

B. Satershinov¹, Zh. Khumarkhan^{2*} 

¹Institute for Philosophy, Political Science and Religion Studies of the CS MES RK,
Kazakhstan, Almaty

²Al-Farabi Kazakh National University, Kazakhstan, Almaty

*e-mail: jkhmarkhan@gmail.com

THE CONCEPT OF SHARIAH IN AL-FARABI'S PHILOSOPHY

Politics is one of the most important concepts of al-Farabi's philosophy. According to him, true happiness can only be achieved in a virtuous society. A virtuous society emerges only through a form of government led by the chief ruler (al-ra'is al-awwal). The most important feature of the chief ruler is that he is in contact with Active Intellect. Religion is accepted by al-Farabi in the virtuous society as the way of management and lifestyle applied by the chief ruler. The purpose of this paper is to reveal how religion is philosophically understood by al-Farabi and what is the need for religion in making laws needed in social life. Based on this, the dimensions of the relationship between religion and law have been tried to be reached. In addition, the metaphysical basis of the laws and the role of the philosopher and the prophet in the formation of the laws were also discussed. We tried to answer what kind of features are the laws that will lead to this supreme goal and who should be made by them and how they can be applied and changed in the historical process are also included in the research. Finally, the place of fiqh science in virtuous society has also been analyzed.

Key words: Religion, Politics, Farabi, Interpretation, Fiqh.

Б. Сатершинов¹, Ж. Хумархан^{2*}

¹ҚР БҒМ ҒК Философия, саясаттану және дінтану институты, Қазақстан, Алматы қ.

²Әл-Фараби атындағы Қазақ ұлттық университеті, Қазақстан, Алматы қ.

*e-mail: jkhmarkhan@gmail.com

Әл-Фараби философиясындағы шариғат ілімі

Саясат – әл-Фараби философиясының маңызды ұғымдарының бірі. Оның айтуынша, шынайы бақытқа тек ізгі қоғамда ғана қол жеткізу мүмкін болады. Ал, ізгі қоғам тек басты билеуші тарапынан басқарылатын басқару формасы арқылы ғана пайда болады (әл-Раис әл-Әууәл). Басты билеушінің ең басты ерекшеліктерінің бірі – оның белсенді интеллектпен байланысы. Әл-Фараби дінді игілікті қоғамда басты билеуші қолданатын басқару стилі мен өмір салты ретінде қабылдайды. Бұл мақаланың мақсаты ғұлама ғалым – әл-Фараби дінді философиялық тұрғыдан қалай түсінетінін және әлеуметтік өмірге қажетті заңдар шығаруда дінге деген қажеттіліктің қаншалықты екенін анықтау болды. Осы тұрғыдан келгенде, дін мен заң арасындағы қатынастардың өлшемдерін түсінуге тырыстық. Сонымен қатар, заңдардың метафизикалық негізі мен философтардың, сондай-ақ, пайғамбардың заңның қалыптасуындағы рөлі де сөз болды. Әл-Фараби философиясында айтылатын ұлы мақсатқа жетелейтін заңдар қандай ерекшеліктерге ие болуы керек және оны кімдер жасауы керек, сонымен қатар, оны тарихи процесте қалай қолдануға және өзгертуге болатындығы туралы сұрақтарға жауап іздедік. Сондай-ақ, мақаланың соңында фиқһ ғылымының ізгі қоғамдағы алатын орны да талданды.

Түйін сөздер: дін, саясат, әл-Фараби, интерпретация, фиқһ.

