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**IMPLEMENTATION OF THE CHANGE IN ISLAMIC LAW (*TAGHAYYUR AL-AHKĀM*)
DURING COVID-19 PANDEMIC IN THE PERSPECTIVE OF MAJELIS TARJIH
MUHAMMADIYAH IN INDONESIA**

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ABSTRACT

The study entitled " Implementation of The Change in Islamic Law (*Taghayyur Ahkām*) During COVID-19 Pandemic in The Perspective of Majelis Tarjih Muhammadiyah Movement in Indonesia" aims to uncover and analyze one of the methods and rules of law-making (*istinbāth ahkām*) carried out by the Muhammadiyah fatwa institution, the Majelis Tarjih *dan Tajdid*, or known as "*Manhaj Tarjih Muhammadiyah*." One of the many methods used by Majelis Tarjih in issuing legal decisions and fatwas is the rules of Changing Islamic Law (*taghayyur ahkām*). The research also attempts to contextualize the rules of Change in Islamic Law with the decisions or guidelines for the implementation of worship (*Ibadah*) that have been issued by the Muhammadiyah Central Leadership through the Majelis Tarjih, especially during the current COVID-19 pandemic. The results of this study are beneficial both practically and theoretically. The practical benefit of this research is that it may provide guidelines for the implementation of worship during the COVID-19 pandemic based on argumentative arguments and the principles and objectives of Islamic law, one of which is guarding religion (*Hifz al-Dīn*) and guarding human lives (*Hifz al-Nafs*). Meanwhile, the theoretical benefits from this research are to expand the knowledge and discourse of Islamic scholarship, especially in the field of Islamic law. Thus, Islam can manifest in the midst of mankind to provide real solutions to existing problems. This research uses qualitative research focusing on library research with descriptive analysis. Consequently, the researchers applied the *Ijtihād* of Majelis Tarjih's Method known as "*Manhaj Tarjih Muhammadiyah*" written by Syamsul Anwar as well as based on the results of the Tarjih National Assembly (Munas) XXX in Makassar in 2018, also the decision of the Muhammadiyah Central Leadership No. 02/EDR/1.0/E/2020 regarding Guidelines for Worship in COVID-19 Emergency conditions and several other Tarjih fatwas related to guidelines for carrying out worship during the COVID-19 pandemic as primary data. In addition, the secondary data are from various sources, such as *fiqh* books, *usul fiqh*, and *maqāṣid as-syarī'ah*. Besides, the study uses a content analysis approach to bring up the messages objectively and systematically.

Keywords: Change, Islamic Laws, Tarjih, Muhammadiyah, COVID-19

Introduction

Today, the world is facing the spread of a dangerous virus outbreak, namely COVID-19, which has threatened human life and even claimed many lives. This dangerous virus first appeared in China, precisely in the Wuhan area, at the end of 2019. This virus has become the center of attention of the whole world because it has spread in approximately 198 countries in the world. In Indonesia alone, there are currently 629,000 cases of COVID-19, with a total of 517,000 patients who recovered and approximately 19,111 patients who died. This virus has not only resulted in casualties but has also changed the order of human life, both from the social, economic, and religious aspects (Qotadah, 2020). From the religious aspect, the COVID-19 pandemic has changed the procedures for worship, especially for Muslims, starting from restrictions and even bans on the implementation of worship in places of worship such as mosques and prayer rooms, studies, and other religious activities, and raises pros and cons in the midst of society (Sodiqin, 2021).

With the emergence of the COVID-19 virus in Indonesia, people have responded in various ways. Some respond with self-isolation and good preparedness, some respond indifferently, and some are resigned to the situation and claim that death is in God's hands without taking precautions and so on (Mushodiq & Imron, 2020).

In these conditions, the society really needs directions and guidelines that come from the government or those in charge or from scholars (*ulama'*) and experts, including fatwa institutions from Islamic organizations in Indonesia. One of them is the Majelis Tarjih dan Tajdid which is a fatwa institution from the Muhammadiyah movement. The Majelis Tarjih has an important role in guiding and providing direction to the community in situations like this by issuing fatwas related to the implementation of worship, such as the five daily prayers in congregation, Friday prayers, Tarawih prayers and Eid prayers. Those congregation prayers are carried out in mosques and other public places and intensify the opportunity for rapid transmission of the virus.

