

# Muhammad Syahrur's Theory of Limitations as an Effort to Reform Islamic Law

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<p><b>Article History</b> Received: 2025-07-01 Revised: 2025-07-11 Published: 2025-07-31</p> <p><b>Keywords:</b> <i>Limitation Theory, Muhammad Syahrur, Islamic Legal Reform, Ijtihad, Contemporary Islamic Law.</i></p>	<p>This study aims to examine the Theory of Limitations proposed by Muhammad Syahrur as an effort to reform Islamic law in facing the dynamics of modern society. This theory offers an interpretive approach that emphasizes the existence of minimum limits (hadd al-adna) and maximum limits (hadd al-a'la) in determining law, thus allowing flexibility in the application of sharia without deviating from the basic principles of the Qur'an. The research method used is a literature study with a qualitative approach, through an analysis of the works of Syahrur and literature related to contemporary Islamic legal thought. The results of the study indicate that the Theory of Limitations makes a significant contribution to the development of a more contextual and adaptive ijthad methodology to social change. In addition, this theory also opens up space for a reinterpretation of Islamic law that is more responsive to modern issues such as social justice, gender equality, and human rights. Thus, the Theory of Limitations can be seen as an alternative in Islamic legal reform that seeks to bridge the gap between normative texts and empirical reality, without ignoring the fundamental values of Islamic teachings.</p>

## I. INTRODUCTION

Muhammad Syahrur is one of the thinkers who tried to build a new approach in understanding the text of the Qur'an. According to him, the main problem in the study of Islamic law for centuries is the dominance of classical fiqh methods which are considered too binding interpretation to the social context of the pre-modern era. Therefore, Syahrur developed the Theory of Limitations (Nazariyyah al-hudud) as an effort to read the Qur'an in a more rational, empirical, and compatible way with the development of modern society, but still rooted in the text of revelation. Syahrur's epistemological construction rests on the dialogical relationship between revelation (al-nash) and human reason (al-'aql). He argues that the Qur'an as a divine text is fixed, but human social reality changes continuously. Therefore, reason is given great room to interpret verses according to the development of the times. In this framework, the Qur'an is not understood as a collection of detailed laws, but rather the principles of limits (hudud) which become ethical and legal corridors for human life.

In Syahrur's thinking, hudud is not interpreted

as a "fixed punishment" as understood by classical Islamic jurisprudence scholars, but rather as a range of minimum and maximum limits determined by the Qur'an. The human position is to choose the most appropriate decision between these two limits based on the benefit, social context, and developments of the times. Thus, Islamic law is flexible without abandoning the provisions of revelation. Syahrur emphasized the importance of linguistic analysis as an epistemological foundation. He used a modern linguistic approach to interpret key terms in the Qur'an, including the words hudud, haram, zina, and others.

According to him, the meaning of many verses has been narrowed by the Islamic jurisprudence tradition, which is more oriented towards precedent (taqlid), rather than pure linguistic analysis. This linguistic approach makes Quranic interpretation more open to variations in meaning relevant to changing times. In addition to linguistics, Syahrur uses a scientific-rational approach by borrowing the logic of mathematics and modern science. For Syahrur, science does not conflict with religion because both are means for humans to understand reality. The theory of

limitations uses the mathematical model of the "boundary function" as an analogy in interpreting legal verses. This demonstrates that Syahrur's epistemology is interdisciplinary, combining religion, scientific logic, and social analysis. By positioning hudud as minimum and maximum limits, Syahrur offers a paradigm that Islamic law has ample room for change.

States or societies can establish different regulations as long as they remain within these divine boundaries. Syahrur believes many misinterpretations arise from the narrowing of meanings resulting from the dominance of classical Islamic jurisprudence, which ignores developments in linguistic studies. By reopening the scope of meanings for keywords such as hudud, tahrim, and zina, Syahrur believes Quranic interpretations can be more relevant.