Б. Сатершинов¹, Ж. Хумархан^{2*}

¹КН МОН РК РГКП «Институт философии, политологии и религиоведения», Казахстан, г. Алматы

²Казахский национальный университет имени аль-Фараби, Казахстан, г. Алматы

*e-mail: jkhmarkhan@gmail.com

Концепция шариат в философии аль-Фараби

Политика – одна из важнейших концепций философии аль-Фараби. По его словам, истинного счастья можно достичь только в добродетельном обществе. Добродетельное общество появляется только через форму правления во главе с главным правителем (аль-Раис аль-Аввал). Наиболее важной особенностью главного правителя является то, что он находится в контакте с активным интеллектом. В добродетельном обществе аль-Фараби принимает религию как стиль управления и образ жизни, применяемый главным правителем. Целью этой статьи было

определить, как аль-Фараби понимает религию с философской точки зрения и необходимость религии в создании законов, необходимых для общественной жизни. Исходя из этого, пытались раскрыть взаимодействие между религией и законом. Кроме того, обсуждалась метафизическая основа законов и роль философа и пророка в формировании законов. Мы попытались найти ответы, какие особенности законов приведут к этой высшей цели, люди с какими способностями делают эти законы, и как они могут быть применены и изменены в историческом процессе. Была проанализирована роль фикха в добродетельном обществе.

Ключевые слова: религия, политика, аль-Фараби, интерпретация, фикх.

Introduction

Al-Farabi considers happiness as the ultimate purpose of the philosophy. Real happiness means that humankind achieves its most competent form. Politics however is a significant instrument in the path happiness that philosophy considers as its ultimate purpose. Happiness, which means the most advanced form of the competence of humankind, is not a fact that occurs on its own in the human society. Happiness is an objective which can be achieved by adopting a target in a conscious manner and having a lifestyle which will lead to this target. While accepting that happiness can be achieved by some elite people individually, al-Farabi says that it can be achieved only within a virtuous society when it comes to large masses of people. He emphasizes that humankind has to live within the society by its nature. Because, only a society can give the opportunity and instruments to reveal its potentials hidden in its nature. Thus, humankind owes the level it has reached in the fields of civilization, science, law, ethics, philosophy, technics, etc. primarily to living within a society. Society, which is indispensable for humankind, is one of the prerequisites for reaching real happiness. For him, the most important feature of the virtuous society, which will lead large masses to real happiness.

Real happiness means that humankind achieves its most competent form. Politics however is a significant instrument in the path happiness that philosophy considers as its ultimate purpose. Happiness, which means the most advanced form of the competence of humankind, is not a fact that occurs on its own in the human society. Happiness is an objective which can be achieved by adopting a target in a conscious manner and having a lifestyle which will lead to this target (Al-Farabi, 1986: 130).

He uses the concept of politics in a broader sense than it is used today. He does not use this concept only in a sense which refers to administrative works which organizes the operation of the state apparatus. In his philosophy, the concept of politics has a metaphysical meaning. Used in the meaning of "governing" in the broadest sense, this concept also includes Divine government. Even the concept

gains its main meaning from God's governing the world (Aydınlı, 1987: 291-302). The order in the cosmic world is accepted as Divine regime and presented as the most ideal form of politics. This universal Divine politics is the most suitable example for the government on earth. The politics on earth will become a virtuous politics to the extent that it approximates the Divine politics. Implementation of the universal Divine politics on earth is possible by means of a master who has certain features in terms of both knowledge and body. As a result of his inherent and voluntary competences, the master communicates with the Active Intellect and obtains information about the essence of beings. The chief ruler, who observes the Divine government in heavens, builds the regime and lifestyle which will lead people to real happiness on earth by means of his wisdom which is his indispensable feature (Al-Farabi, 1986: 130). For Al-Farabi, religion is the name of the rules established by the chief ruler and the lifestyle exemplified by the first chief with his life to achieve real happiness. In this sense, religion is the name of the politics that chief ruler implements in the society. We can see his political philosophy as a pillar of the religion-philosophy reconciliation effort (Toktaş, 2016: 41-64).

Justification of the Choice of Articles and Goals and Objectives

One of the subjects of al-Farabi's philosophy that still cannot be clarified objectively is the issue of religion. The fact that he is both a Muslim thinker and a philosopher raised in the medieval Islamic civilization makes this issue even more unsolvable. Because people who are dealing with the religious sciences and philosophers have always come to interpret his thoughts in their own way. We have determined the point of view of al-Farabi, who has a conciliatory attitude in every subject and is very successful in this method, to the science of fiqh, which is a source of law in the concept of politics, and the position of fiqh in his teachings as the object of our article.