In addition to issuing a fatwa related to the implementation of worship during the COVID-19 pandemic, in the perspective of Islamic Jurisprudence as interpreted by Muhammadiyah leading clerics, COVID-19 is a health problem and is categorized as a non-geological disaster. Therefore, it is important to provide health facilities. This is supported by the Muhammadiyah's Council of Religious Affairs (Majelis Tarjih dan Tajdid Muhammadiyah) provision, which obliges anyone who is tested positive for COVID-19 to seek medical assistance as a form of endeavour. On this basis, Muhammadiyah took concrete action by preparing 74 hospitals which were completed with medical personnel, logistical assistance, religious and psychological consulting services, and disinfectants. This is what distinguishes Muhammadiyah's line of reasoning from the others. There are guidelines that act ethically normatively. At the same time, there are social-medical efforts and concrete actions. It shows the patient tested positive for COVID-19 and was taken care of at 74 Muhammadiyah Hospital (Suyadi dkk., 2020).

What is interesting to study is that one of the methods for taking the fatwa and law of Majelis Tarjih is the theory or rule of Change in Islamic Law (*taghayyur ahkām*). Theoretically, the Majelis Tarjih Muhammadiyah views that changes or transformation in fatwas and laws are permissible from a fiqh perspective, although the principle is that Islamic law does not change because arbitrary changes will cause uncertainty and instability of the Islamic law (*syara'*) itself (Anwar, 2018c).

However, every legal product and similar *syara'* rules must meet all the legal and jurisprudential needs of the community that continue to develop along with changing times so that the legal rules are able to respond to these developments and adapt to the dynamics of the problematics of community life, therefore, that the Islamic scholars initiate a rule of "*lā yunkaru taghayyuru al-ahkām bi taghayyuri al-amkinah wa al-azminah wa al-ahwāl*" (undeniably/undisputedly, the changes of law are due to changes in place, time and conditions (Anwar, 2018a). Then this study tries to analyze the consistency of Majelis Tarjih in implementing and contextualizing the theory of legal change with decisions/guidelines for the implementation of worship, especially during emergency conditions such as the current COVID-19 pandemic.

Methodology

This qualitative research focused on descriptive-analytical library research based on text studies (Merriam & Tisdell, 2015). In this case, the researchers reviewed "Manhaj Tarjih Muhammadiyah" written by Syamsul Anwar as well as the results of the XXX National Conference of the Tarjih Council (Munas) in Makassar in 2018, as well as Muhammadiyah Central Leadership Circular Number 02/EDR/1.0/E/2020, for Worship Guidelines. The COVID-19 Emergency and several other Tarjih fatwas related to guidelines for the implementation of worship during the COVID-19 pandemic were treated as primary data. At the same time, the secondary data were from various sources both from fiqh books, *ushul fiqh*, and *maqāṣid as-syarī'ah*.

Research data were collected using the documentation method (Sugiyono, 2010). This method was used to search library data in the form of written documents in the book "Manhaj Tarjih Muhammadiyah" written by Syamsul Anwar as well as the results of the XXX Tarjih National Council (Munas) in Makassar in 2018, Muhammadiyah Central Leadership Circular Number 02/EDR/1.0/E/2020, regarding Guidance for Worship in COVID-19 Emergency conditions and several Tarjih fatwas related to guidelines for worship during the COVID-19 pandemic, literature and references in the form of books, research results, and relevant journals regarding the concept of Change in Islamic law (*taghayyur ahkām*). Also, the research compared the practice of implementing the concept of Change in Islamic law (*taghayyur ahkām*) in several legal products that apply in Indonesia.

To analyze the data, the researcher used qualitative analysis using the method of content analysis. This method was used to conclude efforts to bring out the characteristics of the message, which was carried out objectively and systematically (Miles and Huberman 1994).