In this way, Islamic law is no longer tied to a single interpretation, but rather becomes a legal system that can evolve according to social needs. Syahrur criticized classical fiqh, which he considered too normative and did not allow for change. He argued that earlier jurists lived in different social realities, making their legal conclusions inapplicable to modern society. This critique became one of the epistemological underpinnings of the theory of limitations: that Islamic law can be developed without relying entirely on classical precedent.

Muhammad Syahrur offers a new reading of the legal verses in the Quran. He does not understand hudud as "fixed punishments" like classical Islamic jurisprudence, but rather as normative boundaries given by God to guide human behavior. In his view, legal verses are not final rules but rather a framework within which humans can conduct ijtihad according to the needs of the times.

#### 1. Minimum Limit (al-Hadd al-Adna)

A minimum limit is the lowest stipulation that must not be violated. Syahrur believes the Quran provides the most basic limits to prevent humans from engaging in actions that conflict with the principles of justice and humanity. For example, in matters of inheritance, the minimum limit is a distribution that cannot be reduced to the Qur'anic provisions. As long as the distribution does not fall below that limit,

variations in the form of distribution are permitted.

#### 2. Maximum Limit (al-Hadd al-'A'la)

The maximum limit is the highest limit that must not be exceeded. According to Syahrur, the Qur'an provides a "legal ceiling" that ensures social regulations are not exploitative. For example, in criminal penalties, the maximum limit, including for theft or adultery, cannot exceed that established by revelation. The state may choose a lighter form of law enforcement, but may not impose new penalties that exceed divinely determined limits.<sup>13</sup> Syahrur emphasized that the area between the minimum and maximum limits is the realm of human ijtihad. This is what he called a social space that moves with the times. The state, scholars, and society can establish different practical provisions in each historical period, as long as the decisions fall within the two limits outlined by revelation. This section is the core of legal flexibility in Syahrur's theory.

#### 3. Limit of Total Prohibition (al-Haram al-Mutlaq)

In addition to minimum and maximum limits, Syahrur added an absolute category of limits, namely prohibitions that have no flexible boundaries. Total prohibitions include things explicitly declared haram by the Quran, such as certain types of usury, eating carrion, or oppressive practices. In this category, there is no choice of lower or upper limits because revelation has established a definite, non-negotiable status.

#### 4. The Limits of Universal Commandments (al-Amr al-'Amm)

In several verses, the Quran does not provide quantitative limits, but rather only general commands. Syahrur views these commands as universal guidelines that must be translated into human policy contextually. Examples include the commands to act justly, maintain trust, and uphold goodness. These provisions have no numerical limits, but serve as moral guidelines for social regulation.

#### 5. The Limits of Social Welfare (al-Maslahah al-Mujtama'iyah)

In closing, Syahrur emphasized that all

variations in boundaries are aimed at safeguarding the public interest. He believes that Islamic law must not conflict with humanitarian values and scientific developments. Therefore, the boundaries established by revelation must be read objectively, while the technicalities of their implementation are left to humans, taking into account the public interest.

## II. RESEARCH METHODS

This research uses a qualitative approach with a library research approach. This approach was chosen because the research focuses on analyzing Muhammad Syahrur's thinking, particularly regarding the Theory of Limitations in the context of Islamic legal reform.

The data sources in this study consist of primary and secondary data. Primary data were obtained from Muhammad Syahrur's original works discussing the concept of Limitation Theory, while secondary data came from books, scientific journals, and other writings relevant to the theme of Islamic legal reform and contemporary thought.

Data collection techniques were conducted through documentation studies, namely by collecting, reading, and reviewing various literature related to the research topic. Next, the data were analyzed using descriptive-analytical analysis methods, namely by describing the concept of Limitation Theory and then analyzing its relevance and contribution to Islamic legal reform.

Furthermore, this research uses a normative approach to examine the theory's compatibility with the basic principles of the Quran and Islamic law. This method is expected to provide a comprehensive understanding of the Limitation Theory as an effort to reform Islamic law in the modern era.