Scientific Research Methodology

The purpose of research is to discover answers to questions about the role of shariah in Al-Farabi's

philosophy. In addition, clarification of whether he considered of divine or other type of government system in medieval Muslim civilization time. While searching answers to our aim we have used descriptive, historical, hermeneutics and comparative research methods.

Religion as the Source of the Law in Al-Farabi's Philosophy

When real happiness is the ultimate purpose of the philosophy; religion, which has a significant function for societies in the path to achieve this supreme objective, becomes an instrument like politics. He describes religion as "Religion (al-millah) is the views and actions that are limited and determined by the conditions that the chief ruler, who tries to achieve a certain purpose in society and to restrain the members of society with the punishments he has determined" (Al-Farabi, 2000: 258). Since chief ruler is a person who contacts Active Intellect, the religion founded by him becomes divine due to this nature. This point does not only provide a divine nature to the religion, but also provides a divine aspect to the laws. In the broad sense, politics means governing. Governing is an action which directly requires laws. Therefore, politics and laws are always together. Religion can be considered as a regime, since it is the implementation of the divine government, which applies in the heavens, on earth (Momynkulov, 2011: 85). Either the politics applied by the first chief in society or religion, this regime is basically shaped through the relationship established with the Active Intellect, in other words sacred source. Then, the laws to be established by the chief ruler at the point of establishing and maintaining this government will be considered as divine laws as well. This divine quality of the chief ruler refers to three basic features in his personality: 1-Chief ruler is the governor in the society. 2- Chief ruler is a philosopher since he receives pure truth from a divine source. 3- Chief ruler is a prophet since his regime and lifestyle are shaped directly in connection with the sacred one and guide people at this point (Al-Farabi, 2000: 259).

Al-Farabi considers happiness as the ultimate goal in his teachings. The most important way to reach true happiness is founding a virtuous society. He considers it a necessary condition to live in a virtuous society on the pursuit of happiness. The existence of a virtuous society also depends on a virtuous government. A virtuous management can take two forms; either the chief ruler's (al-raisa al-awwal) leadership, or the second ruler's leadership imitated by chief ruler's leadership model. Both of these cases lead us to look into the center of politics

in al-Farabi's philosophy (Aydin, 1976: 303-315). Politics is one of the key concepts of al-Farabi's philosophy. We can see his political philosophy as a pillar of the reconciliation effort between religion and philosophy (Toktaş, 2016: 41-64). While discussing his political philosophy, it should be kept in mind that there is a further dimension of politics in al-Farabi's teachings. Here again, it is seen that virtuous management emerges in connection with active intellect anyway, which is the most fundamental distinctive feature of virtuous society model (Mahdi, 2001: 128).

Religion according to al-Farabi, on the other hand, is the whole collection of the laws and lifestyle imposed by the chief ruler in the society in order to reach the ultimate happiness. He describes it as "Religion (al-millah) is the views and actions that are limited and determined by the conditions that the chief ruler, who tries to achieve a certain purpose in society and to restrain the members of society with the punishments he has determined" (Al-Farabi, 2000: 258). According to this definition, religion should be based primarily on laws. The most basic features of religions are that they have some laws and one of the most basic features of the founder of this religion is that it is a lawmaker. In this case, we can say that according to al-Farabi, religions that do not have laws cannot be accepted as a true religion. Likewise, since the ultimate goal of the chief ruler in society is to attain supreme happiness, entities that do not bring societies to supreme happiness, even if they have a set of laws, cannot be accepted as religion. In this case, it is revealed that together with the existence of the law that is decisive here is the source of this law. According to him, the most basic feature of virtuous religion is that it is based on revelation (Al-Farabi, 2000: 259). Since religion is the laws laid down by the chief ruler and the lifestyle he adopted, it highlights the dimension that we take as basis in our work and shows that the laws should be based primarily on a divine source. The source of the law also determines the type of administration. While the laws of divine origin constitute the basis of a virtuous society, laws that do not rely on a divine source will form the basis of non-virtuous regimes with different types. The divine laws can be put forward in two ways: 1- Laws may have been put forward directly by revelation, that is, the chief ruler may receive all of these views and actions as revealed. 2- The chief ruler can determine these laws and life style himself with a skill he has gained from revelation and sender of revelation (Al-Farabi, 2000: 259). In fact, this points to a situation where the divine and human distinction has become artifi-