The data in this research is analysed as follows:

1. The first step was to present various opinions of scholars regarding the definitions, limitations, and concepts of Change in Islamic Law (*taghayyur akhkām*), which were spread in various fiqh and ushul fiqh literature.
2. In the second step was to analyze the Guidance for Worship in the COVID-19 Emergency and several other Tarjih fatwas related to guidelines for the implementation of worship during the COVID-19 pandemic.
3. The third step was to draw conclusions from the results of the analysis of how the real correlation between the concept of Change in Islamic Law (*taghayyur akhkām*) and the Muhammadiyah Central Leadership Circular Number 02/EDR/1.0/E/2020, concerning Guidance for Worship in the COVID-19 Emergency and several other Tarjih fatwas related Guide to worship during the COVID-19 pandemic.

The Concept of Change in Islamic Law (*Taghayyur Akhkām*)

The discourse on the concept of Change in Islamic Law (*taghayyur akhkām*) in the contemporary Islamic Law Studies is a necessity that cannot be avoided, even though by default in the terminology of ushul fiqh, the law is defined as *kitābullāh* (the word of God). However, this does not mean that Islamic law is rigid and static. The basis of changing or transforming the law can be seen clearly with the existence of several rules resulting from ijtihad and the analysis of the jurists in reading religious texts (Quran and Sunnah), which proves the possibility and permissibility of legal transformation in Islam, the rule stated;

لا ينكر تغير الأحكام بتغير الأحوال والأزمان

Translation: It is undeniable that legal changes occur due to changes in conditions and time.

(As-Sadlan, 1995)

In understanding the rules and concepts of Change in Islamic Law above, basically, the scholars do have different views, among them, there are those who reject these rules on the grounds that the Shari'a laws are actually final, so they no longer accept any changes to the rules despite the conditions, places, and conditions, nor times have changed. They argue that Shari'a law cannot be changed except by the existence of *naskh* (abolition of the law), while *naskh* cannot be known except by revelation, and revelation itself has stopped with the death of the Messenger of Allah Muhammad -*peace be upon him*. Others argue that what is meant by the law that changes in these rules is a law that is *ijtihadī* or *dzannī*, namely Islamic law that is formed based on a benefit (*maṣlahah*) or tradition (*'urf*) or better known as a *fatwa* (Ad-Dusiry, 2007).

In the study of Islamic law, the scholars have actually classified the law into two parts: *al-Qathiyāt* and *al-Dzanniyāt*. *Al-Qathiyāt* is definite laws, which are sourced directly from the Quran and Sunnah, which are related to fundamental and basic matters in religion, such as the obligation to pray five times a day, the obligation to fast in the month of Ramadan, the prohibition of adultery, drinking *khamr* or gambling, etc., of which of course it is not possible to change the law in these cases from the time it is prescribed until the Day of Resurrection. In another terminology, the term *al-qathiyāt* is also called "*al-ma'lūm min ad-dīn bi ad-dharūrah*". It includes matters in religion that must be known axiomatically, and its existence and provisions cannot be denied. On the other hand, *al-dzanniyāt* are the laws that are products of *ijtihad*. The results of in-depth analysis of the scholars in concluding the provisions of laws from the Quran and Sunnah by considering aspects of benefit (*maṣlahah*), habits (*'urf*), time and place. This *dzanniyāt* law is then known as a *fatwa* which is the object of legal change in line with changing conditions and the very dynamic problems of human life (al-Khin, 2007).

Ibn Qayyim, in his book "*I'lām Al-Muwaqqi'īn*", has used the word "fatwa" as a substitute for the word "law" in the above rules, he said;

تغير الفتوى بحسب تغير الأزمنة والأمكنة والأحوال والنيات والعوائد

Translation: Changes in fatwas are possible due to changes in time, place, conditions, intentions, and traditions.

(Ibn al-Qayyim, 2003)

In his introduction, he explained that this rule is very important. Failure to understand this rule can lead to difficulties in understanding and implementing the Shari'a. According to Ibn Qayyim, Shari'a is built on the basis of wisdom and the benefit of humans in this world and in the hereafter. The foundation of the Shari'a is justice, mercy (compassion), benefit, and wisdom. Therefore, if there is a problem that deviates from these principles, it is certain that it is not sharia. More than that, this rule of law change is able to prove the universality and flexibility of Islamic law as an adaptable Shari'a in every space and time, in all situations and conditions.

