

# ***Maqāsīd al-Sharīa* in the Fatwa of the Indonesian Ulama Council Regarding Congregational Worship During the COVID-19 Pandemic**

**Nurhayati and Muhammad Syukri Albani Nasution**

Universitas Islam Negeri Sumatera Utara, Medan

Email: [nurbayati@uinsu.ac.id](mailto:nurbayati@uinsu.ac.id)

**Abstract:** The implementation of worship in the time of the COVID-19 pandemic, especially congregational worship, has led to a debatable problem among Muslims, including Muslims in Indonesia. Various Islamic groups in Indonesia share different opinions and views on the practice of worship during the pandemic. On the one hand, some groups reinforce that the COVID-19 pandemic should not become a barrier or hinder the religious practices. On the other hand, some others insisted that the practice of worship during the COVID-19 period must comply with predetermined health protocols. If necessary, it must be temporarily stopped to avoid the spread of the COVID-19 cases. In this regard, the Indonesian Ulama Council (MUI) issued fatwa number 14/2020 concerning the implementation of worship in the COVID-19 outbreak situation. This article examines and explores the basis and considerations of the MUI in establishing a fatwa regarding the implementation of worship during the COVID-19 pandemic. Using qualitative analysis methods and the theory of *maqāsīd al-sharīa*, this research concludes that restrictions on the implementation of worship during the pandemic - or even prohibiting the practice of congregational worship for prone areas COVID-19 transmission - are based on considerations of benefit, which is the essence of *maqāsīd al-sharīa*. The aim is to ensure five primary things (faith, soul, mind, offspring, and wealth). Hence, anything that can interfere with or threaten the existence of these five things must be avoided.

**Keywords:** MUI; fatwa; *maqāsīd al-sharīa* ; worship; COVID-19

**Abstrak:** Pelaksanaan ibadah di era pandemi COVID-19, khususnya ibadah yang dilakukan secara berjamaah, telah menjadi persoalan tersendiri di kalangan umat Islam, dan tidak terkecuali untuk umat Islam di Indonesia. Berbagai kalangan memiliki pendapat dan pandangan yang berbeda-beda. Sebagian mereka berpandangan bahwa pandemi COVID-19 tidak boleh menjadi penghalang atau menghalangi pelaksanaan ibadah. Pada sisi lain, tidak sedikit juga yang berpandangan bahwa pelaksanaan ibadah di masa COVID-19 harus diatur sedemikian rupa dan jika perlu dihentikan sementara untuk menghindari semakin merebaknya kasus COVID-19. Berkenaan dengan hal tersebut, Majelis Ulama Indonesia (MUI) mengeluarkan Fatwa Nomor 14/2020 tentang Penyelenggaraan

Ibadah dalam Situasi Wabah COVID-19. Artikel ini mengkaji dan mengeksplorasi dasar dan pertimbangan MUI dalam menetapkan fatwa tentang penyelenggaraan ibadah di masa pandemi COVID-19 tersebut. Dengan menggunakan metode analisis kualitatif dan teori *maqāsīd al-sharia* penelitian ini menyimpulkan bahwa pembatasan pelaksanaan ibadah di masa pandemi—atau bahkan pelarangan pelaksanaan ibadah secara berjamaah untuk daerah-daerah yang memiliki potensi tinggi dalam penularan COVID-19—didasarkan pada pertimbangan kemaslahatan yang merupakan inti dari *maqāsīd al-sharia*. Tujuannya adalah menjamin perlindungan lima hal primer (agama, akal, jiwa, keturunan dan harta). Segala sesuatu yang potensial mengganggu atau mengancam eksistensi kelima hal tersebut harus dihindari.