cial and disappeared in the legal field. Like the views and behaviors communicated directly by revelation, the laws put forward by the chief ruler, who are in an alliance with active intellect, as a result of his own abilities, are also accepted as divine. Ultimately, the law is based on a divine source in both cases. However, it is a serious mistake to deduce that all the laws of all rulers or founding leaders can be regarded as divine laws. At this point, the basic criterion is that the chief ruler is a person who establishes an alliance with active intellect. Therefore, it would be more accurate to say that the distinction between the divine realm and human mind has disappeared from the words of the person who reaches advanced mental level that can be accessed by a limited number of people by activating his own intellectual potential. The words of this type of person also bear a divine color (Fakhry, 2002: 116).

Another issue in al-Farabi, which is divine and the distinction of humanity is becomes artificial, is seen in the use of the words Sunnah and shariah (Al-Farabi, 2000: 259). Al-Farabi says that these two words are almost synonymous. The fact that the circumcision (Sunnah), which is the lifestyle of the chief ruler, is also accepted as shariah or law shows that the human aspect and the divine aspect are intertwined in leader. The words and deeds of the chief ruler who received revelation are accepted as law. At this point, we can agree with hadeeth methodology, which sees Sunnah as a prophetic interpretation of the divine shariah (Eltom Ishaq Osman Musa, 2016: 71). The words of ruler, who are in connection with the active intellect, are divine, whether they are the product of direct revelation or the rules put forward by his own inference. At this point, the words and behavior of ruler, who has the ability to adapt with active intellect, appear as laws that lead to a supreme goal. When we evaluate the above situation, we can say that the laws originate from religion, moreover, the laws imposed by the chief ruler, who is allied with active intellect, are the religion itself. This, once again leads to the interweaving of law and religion; on the other hand, the humane and divine.

After seeing that religion and law are intertwined in philosophy of Al-Farabi, it is important for our topic to focus on the function of these laws. This situation will help us to analyze the social structure in Al-Farabi's mind. At this point, we turn to the purpose of laws and ask, "What is the main purpose of the laws that religions have or put forward or set by the chief ruler?". We can also express the question in different way as, "Is the purpose of the laws put forward by the chief ruler merely to prevent possible disorder in society and to ensure social order?".

Al-Farabi answers this question by referring to the higher purpose of humanity. According to him, the true goal of virtuous societies is to reach the ultimate happiness. In other words, societies that aim at ultimate happiness are virtuous societies. He says that this situation can only be achieved by a set of laws imposed by the chief ruler (Al-Farabi, 2000: 259). So just maintaining social order cannot be the goal of a virtuous religion. In fact, Al-Farabi says that non-virtuous administrations can also make laws around certain purposes that their leader's preferences. This may be the things that the ruler sees well, that is, non-virtuous goodness, and necessary goodness such as health, well-being, or goodness such as wealth, pleasure, generosity, greatness, superiority. Al-Farabi does not accept the laws put forward to obtain such favors as virtuous laws. In this case, it is unacceptable to analyze that religion - according to the philosophy of Al-Farabi - is the blessing of the rules that people who have to live together to regulate their social life. He does not evaluate religion only in terms of the benefit it provides to the social order. According to him, "the real aim behind all the laws that the chief ruler has created in the society should be to bring the society to the ultimate happiness. He states that such a religion can be the supreme religion (Al-Farabi, 2000: 259). This situation shows us the relation of Al-Farabi's virtuous understanding of religion with his definition of philosophy. According to him, philosophy is the effort of man to acquire the truth of existence as much as he could. Virtuous religion is also set of laws imposed by the chief ruler who tried to bring society to these truths. Therefore, the virtuous religion should aim at the highest purpose. The fact that individuals obey the laws cannot be accepted as an indication that society is a virtuous society. We can name this kind of society as a normative society. A virtuous society, on the other hand, is a society that obeys the laws aiming at the ultimate happiness.

