between scholars and preachers. Even if these groups are compelled to separate and no longer operate under the same umbrella, they must avoid animosity. Hostility only weakens Muslims, while strengthening their adversaries[30].

No matter how intense disagreements among believers may be, hostility, revenge, or violence must not occur. For example, when Prophet Musa (Moses) pulled his brother Harun (Aaron) by his hair and beard in frustration, Harun reminded him not to act in anger, demonstrating the importance of avoiding conflict even in moments of disagreement[14].

D. Positive Implications of Differences of Opinion in the Context of the Islamic Community

In the early stages of Islamic history, the richness of Islamic law and the tradition of *ijtihad* (independent reasoning) brought dynamism to Islamic jurisprudence. This dynamism prevented stagnation and opened pathways for ease and progress. Ali Hasan expressed that differences in understanding Islamic law through *ijtihad* can have numerous positive effects[31] including:

First, *ijtihad* fosters rigorous intellectual exchanges in scholarly assemblies. Without *ijtihad*, the intellectual capacity of society would weaken, which contradicts Islamic teachings[32]. *Second*, differences of opinion help address and resolve emerging societal issues, as the modern world continues to present increasingly complex problems. *Third*, through *ijtihad*, various aspects of human life can be safeguarded, such as religion, property, life, lineage, and other essential needs. *Fourth*, *ijtihad* serves as a means of seeking truth and resolving disputes, whether through textual evidence (*nass*) or analogical reasoning (*qiyas*)[33]. *Fifth*, differences in interpretation help determine which Qur'anic rulings can be applied in specific circumstances and which cannot[34]. *Sixth*, Islamic law evolves dynamically when *ijtihad* is actively practiced and developed[35]. *Ijtihad* affirms that Islam is relevant across all times and places (*al-Islam shalih li kulli zaman wa makan*).

However, individual *ijtihad* (*ijtihad fardi*) alone is often insufficient in addressing the challenges posed by scientific and technological advancements. Today's complex societal issues require collective *ijtihad* (*ijtihad jama'i*), which brings together the expertise of multiple scholars to ensure comprehensive and effective solutions. The neglect of *ijtihad* for many years has led to stagnation in Islamic law, allowing conservatism to flourish. Some conservative groups, fearing the influence of rationalism (as seen in the Mu'tazilah movement), reject *ijtihad* and view it as a threat to Islamic unity and political stability. This highlights the need to revive and embrace *ijtihad* to restore the dynamism of Islamic jurisprudence[36].

E. Solutions for Managing Potential Conflicts Due to Differences of Opinion

Reformative approach, this approach emphasizes the continuous evolution of Islamic law from its early history to the present and beyond. It calls for rational, scientific, and critical thinking when addressing *ijtihad*-based legal disputes. Scholars must clearly differentiate between definitive (*qath'i*) and speculative (*dhanni*) textual evidence, as well as between foundational (*usul*) and secondary (*furu'iyah*) matters. This reformative approach focuses on understanding the moral principles of Islam rather than its formal legalistic aspects[37].

Contextual and substantive thinking, Islamic law must be interpreted contextually to address the social realities and challenges faced by the community. This ensures that legal rulings provide practical solutions to contemporary problems. Resolving the community's issues is more important than rigidly adhering to textual interpretations without engaging in *ijtihad*[38].

Emphasis on brotherhood and tolerance, tolerance is essential when dealing with differences of opinion. Mutual respect and understanding are critical for managing disagreements effectively. Such an attitude can only be achieved if differences are approached with sincerity, shared responsibility, and a willingness to engage in meaningful dialogue[39].

4. Conclusion

Many issues faced by Muslims already have clear foundations in the Qur'an and Sunnah. However, differences in interpretation and understanding among scholars often lead to varying legal conclusions. In addressing such differences, it is crucial to distinguish between opinions that are permissible and those that are not.

While differences of opinion are allowed, they must remain within defined boundaries. For instance, disagreements over foundational matters of *aqidah* and *shari'ah* are impermissible, as they undermine the core pillars of Islam.

Although differences can sometimes cause challenges, they also bring positive implications. Scholarly disagreements enrich knowledge, broaden perspectives, and demonstrate Islam's adaptability to changing circumstances. The key to managing differences is to adopt an inclusive attitude, avoid fanaticism, and foster mutual respect. When differences are handled with sincerity, shared responsibility, and openness to dialogue, they can serve as a catalyst for intellectual growth and the dynamic development of Islamic law.

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