**Kata kunci:** MUI; fatwa; *maqāsīd al-sharīa*; ibadah; COVID-19

## Introduction

The purpose of determining the law or often known as *maqāsīd al-sharia* is one of the essential concepts in the study of Islamic law. Because of the importance of *maqāsīd al-sharīa*, legal theorists make *maqāsīd al-sharīa* something that must be understood by mujtahid in performing ijtihad. The core of the theory of *maqāsīd al-sharīa* is to realize goodness while avoiding badness or to take advantage of and reject some mischief (*madharat*). The term commensurate with the essence of the *maqāsīd al-sharīa* is public interests or public good (*maslahat*), because the stipulation of law in Islam must lead to *maslahat*.

Various studies have been conducted on the review of *maqāsīd al-sharīa*, such as that conducted by Zezen Zainul Ali with the title “Social Distancing Efforts to Prevent the Spread of COVID-19 from the Perspective of *Maqāsīd al-Sharīa*”. Social distancing has mandatory legal force if it is in a state of emergency and endangers lives when it can be infected or transmit the virus to other people, resulting in death. The law of social distancing can be *haram* when under normal circumstances, a man who has a family is constantly at home without working and does not provide for his family for reasons that are not

justified.<sup>1</sup> Another article is by Hudzaifah Achmad Qotadah regarding *COVID-19: Overview of Maqāṣid al-Sharīa on the Suspension of the Implementation of Prayers at Places of Worship (Hifẓ al-Nafs is More Main than Hifẓ al-Dīn)*. This paper discusses the COVID-19 outbreak, a dangerous threat to human life and soul, which is the original destination (*maqāṣid aslīy*) for *hifẓ al-nafs* itself. So, the suspension or prohibition of the implementation of Friday prayers or in the congregation in mosques in the midst of the COVID-19 outbreak is appropriate and in harmony with the principles of guarding the *maqāṣid al-sharīa*, namely protecting the soul which aims to bring *maslahah* and avoid *mafsadah* that can befall humans.<sup>2</sup> However, this paper does not examine the ulama's fatwas, especially the fatwas issued by the Indonesian Ulama Council relating to the implementation of worship during COVID-19.

Other research by Nirmalasanti Anindya Pramesi and Nazarudin on *The Implementation of Maqāṣid al-Sharīa in Facing the COVID-19 Outbreak*. This paper discusses the context of COVID-19 pandemic. The ability to eliminate Friday prayers and congregational prayers is a case of *dharuriyat* (primary or necessities). This *dharuriyat* need is a basic need that involves important things in protecting the existence of five main things: religion, soul, mind, descent, and property.<sup>3</sup> Furthermore, Mahi M. Hikmat, Ujang Suyatman, Dadan Firdaus, Deni Suswanto on *The Implementation of Maqāṣid al-Sharīa in the Effort to Break the Chain of COVID-19 in Indonesia*. This study analyzes data in the form of normative phenomena, social values, and the use of the *maqāṣid al-sharīa* method. The MUI fatwa is a source of law and guidance for Muslims in carrying out religious activities in the midst of the COVID-19 pandemic; MUI's fatwa regarding the prohibition

---

<sup>1</sup> Zezen Zainul Ali, "Social Distancing Upaya Pencegahan Penyebaran COVID-19 Perspektif *Maqashid al-Syariah*". *Nizham* 8, No. 01 (June 2020): p. 82-94. <https://doi.org/10.32332/nizham.v8i01.2130>.

<sup>2</sup> Hudzaifah Achmad Qotadah, "COVID-19: Tinjauan Maqashid Al-Syariah Terhadap Penanggulangan Pelaksanaan Ibadah Shalat Di Tempat Ibadah (*Hifdẓ al-Nafs Lebih Utama Dari Hifdẓ al-Din*)". *Salam; Jurnal Sosial & Budaya Syar'i* 7, No. 7 (2020): p. 659-672.