Another question that needs to be addressed while examining the relationship between religion and law in Al-Farabi's thought is how the existence of different laws, based on variety of religions which are valid in different societies, is explained. Focusing on this subject will help us to understand Al-Farabi's understanding of religion, as well as to understand how different laws based on different religions and political governments emerged. If religion is basically based on the law that the chief ruler got from active intellect, how should the existence of different religions and laws be understood? Here, it should be stated that Al-Farabi does not limit the knowledge of the essence of existence and laws that

will lead to real happiness by contacting active intellect only to a single chief ruler or philosopher. It is possible for more than one ruler and philosopher to reach this level both at the same time and at different times. Since the source of information of all rulers and philosophers is the same, where does difference come from? He answers this question with the distinction between a large mass of people and a group of distinguished scholars, which can be simply expressed as the distinction between awam (masses) and the hawas (elites). The way of perception of the truth for these two groups are different. Most people do not have ability to understand and envision the principles of beings, their degrees, active intellect, primary management, both because of their nature and their nurture. For these people, it is necessary to demonstrate how the things in question are similar and imitated. The meaning and essence of these things are one and do not change. Their imitations are numerous and different in resembling those things, both near and far. It is for this reason that many virtuous nations and cities with different religions can be found, all of whom aim at the same kind of happiness. In fact, religion (milla) is the image of the things in question or their dreams (Al-Farabi, 1964: 86).

We find a similar answer to this question in al-Madina al-Fadila. After talking about the things that the people of the virtuous city of Al-Farabi should know in common, he says that these things can be known by people either by their innate nature or by the habits they acquired later. He also says that the judges of the virtuous city know these truths as they are, and those who are subject to them know these things as they are in the souls of the judges. According to him, people other than these know some of the truths on this subject with examples, some with distant examples, and some with more distant examples. According to him, these examples may change in every nation and city people (Al-Farabi, 1986a: 147-148). This situation explains why there are different religions. In fact, although religions are one in nature, they differ in terms of the examples in which they are described. This situation also explains how different divine origin laws (shariah) emerged even though they aimed at the same truth. Thus, the difference in the level of knowledge and understanding of the truth determines the nature of the shariah and becomes a fundamental factor that separates the laws in that society from those of other societies. Expressing the same truth in different ways in groups that differ according to their levels of knowledge leads us to another distinction. When this distinction is adapted to the «distinction between philosophy and

religion», it confronts us with two different fields that are the same in nature. According to Al-Farabi virtuous religion is like philosophy (Al-Farabi, 2000: 261). According to him, virtuous religion has functional and theoretical dimensions just like philosophy. However, what is striking at this point is that it is said that the principles of the deeds of religion, that is, the virtuous laws, are all included in the basic things in functional philosophy and that the evidence of theoretical views in religion is also found in theoretical philosophy. At this point, philosophy is a more universal science that encompasses religion (Bayraklı, 1983:123). Philosophy, as a science that contributes to both the practical and theoretical field of religion and even its foundation is made directly in itself, appears as the most general science in the field of existence. When religion has a divine character does not pose a problem in this case. As a matter of fact, the meaning of the divine character of religion is that the information to prophets comes directly from the active intellect. Similarly, the philosopher receives this information directly from active intellect. According to this theory, the information coming to the prophet is also philosophical knowledge. The reason why philosophy has a more general structure here is that philosophy is not the examples of the truths taken from the active intellect but the expression of itself directly. This point leads us to the artificialization of distinction of philosophy and religion. Therefore, the difference between religion and philosophy is not a difference in nature but turns into a defective difference. This is due to the fact that the truths in religion are not conveyed as they are, but through examples. This situation also leads us to say that the distinction between the human and the earthy in the realm of law is an artificial distinction, as well as a divine and human distinction at the point of philosophy. At this point, the words of the true philosopher also turn into a word of divine character. It means both the philosopher and the prophet take their knowledge from active intellect. In fact, prophet symbolizes these words at a level that ordinary people can understand, while the philosopher is more loyal to the divine at some point because he conveys the truth as it is.