Referring to the rules of Change in Islamic law argued by Ibn Qayyim, there are at least five factors that cause the law or fatwa to be able to change. They are time, place, conditions, motivation, and current habits or traditions. Moreover, Yusuf Al-Qardhawi, added that there are at least ten factors that encourage and cause changes in the fatwa, including: change of place (*taghayyūr al-makān*), change of time (*taghayyūr al-zamān*), change of condition (*taghayyūr al-ahwāl*), change of tradition or habit (*taghayyūr al-'urf*), change of information or knowledge (*taghayyūr al-ma'lūmāt*), changes in human needs (*taghayyūr hājāt an-nās*), changes in human abilities (*taghayyūr qudrah an-nās*), changes in social, economic and political situations (*taghayyūr al-audh'ā al-ijtimā'iyah wa al-iqtisādiyyah, wa al-siyāsiyyah*), changes of thought (*taghayyūr al-fikr*), and general disasters (*'umūm al-balwā*) (Al-Qardhawi, 2011).

The basic argument for changing the fatwa is to prove that Islamic law is easy and flexible. Religion is revealed to provide convenience and eliminate difficulties, as well as difficulties. Allah SWT. said, "Allah wants ease, does not want difficulty" (Surah Al-Baqarah [2]: 185). In another verse, Allah SWT asserts, "He has chosen you and He has never made for you in religion a narrowness" (Surah Al-Hajj [22]: 78). The Prophet Muhammad said, "I was sent only to make it easier not to make it difficult" (HR. Al-Tirmudzi). From the arguments above, two principles are born: (1) that the Shari'a is built on the

basis of providing convenience and eliminating difficulties for servants (humans), as clearly and unequivocally in the Qur'an and al-Sunnah. (2) Characteristics of the times that are constantly changing. On this basis, it is natural that Ibn Qayyim used it as a rational reason for the change in the fatwa (Zaelani, 2020).

The Concept of Change in Islamic Law According to Manhāj Tarjih Muhammadiyah

Muhammadiyah is one of the largest Islamic movements in Indonesia. It was the pioneer of the foremost Islamic reform movement. In its activities, Muhammadiyah is engaged in various fields to educate the people. Various assemblies have been formed by Muhammadiyah as an effort to enlighten the people. The Majelis Tarjih is one of the assemblies formed to discuss religious issues for Muhammadiyah members and Indonesian Muslims in general.

Majelis Tarjih was founded not at the same time as the birth of Muhammadiyah, which was declared in 1330 H /1912 M. The existence of Majelis Tarjih in Muhammadiyah was the result of the decision of the 16th Muhammadiyah Congress in Pekalongan in 1927, which at that time was the Central Executive of Muhammadiyah under the leadership of KH. Ibrahim (1878-1934). At the congress, it was suggested that Muhammadiyah should have an assembly that oversees legal matters. Through Majelis Tarjih, the legal issues faced by Muhammadiyah residents in Indonesia with all their dynamics can be decided by this Assembly so that Muhammadiyah members are not divided into various opinions in practicing Islamic teachings, especially related to issues of fiqh and other religious issues. One of the products of Majelis Tarjih that can be used as a guide for Muhammadiyah residents in religious matters is the “*Himpunan Putusan Tarjih*” (HPT) in two volumes as well as the Tarjih Muhammadiyah fatwas, which are documented in eight volumes of the “*Tanya Jawab Agama*” book (Rosyadi, 2014).

There are several principles, methods and approaches used by Majelis Tarjih, known as “*Manhaj Tarjih*,” in the study and interpretation of religious teachings, as well as the process of law-making (*ijtihad*) in various religious matters (Anwar, 2018b). One of the methods and approaches in the Manhaj Tarjih Muhammadiyah is the rule of Change in Islamic law.