<sup>3</sup> Nirmalasanti Anindya Pramesi dan Nazarudin, "Implementasi Maqashid Syariah Dalam Menghadapi Wabah COVID-19", *Medina-Te: Jurnal Studi Islam* 16, No. 1 (2020): p. 1-11.

and restriction of religious activities congregation is in line with several concepts of *maqāsīd al-sharīa*.<sup>4</sup>

In the study of Usul Fikih, *maqāsīd al-sharīa* is a new trend that has developed in the contemporary era. Judging from its early history, the first figure to use the term *maqāsīd* was at-Turmudzi (died 320 H / 932 AD) in some of his works, such as those contained in the book of *al-Shalah wa Maqāsīdubn*, *al-Haj wa Asrarub*, *al-'Illab*, ' *Ilal al-Sharīa*, ' *Ilal al-'Ubudīyyah*.<sup>5</sup> However, the phenomenal thinker who discusses the *maqāsīd al-sharīa* is al-Syatibi, who is a scholar and a thinker who lived in the 8th Hijri century (720 H) in his book entitled *al-Muwāfaqāt*. He was the first person to bring up the concept of *maslahah* through *his maqāsīd al-sharīa* and was able to formulate his methodology as one of the juridicial theories of law in solving the problems of developing and complex societies whose problems could not be solved by previous islamic legal theories.<sup>6</sup>

It is interesting to examine further in this paper how the actualization of *maqāsīd al-sharīa* in terms of worship during the COVID-19 pandemic. The word 'pandemic' comes from the Greek *pan*, which means all and *demos*, which means people. A pandemic is a disease epidemic that spreads over a large area, such as several continents, or throughout the world. The most devastating disease pandemic in history is black death, which occurred in the 14th century and has killed around 75-200 million people.<sup>7</sup> The current and ongoing pandemic is coronavirus disease 2019 (COVID-19), which is started by an announcement issued by the World Health Organization (WHO) on March 11, 2020. WHO sets COVID-19 as a global pandemic meaning that all citizens of the world could potentially be exposed to a viral infection corona. At the same time, they were

---

<sup>4</sup> Mahi M. Hikmat, Ujang Suyatman, Dadan Firdaus, Deni Suswanto, "Implementasi Maqasid Syariah dalam Ikhtiar Memutus Mata Rantai Persebaran COVID-19 di Indonesia". *Pusat Perpustakaan UIN Sunan Gunung Djati Bandung*, p. 1-12.

<sup>5</sup> Ahmad al-Raysuni, *Nazarīyyat al-Maqāsīd 'Inda al-Imam al-Sbatibi*, (Beirut: al-Ma'had al-'Alami li al- Fikr al- Islami, 1995), p. 40.

<sup>6</sup> Muchamad Choirun Nizar, "Literatur Kajian Maqashid Syariah", *Ulul Albab: Ulul Albab, Jurnal Studi dan Penelitian Hukum Islam*, No. 35 (2016): p. 53-68.

<sup>7</sup> [id.wikipedia.org](https://id.wikipedia.org). downloaded on 25 April 2020.

establishing it as an international emergency, which means that every hospital and clinic in the world is advised to prepare to treat patients with the disease even though no patients have been detected.

The virus originated from Wuhan in China and then spread to various countries in the world, including Indonesia, which has a majority Muslim population. Coronavirus character is very easy to spread out in the crowd, and the media stopped. This virus moves and searches for new hosts in the human body through droplets that come out of the infected mouth and nose and can survive for up to several hours in transit media such as metal (door handles, stair rails), garments (clothes, women Muslim worship clothes, prayer rugs, carpets), floors, human skin, and so on.<sup>8</sup> Mosques as a gathering place for worship can even be easily infected with COVID-19. Therefore, this pandemic will affect the outlook and religious strategies of Muslims in organizing and carrying out compulsory and sunnah worship during epidemics, such as praying in congregation, Friday prayers in mosques, worship during the month of Ramadan, *Eid al-Fitr*, Hajj, and Umrah. This research specifically discusses the MUI fatwas related to worship during the COVID-19 pandemic with a review of *maqāṣid al-sharīa* relating to prayer and other things.