Divine Law and Interpretation according to Al-Farabi

While Al-Farabi talks about Plato's philosophy in his work titled *Philosophy of Plato*, he interprets his philosophy as a whole around the concept of happiness. He subjects the books in certain criteria written by Plato in order to investigate what happiness is, which means to know the essence of beings and reach real competence, and to show the ways

to achieve it. In the nineteenth paragraph, he expresses that is realized that knowledge and art that will lead people to happiness are not works and arts that are accepted and done by the majority, and here, using the concept of philosophy, he expresses that philosophy is a theoretical art, and the philosopher is the person who describes knowledge. In the twentieth paragraph, he conveys the determination that philosophy is accepted as a good and useful thing according to Plato, and in the twenty-first paragraph, it comes to the point that is of great importance for our subject. Here, he states that the art of work that provides the desired lifestyle, organizes things and leads to happiness in the soul, is management and politics (Al-Farabi, 1974: 65-84). This shows us the importance of law and politics in achieving true happiness. While philosophy is an art that brings us to real happiness, it realizes this purpose in society through laws. This brings us to the close relationship between ruler, politics and philosophy. When a person with a managerial philosophy becomes aware of what in society is what leads people to true happiness and what is supposed to be happiness, what leads to deceptive paths. So for a virtuous society a philosopher ruler must be found. Laws are one of the most important tools that this manager uses in the way of bringing the society to real happiness. Al-Farabi stipulates that the person who will be the chief ruler, whom he accepts as a virtuous society founder, must have certain qualities, both inherent and voluntary. The indispensable of the twelve features he listed is having wisdom. As Muhsin Mahdi emphasized, even prophecy is indispensable for the virtuous society, not in the continuation of this society but in the establishment, philosophy / wisdom is indispensable both in the establishment and continuity of the virtuous society (Mahdi, 1996).

It is clearly seen that the science of fiqh in Al-Farabi's mind is very close to the science of "law" in the modern sense. He regards the science of fiqh, which he understands as law, as a sub-branch of practical philosophy together with sciences such as ethics and politics. He even says that although the science of fiqh is like a sub-branch of philosophy there is a similarity between them and the term distinguished (hawass) said for philosophers, also jurists/fuqaha were regarded as hawass (Al-Farabi, 1986: 133). However, while the science of politics is needed in the establishment of a virtuous society, it gives an important role to the science of fiqh, not in the establishment of a virtuous society, but in the continuation of this society. The continuation of the virtuous society established by the chief ruler will

only be possible with the knowledge of fiqh possessed by secondary ruler.

If the secondary ruler becomes a leader again after the chief ruler in the society, how will the legal system be affected? Al-Farabi accepts the rulers who are in connection with the Active Mind as a chief ruler, regardless of time and place. This is an interpretation in agreement with the "adaptation theory" reflected in his philosophy in general. If a group of rulers with these qualities at any time is found in a city, a nation, or many nations, this group of rulers is like a single ruler because their efforts, goals and wills are in unity. If they live one after another in terms of time, their souls will be like a single self. The second follows the first one's way, the present one walks on the way of the past one. Just as one of them can change his own law (shariah) at another time, the living ruler can change the law of his predecessor in the same way because if he (previous ruler) had seen the present conditions, he would have changed it himself. However, in the absence of a person with these qualities, the laws of the previous ones are written protected and the society is governed by them. Thus, a ruler who leads according to these laws taken from past leaders (imams) becomes a manager who continues the previous practices (malik as-sunnah) (Al-Farabi, 1964: 81).