According to Manhaj Tarjih, transformation or change in Islamic law is permissible if it fulfills certain requirements;

1. There is a demand for the benefit (*maṣlahah*) to change, which means that if there is no demand and need to change, then the law cannot be changed.
2. The law is not related to the worship of *mahdah*, but outside the worship of *mahdah*, which means that the provisions of worship of *mahdah* cannot be changed because the law of worship of *mahdah* is meaningless.
3. The law is not related to a *qath'iyāt* case, which is related to fundamental and basic matters in religion, such as the obligation to pray five times a day, the obligation to fast in the month of Ramadan, the prohibition of adultery, drinking *khamr* or gambling, *etc.*, of which of course it is not possible to change the law in these cases from the time it is prescribed until the Day of Resurrection.
4. The new transformation or change of the law must be based on a sharia argument so that the change in the law is nothing but a transfer from one proposition to another (Anwar, 2018a).

Analysis of the Change in Islamic Law During the COVID-19 Pandemic in the Fatwa of Tarjih Muhammadiyah.

1. Replacing the congregational prayer at the mosque with the congregational prayer at home

There is no doubt that prayers performed in congregations in mosques and *mushallas* have great virtue, even though the scholars of *madzhab* differ on the law. Some views from the Hanbali school of thought are of the opinion that congregational prayer is *fardhu 'ain*, while some of the Hanafi and Shafi'i schools are of the opinion that congregational prayer is *fard kifāyah*, and the majority of scholars from the Maliki, Shafi'i and Hanafi schools argue that congregational prayer in the mosque is *sunnah muakkadah*.

Apart from the differences in the views of the scholars above, the *fardhu* prayer that is carried out in congregation in the mosque does have a very large virtue. This is based on the words of the Prophet Muhammad in several of his hadiths; From Ibn Umar *radhiyallahu 'anhu* that the Messenger of Allah said, '*Prayer in congregation is more important than praying alone by 27 degrees.*' (Hadith Muslim [2]: 121-122). In another narration, it is mentioned that from Abi Musa *radhiyallahu 'anhu* said that Rasulullah said, '*Indeed, the person who gets the greatest reward is the one who has walked the farthest. The person who waits for the congregational prayer with the Imam is more rewarded than the one who prays alone and then sleeps*' (HR. Bukhari [1]: 166).

However, in the current condition of the spread of COVID-19 and which requires social distancing (*at-tabā'ud al-ijtimā'ī*), Muhammadiyah has issued a fatwa that the five daily prayers should be carried out in their respective homes and do not need to be performed in mosques, prayer rooms (*mushalla*), and the like that involves the concentration of many people, in order to avoid the harm of COVID-19 transmission. (Pimpinan Pusat Muhammadiyah, 2020)

Muhammadiyah based its argument on several hadiths; From Ibn 'Abbas, he said, that Rasulullah said: '*There is no harm (to oneself) and no harm (to others)*' (Hadith Ibn Majah [3]: 432). Rasulullah also emphasized that people may not attend congregational prayers, although it is highly recommended if there is an excuse in the form of frightening conditions and the presence of disease. From Ibn 'Abbas, he said that Rasulullah said: '*Whoever hears the call to prayer, then there is no obstacle for him to attend the congregation - the Companions asked: What is the obstacle? He replied: the state of fear and disease -, then his prayer is not accepted*' (Hadith Abu Dawud [1]: 216).

In addition, the Majelis Tarjih also issued a fatwa that, If the situation is very demanding because of their duties that require continuous work to provide urgent medical services, health workers can combine their prayers, in accordance with the hadith of the Prophet Muhammad, From Ibn 'Abbas he said: '*Rasulullah once combined (jama') the Zuhur and Asr prayers and the Maghrib and Isha prayers in Medina without fear (conditions of war) and without rain. In the Waki' hadith it is said: I (Sa'īd Ibn Jubair) asked Ibn 'Abbās why the Messenger of Allah did this? Ibn 'Abbas replied: So as not to make it difficult for his people*' (Hadith Muslim [2]: 152).