### ***Maqāṣid al-Sharīa* Position in The Establishment of Law**

*Maqāṣid al-sharīa* consists of two words, namely *maqāṣid* and *al-sharīa*. The term *maqāṣid* (plural: *maqāṣid*) is derived from Arabic, refers to a purpose, objective, principle, intent, goal, end, telos (Greek), finalite (French), or Zweck (German).<sup>9</sup> The word *al-sharīa*, etymologically means the path to the source of the spring, which is the path that must be followed by every Muslim. *Sharīa* is the formal content of the Qur'an and hadith and as a divine product, it is always

---

<sup>8</sup> Faried F Saenong dkk, *Fikih Pandemi Beribadah di Masa Wabah*, (Jakarta: NUO Publishing, 2020), p. 3. See also, Gao, Q., Hu, Y., Dai, Z., Xiao, F., Wang, J., & Wu, J., "The Epidemiological Characteristics of 2019 Novel Coronavirus Diseases (COVID-19) in Jingmen, China". *Medicine* 99, No. 23 (2020). <https://doi.org/10.2139/ssrn.3548755>.

<sup>9</sup> Muhammad al-Thahir ibn Asyur, *Treatise on Maqasbid al-Sharia*, translated into Arabic by Mohamed el-Tahir el-Mesawi (London, Washington: The International Institute of Islamic Thought, 2006), p. 2. See also, Ibnu Mansur, *Lisan al-Arab* (Beirut: Dar al-Sadr, t.th), p. 175.

eternal and has never changed.<sup>10</sup> Thus, Islamic law is always open to being thought rationally by humanity. *Maqāṣid al-sharīa* in terminology is the purpose of *al-Sharīa* (Allah SWT and Rasulullah SAW) in establishing the law.<sup>11</sup> *Maqāṣid al-sharīa* is the intent or purpose behind the provisions of Islamic law.<sup>12</sup> In simple language, *maqāṣid al-sharīa* is the intention and purpose of the prescription of law.

Imam al-Haramain al-Juwaini stated that a jurist could not be said to be able to establish law in Islam before he can properly understand the purpose of Allah in setting his commands and prohibitions. He divided the objectives of the *sharīa* into three groups namely *dharuriyat* (necessities), *hajiyyat* (needs), and *makramat/tabsiniyat* (luxuries).<sup>13</sup> He was the first Islamic legal theories expert to emphasize the importance of *maqāṣid al-sharīa* in establishing the law.<sup>14</sup> Mujtahid's knowledge of the general objectives of the *sharīa* is important in conducting juridical procedures (*ijtihad*) in dealing with various new legal cases that arise.

The thought of *maqāṣid al-sharīa* can be understood systematically by referring to the idea of al-Syatibi. Al-Syatibi which is more detailed and popularizes the concept of *maslahat*. The idea developed by al-Syatibi has exceeded the discussion of scholars of previous centuries. In accordance with al-Ghazali's statement, al-Syatibi summarized that the purpose of Allah decreasing the *sharīa* is to realize a benefit.<sup>15</sup> Even so, al-Syatibi's thoughts were not as brave as the ideas of another controversial cleric, al-Tufi. Najm al-Din al-

---

<sup>10</sup> Taufik Abdullah, *Ensiklopedi Tematis Dunia Islam* (Jakarta: Ichtiar Baru Van Hoeve, 2002), p. 3-4. See also, Muhammad Daud Ali, *Islamic Law* (Jakarta: RajaGrafindo Persada, 2004), p. 46.

<sup>11</sup> Mardani, *Ushul Fiqh* (Jakarta: RajaGrafindo Persada, 2013), p. 333.

<sup>12</sup> Jasser Auda, *Maqāṣid al-sharīa as Philosophy of Islamic Law: A Systems Approach* (Herndon: The International Institute of Islamic Thought, 2010), p. 2. See also, Muhammad Lutfi Hakim, "Pergeseran Paradigma Maqashid Al-Syariah dari Klasik Sampai Kontemporer". *Al-Manahij* 10, No 1 (2016): p. 1-16.