The main characteristic of the chief ruler is to make laws that will lead people to real happiness. However, Al-Farabi also says that it may not be possible for the chief ruler to determine all the actions people need in this direction and to make laws on those issues. The chief ruler determines and decides what needs to be done about the events he faces. In this case, it is possible that some events did not occur in his time. (Al-Farabi, 2000: 262). The founding ruler's rules of thoughts about all issues that will arise until doomsday do not seem possible in a world where constant changes are in question. Another ruler, replacing a previous ruler, can set laws on matters not determined by the chief ruler. In fact, he is not satisfied with that much and can also dispose of what the chief ruler has determined and legalized. The main criterion in this case is that the new ruler will turn to what he thinks is best for his term. The reason for this situation is not that the first ruler made a mistake in the law he had made. On the contrary, the law put forward was chosen as the best for that first ruler's term and it was considered to be the best for the following terms. In fact, if the previous ruler had noticed, he would have made this change. This is the case with the second, third, fourth and subsequent rulers. These rulers can also change the laws they find determined before them by rethinking

them. (Al-Farabi, 2000: 263). This situation, Toktaş thinks, has been accepted as a reference made by Al-Farabi to the legal accumulation in society and the history of law (Al-Farabi, 2016: 56).

These expressions give us the understanding of Al-Farabi's understanding on law. Here, the philosopher does not accept laws as the primary condition and constant births at the point of achieving the ultimate happiness. Therefore, the essential thing here is not the letter of the law, but a changing capacity according to nature or social life. The law should be adapted according to these changes. Laws can be subject to some changes by reconsidering in each ruler's own term. There are two basic criteria at the point of changing these laws; the first one is that a person who made this change is also a first-degree ruler, which is, someone who is in an allied state with Active Mind, and the other ruler which can make changes based on the "best". At this point, the goal of ruler is to change the current law as he thinks is best at achieving the ultimate goal. Therefore, we can say that the understanding of law in Al-Farabi's studies are dynamic and living laws. These laws are not immutably frozen laws (Burns, 2016: 332). One of the striking points in Al-Farabi's statement on this issue is that the chief ruler put forward the law on a case he encountered at that time. This is a dimension that gives dynamism to the law. Predetermined rules are not presented in response to situations that arise later, and the chief ruler intervenes in the events that occur in daily flow of life. This situation shows us that religion, which is based on the foundations of these laws, does not have a static structure. Religious rules can be reformulated by targeting the "best" in different periods.

Results and Discussion

Here we tried to define the position of religion in terms of being the source of laws in the virtuous society in the purpose of achieving real happiness in Al-Farabi's philosophy, the role of philosopher/prophet, in the society as lawmaker, and the fiqh/shariah science which is required in the society and the duty of the scribe in interpretation of the laws. One of the matters emphasized during the study is the central position of politics in Al-Farabi's philosophy. Since the concept of "politics" used in a broad sense is shaped in consideration with a divine regime, laws created in connection with it have divine origins. Al-Farabi based the laws upon a metaphysical foundation. The distinction between divine and humane becomes artificial in Al-Farabi's philosophy in the field of law due to the fact that philosopher-prophet and lawmaker are united in the same iden-