The hadith explained that Rasulullah used to combine (*jama'*) prayers in Medina (even though he was not in a traveler's condition), without any fear and without any rain. In explaining the hadith, Imam An-Nawawi cites several interpretations and explanations of other scholars, that a number of scholars are of the opinion that it is permissible to have multiple prayers because there is a need for it as long as it is not made a habit. This is the opinion of Ibn Sīrīn and Ashhab of Malik's followers. Al-Khaṭṭābī narrated this opinion from al-Qaffāl ash-Syāsyī al-Kabīr followers of ash-Syāfi from Ishāq al-Marwāzī that this is the opinion of a number of hadith experts. This opinion was also held by Ibn al-Munzīr and supported by Zahir Ibn 'Abbās'

statement that the Messenger of Allah wanted not to make things difficult for his people (An-Nawawi, 1971).

2. Replacing Friday Prayers with Dzuhur Prayers

Friday prayers are obligatory (*fard 'ain*) for every male Muslim who has reached puberty, and this has become the *ijmā'* (agreement) of the scholars. The obligation to carry out Friday prayers is based on a number of arguments, both from the Qur'an and Al-Sunnah, including; Allah says in the Qur'an, "*O you who believe, when you are called to perform the Friday prayer, then hasten to remember Allah and leave trading. That is better for you if you knew.*" (Surah al-Jumu'ah [62]: 9). In the words of the Messenger of Allah, from Abi Al-Ja'd Adh-dhamiri said that the Messenger of Allah said: "*Those who leave three Friday prayers because of negligence, Allah will close his heart*" (Hadith Abu Daud [1]: 407), From Tariq bin Shihab radhiyallahu `anhu that the Messenger of Allah said, "*Friday prayer is an obligation for every Muslim in congregation, except for 4 people, they are; slaves, women, small children and Sick person*" (Hadith Abu Dawud [1]: 412).

In the current condition of the spread of COVID-19, Majelis Tarjih has issued a fatwa that Friday prayers are replaced with four *rakaats* of the midday prayer, which are carried out in their respective homes. This is based on emergencies and difficult conditions (*masyaqqah*) and is also based on provisions Shari'a, that if it is not possible to carry out a basic worship obligation (in this case, the Friday prayer), then it may be replaced by performing another worship obligation (in this case the midday prayer). In a fiqh rule, it is stated;

إذا تعذر الأصل يصار إلى البدل

Translation: If the main one cannot be implemented, then switch to a substitute

(As-Shaq'abi, 2015)

In addition, the Majelis Tarjih Muhammadiyah also constructed its argument with the hadith of the Prophet Muhammad; From 'Abdullāh Ibn 'Abbās narrates that he said to his muaddzin on a rainy day: *If you have declared ashhadu an lā ilāha illallāh (I bear witness that there is no god but Allah), ashhadu anna muḥammadan rasūlullāh (I bear witness that Muhammad is the messenger of Allah). , then don't say hayya 'alaṣ-ṣalāh (come here to pray), but say sallū fi buyūtikum (pray in your own homes). Rawi continued: It was as if people at that time denied this. Then Ibn 'Abbas said: Do you find this strange? Indeed, this has been done by people who are better than me (meaning the Messenger of Allah). Indeed, Friday prayers are obligatory ('azmah), but I do not like to burden you so that you walk on muddy roads and slippery roads (Hadith Muslim [2]: 174).*

In this hadith, a small obstacle, such as rain that does not cause harm (*madharat*), only causes a little discomfort, can be an excuse for not attending Friday prayers, hence an emergency (*masyaqqah*) that is much more severe, such as the spread of COVID-19 as it is now very dangerous, of course, it can be even more as an excuse for not attending Friday prayers. Even the holding of Friday prayers is abolished in order to avoid this danger. Avoiding harm (*madharat*) takes precedence over bringing benefit, in accordance with the rules:

درء المفاسد أولى من جلب المصالح

Translation: Avoiding harm takes precedence over bringing benefit

(As-Subki, 1991)

3. Prayers with Spacing Rows (*Shaf*) During the COVID-19 Pandemic

Straightening or closing the rows (*shaf*) is part of the perfection of prayer. Therefore, closing the rows is highly recommended in normal prayer conditions and without any danger or threatening emergency. This is as explained in the hadith of the Prophet Muhammad, from Abū Hurairah narrated that the Prophet SAW said: ... *and straighten the rows in prayer because the upright rows are one of the benefits of prayer* [Hadith Bukhārī [1] :723]. In another riwayat from Anas bin Malik, he said, Rasulullah said: *Straighten your rows because the straight rows are part of the perfection of prayer* [Hadith Muslim [1] : 334].