<sup>13</sup> Al-Juwaini, *Al-Burhan fi Ushul al-Fiqh* (Kairo: Dar Anahar, tt), p. 295.

<sup>14</sup> Moh Khasan, "Kedudukan Maqashid Al-Syariah dalam Pembaharuan Hukum Islam", *Dimas: Jurnal Pemikiran Agama untuk Pemberdayaan* 8, No. 2 (2008): p. 296-314.

<sup>15</sup> Abu Ishaq al-Syatibi, *Al-Muwafaqat fi Ushul al-Syariah*, Juz 1, (Beirut: Dar al-Kutub al-Ilmiyah, 2003), p. 4.

Tufi is a Hanbali Islamic Jurisprudence scholars (but some say he was a Shi'ite). Tufi argues that the principle of *maslahat* can limit (*takhsis*) the application of *ijma'*, the Qur'an, and the Sunnah; if the application is taken into account, it will trouble humans.<sup>16</sup>

Al-Syatibi stated that in order to establish the law, all legal provisions pivoted to five main things called *al-daruriyya al-khams* (five main things that must be maintained). Namely preservation of faith (*hifẓ al-dīn*), preservation of the soul (*hifẓ al-nafs*), preservation of mind (*hifẓ al-'aql*), preservation of offspring (*hifẓ al-nasl*), preservation of wealth (*hifẓ al-mal*). Some scholars disagree about the order of *al-daruriyya al-khams* there who put *hifẓ al-nafs* first in the sequence, after that *hifẓ al-dīn*. Some Jurisprudence experts add *hifẓ al-ird* (protection of honor) in addition to the five elements that *dharuriyat*.<sup>17</sup> This was then complemented by 2 (two) other needs, namely *hajiyat*, and *tahsiniyat*.<sup>18</sup> Ahmad al-Mursi Husain Jauhar, who in his book, *Maqāṣid al-sharīa fi al-Islam*, explained at length about how Islam is very concerned about the protection of the five core things (*al-daruriyya al-khams*) and called for them to glorify them and guard them, and forbid the persecution of him, in any form.<sup>19</sup>

The main objective of implementing various laws during COVID-19 is an inevitable part because the main purpose of law must be fulfilled even though law enforcement changes due to changing circumstances. The law must be able to reconcile compliance with its objectives. Both goals are theocentric and anthropocentric.<sup>20</sup> One of the main objectives is to fill the collectivity space of Islamic law. Islamic law must be able to respond to present

---

<sup>16</sup> Nur A. Fadhil Lubis, *Hukum Islam dalam Kerangka Teori Fikih dan Tata Hukum Indonesia* (Medan: Pustaka Widyasarana, 1995), p. 34-35. See also, Musolli, "Maqashid Syariah: Kajian Teoritis dan Aplikatif pada Isu-isu Kontemporer". *At-Turas: Jurnal Studi Keislaman* 5, No. 1 (2018): 60-81.

<sup>17</sup> Al-Syatibi, *Al-Muwafaqat*, jilid I, p. 8. Auda, *Maqasid al-shariah*, p. 3. Ibn Qudamah, *Raudah an-Nazir*, (Beirut: Muassasah al-Risalah, 1978), p. 414.

<sup>18</sup> Al-Shatibi, *Al-Muwafaqat*, p.7. See also, Al-Ghazali, *Al-Mustashfa min Ilm al-Ushul* (Beirut: Dar Ihya al-Turats al-Arabi, t.t.), p. 287.

<sup>19</sup> Ahmad al-Mursi Husain Jauhar, *Maqashid al-Syariah fi al-Islam*, translation. Khikmawati, *Maqashid Syariah* (Jakarta: Amzah, 2009), p. 21-23.