tity and their common feature is that they are in communication with the sacred information source (Altaev, Amyrkulova, 2013: 8). The importance of the presence of a virtuous government in the society to achieve real happiness which is the supreme purpose of philosophy was another outstanding point. It was seen that the regime in the society founded by the chief ruler is the implementation of the divine regime on earth. Clearly this is related to "harmony" which is another important subject that Al-Farabi emphasized about happiness and the regime which occurs in the virtuous society on earth is a continuation of the universal harmony. Al-Farabi sees happiness within a God-centred universal organic unity. Real master type which is idealized for the society may not be encountered in every period. In this case, it will be wise to continue the implementation of the laws established by the chief ruler. For the circumstances that occur in this period, the master will find solutions by making new judgments based on the first chief's judgments by means of his abilities (Al-Farabi, 1996: 84-85). At this point, fiqh becomes prominent as a science of interpretation and reasoning (Mahdi: 1996). The science of fiqh, an art of judgment, always appears in a situation in need of philosophical knowledge. Because the main source of the science of fiqh, that is, the main source of the legal system of a virtuous society, is philosophy (Al-Farabi, 2000: 264, Al-Farabi, 1986: 131-132, Toka, 2018: 11). This situation has led us to the conclusion that Al-Farabi had given the fiqh science a role of interpreting laws rather than making laws within the social order and philosophy has always prioritized fiqh (Al-Farabi, 2000: 263). It was seen that for Al-Farabi, renewal and change is essential for both society and law, but the master who will carry out this renewal and change must be a person who has the features of the chief ruler. In other words, change is inevitable in the field of politics and law. However, it is essential that there is a lawmaker who meet certain criteria for change. Interpretation is considered as a solution to respond to social development and change in absence of the chief ruler, which means a governor who has the right to make and change laws.

Conclusion

When the concept of "politics", which is used in a broad sense, is shaped by considering the form of Divine administration, the laws that arise accordingly are of Divine origin. This leads us to the conclusion that the laws in virtuous society must be based on a metaphysical basis according to Al-Fara-

bi. However, since this information that leads to the Divine order can be accessed not only by the revelation of non-human knowledge (revelation), but also as a result of humanitarian effort. In other words virtuous society law makers need such as the sacred of the secular or the unification of the secular and the transcendent at the level of human knowledge. Religion and politics are inseparable in Farabi since the law is seen as an inseparable relationship between religion and the prophet/philosopher. Politics, which will lead people to true happiness, must have a divine dimension, in other words, a metaphysical foundation. In Al-Farabi's study, (legal basis of) religion or shariah is the combination of laws and lifestyle that were set by the chief ruler to lead the individuals of the virtuous society to true happiness. This leads us to the unity between theory and practice (iman and amal), as well as to the conclusion that there is a close relationship between religion and law, and that a true religion cannot be separated from the law. Since the philosopher and prophet are united in the same person in his understanding, this shows us that philosophical knowledge is indispensable for a virtuous society. As a matter of fact, he reveals that philosophy comes first from religion (milla), in terms of classifying them, in his book *Kitab al-Huruf*. The ideal type of ruler for the society may not be found in every period. In these cases, the most appropriate for the wisdom is to continue the implementation of the laws imposed by the first ruler. At this point, fiqh/shariah stands out as a science of interpretation and reasoning. However, even

here, fiqh and faqih (jurist of Islamic shariah) are never given an executive role. Management must consistently be given people with philosophical knowledge. This thought leads us to the conclusion that Al-Farabi gives the shariah a role of interpreting the law rather than making a law in the social order, and the philosophy always prioritizes the law making. At this level, while the first ruler was the maker of universal laws and a personality above the laws, the secondary leaders and faqihs are subject to the law and are obliged to make judgments based on these general laws or individual events transmitted from the first ruler. However, this order led by the secondary leaders should not be understood as a mimetic management. Al-Farabi emphasizes importance of the interpretation of the universal laws and principles imposed by the chief ruler; role of the faqih is quite significant to overcome the idea of imitation. A prophetic interpretation is required for the Divine revelation to become a practice of life in a society of ordinary people. Also, in the absence of a ruler who is in contact with the Active Intellect, there is a need for faqih's interpretation as a re-adaptation of the prophet interpretation. According to Al-Farabi, renewal and change are essential for both society and the law. However, the ruler/leader who will carry out this renewal and change must be a person with the characteristics of the chief ruler. The interpretation is a solution that comes into play to respond to social development and change in times when the chief ruler is absent, and is endeavor to overcome imitation alone.

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