Meanwhile, in an emergency situation, which is actually still not free from the threat of the COVID-19 pandemic, the distance between the rows can be done to protect themselves from danger. This is in accordance with the hadith of the Prophet Muhammad: *'There is no harm (to one's self) and no harm (to others)'* (Hadith Ibn Majah [3]: 432).

In the current pandemic situation, stretching of the distance does not eliminate the value (reward) and the perfection of congregational prayers because the COVID-19 pandemic is a sharia barrier that allows abnormal worship. This is in line with the spirit of the hadith of the Prophet Muhammad: *If a person falls ill or is traveling far (safar), his reward will be recorded as if he was not traveling far and in good health* [Hadith Bukhārī].

Ibn Hajar al-'Asqalānī explains that the meaning of this hadith is if a person when not traveling far (*safar*) or when healthy usually does a deed, then when there is an obstacle, he takes *rukhsah* or leaves part of the practice he usually does, while in his heart he is determined if only not because this obstacle, he will certainly continue to do it, so he is recorded as still getting the reward for the charity even though he did not do it (Al-Asqalani, 1958).

So, stretching the rows or making distances between worshipers from one another in congregational prayers in the mosque or *musalla* under current conditions is permissible.

4. The Modification of The Islamic Call to Prayer (*Adzan*)

It is undeniable that one of the causes of crowds is when praying in congregation. As the largest Muslim country in the world, and with many mosques, Indonesians regularly pray five times a day.

Therefore, Majelis Tarjih has issued a fatwa that the call to prayer as a marker of the entry of prayer time is still echoed at the beginning of every obligatory prayer time by replacing the sentence "*hayya 'alaṣ-ṣalah*" (come here to pray) with "*ṣallū fī riḥālikum*" (pray in your own homes) or others in accordance with the guidance of the Shari'a.

The modification of the Islamic call to prayer (*adzan*) is based on the hadith from 'Abdullāh Ibn 'Abbās narrates that he said to his *muaddzin* on a rainy day: *If you have declared ashhadu an lā ilāha illallāh (I bear witness that there is no god but Allah), ashhadu anna muḥammadan rasūlullāh (I bear witness that Muhammad is the messenger of Allah). , then don't say hayya 'alaṣ-ṣalāh (come here to pray), but say allū fī buyūtikum (pray in your own homes). Rawi continued: It was as if people at that time denied this. Then Ibn 'Abbas said: Do you find this strange? Indeed, this has been done by people who are better than me (meaning the Messenger of Allah). Indeed, dzuhur prayers are obligatory ('azmah), but I do not like to burden you so that you walk on muddy roads and slippery roads* (Hadith Muslim [2]: 174).

Conclusion

Based on the explanation above, it can be concluded that Majelis Tarjih Muhammadiyah views that changes or transformation in fatwas and laws are permissible from fiqh perspective, although based on the Islamic principle, the Islamic law remains unchanged because arbitrary changes will cause uncertainty and instability of the Islamic law (*syara'*) itself. Therefore, Majelis Tarjih provides criteria and limitations in its Manhaj Tarjih, that transformation or change in Islamic law is permissible if it fulfills certain requirements; (1) There is a demand for the benefit (*maṣlahah*) to change, (2) The law is not related to the worship (*ibadah mahdah*), (3) The law is not related to a *qath'iyāt* case, (4) The new transformation of the law must be based on a sharia argument. From the explanation above, it can also be concluded that the Majelis Tarjih is consistent with the law-making methodology that has been used as the basis in the *ijtihad* process, one of which is the rule of change in Islamic law, especially in providing worship guidance during the COVID-19 pandemic, this can be seen from several fatwas issued, such as; (1) Replacing the congregational prayer at the mosque with the congregational prayer at home, (2) Replacing Friday prayers with *dzuhur* prayers, (3) Distance in prayer's row, and (4) Modification of the Islamic call to prayer (*Adzan*).

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