## III. RESULTS AND DISCUSSION

### A. Research result

The research results show that the Limitation Theory proposed by Muhammad Syahrur offers a new paradigm for understanding and developing Islamic law. This theory asserts that legal provisions in the Quran are not always rigid and singular, but rather exist within certain limits: a

minimum limit (hadd al-adna) and a maximum limit (hadd al-a'la). Between these two limits, humans have room to conduct *ijtihad* in accordance with social, cultural, and contemporary conditions.

This research also found that Syahrur's approach provides flexibility in interpreting Islamic law, making it more relevant to the needs of modern society. This is evident in his ability to respond to contemporary issues such as social justice, gender equality, and human rights without abandoning the fundamental principles of Islamic teachings.

Furthermore, the Theory of Limitations contributes to expanding the methodology of *ijtihad* by combining textual and contextual approaches in a balanced way. Thus, Islamic law is understood not only as a static normative rule but also as a dynamic and adaptive system.

However, this study also found criticism of Syahrur's thinking, particularly regarding interpretations deemed too liberal and potentially deviating from the understanding of classical scholars. Overall, however, the Limitation Theory can be viewed as an important alternative in efforts to reform Islamic law that is more contextual and responsive to current developments.

### B. Discussion

The Limitation Theory proposed by Muhammad Syahrur is a form of renewed thinking in Islamic law that seeks to move away from a rigid textual approach and toward a more contextual approach. In this theory, Syahrur divides legal provisions into two limits: the minimum limit (hadd al-adna) and the maximum limit (hadd al-a'la). These two limits form the basic framework for understanding legal verses, so that the law is not understood in a singular way, but rather has room for flexibility.

In the context of Islamic legal reform, this theory demonstrates that the Quran provides universal basic principles, while their implementation can be adapted to social conditions and changing times. Thus, *ijtihad* becomes crucial as a means of bridging the gap

between normative texts and empirical reality. This approach allows Islamic law to remain relevant without abandoning its fundamental values.

Furthermore, the Theory of Limitations also demonstrates an attempt to integrate normative and rational aspects in legal determination. Syahrur adhered not only to texts but also considered logic, science, and social reality. This makes Islamic law more adaptive to contemporary issues such as justice, equality, and human rights.

However, the application of this theory has not been without criticism. Some believe that Syahrur's approach tends to be too free in interpreting texts, potentially ignoring the classical methods long used by Islamic scholars. This criticism highlights the tension between efforts to reform and maintaining the authority of tradition in Islamic law.

Overall, this discussion confirms that the Theory of Limitations has a significant contribution in opening up a dialogue between text and context. This theory can be an alternative for Islamic legal reform, particularly in addressing the challenges of an increasingly complex and dynamic era.

#### IV. CONCLUSION AND SUGGESTIONS

##### A. Conclusion

Based on the research and discussion, it can be concluded that the Theory of Limitations proposed by Muhammad Syahrur is an important effort in Islamic legal reform, emphasizing flexibility in understanding the text of the Quran. With the concept of minimum limits (*hadd al-adna*) and maximum limits (*hadd al-a'la*), this theory provides room for *ijtihad* to adapt the law to social developments and the needs of the times.

This theory demonstrates that Islamic law is not static, but rather dynamic and adaptive as long as it remains within the core values of Islamic teachings. Furthermore, the Limitation Theory contributes to the development of a more contextual *ijtihad* methodology capable of addressing contemporary issues such as social justice and equality.

However, this theory has also drawn

criticism due to its perceived potential for overly liberal interpretation compared to classical methods. Therefore, more in-depth and critical study is needed to ensure its application maintains a balance between innovation and upholding the basic principles of Islamic law. Overall, the Limitation Theory can be an alternative for reforming Islamic law that is relevant to the challenges of the modern era.

##### B. Suggestion

It is hoped that further research will be able to examine Muhammad Syahrur's Theory of Limitations in more depth by comparing it with other Islamic legal theories in order to obtain a more comprehensive and balanced understanding.

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