<sup>20</sup> Muhammad Syukri Albani Nasution & Rahmad Hidayat Nasution, *Filsafat Hukum Islam & Maqashid Syariah*, (Jakarta: Kencana, 2020), p. 32.

and future values because the Qur'an as a source of Islamic law must be able to answer contextual problems by using a contextual methodology and approach.<sup>21</sup>

*Al-darūriyya al-khams* (five main necessities) of the *maqāṣid al-sharīa* will be hierarchically the goal. The preservation of religion (*hifẓ al-dīn*) is why worship must still be done even in abnormal circumstances. This is the basic consequence of Islam and faith. Maintaining the soul (*hifẓ al-nafs*), is the main value why lightening in worship is an option. This situation will become jurisprudence for future legal studies to see the involvement of the *taghayyir al-ahkām bi taghayyir al-aẓmān wa al-amkinah* (changes in the law are caused by changing of circumstances and places). And other *maqāṣid* will be a derivative that follows due to the maintenance of maintaining religion and maintaining oneself.

## Jurisprudence Products on Worship During the COVID-19 Pandemic

COVID-19, which has been endemic in various parts of the world including Indonesia, has not only affected the Muslim economy but also how to worship during the pandemic. Below will be explained some products of jurisprudence<sup>22</sup> thinking about how to worship during the COVID-19 pandemic:

### 1. Friday Prayers

Friday prayer is two *rak'abs* prayer after the zuhur sermon on Friday. Majority of ulama believe that the Friday prayer is a substitute for the midday prayer. The implementation of Friday worship in the early period of Islam is always associated with government permits

---

<sup>21</sup> Muhammad Syukri Albani Nasution, *Filsafat Hukum Islam*, (Jakarta: Raja Grafindo Persada, 2016), p. 206-207.

<sup>22</sup> Jurisprudence in terminology means the knowledge of the laws of sharia that are practical (*amaliyyah*) which are dug up and found from detailed arguments. Jurisprudence is the result of one's understanding of the Qur'an and Hadith. As a result, fikih ijthād undergoes changes and develops in accordance with social changes that are always moving dynamically. Wahbah Zuhaili, *Ushul al-Fiqh al-Islami*, (Kairo: Dar al-Fikr, 1986), p. 1147. See also Syafiq Gharbal, *Al-Mausu'ah al-Arabiyah al-Mayussarah*, (Kairo: Dar al-Qalam, 1965), p. 1304. Amir Syarifuddin, *Ushul Fiqh*, (Jakarta: Logos Wacana Ilmu, 1997), p. 2-3. Taufiq Abdulah (Chief Editor), *Ensiklopedi Tematis Dunia Islam*, (Jakarta: Ichtiar Baru Van Hoeve, 2002), p. 3.



aimed at the spread of Islam which symbolizes the unity of Muslims and as a "symbolic rival" of the Jewish religion who chose Saturday and Christianity who chose Sunday.<sup>23</sup> Friday prayer law is obligatory for every individual (Q.S. Al-Jumu'ah: 9) with the condition that the male sex, Muslim, intelligent, mature, healthy, and not in the journey (*muqim*).<sup>24</sup> The legal requirement for establishing Friday prayers is to be held in a congregation because the Messenger of Allah, in his time, never carried out Friday prayers individually. Friday prayers with the outbreak of COVID-19, then the law is unlawful for those who are exposed to COVID-19 with the argument of the hadith, "*Do not be sick mixed with the healthy*" (HR. Bukhari & Muslim). Those who are healthy and unable to attend Friday prayers because there is aging, so with the outbreak of corona virus, can replace them with midday prayers at home.<sup>25</sup> The proof of the hadith of the Prophet, *If you hear news about the spread of Ta'un in a region, do not enter it. And, if you are in it, then do not come out of it* (Narrated by Bukhari & Muslim).

Indonesian Ulama Council (MUI) related to the outbreak of the corona virus, issued fatwa Number 14 of 2020 concerning the Implementation of Worship in the Situation of the COVID-19 Plague. One of the contents of the fatwa is related to the implementation of Friday prayers as follows:

- a. Everybody is obliged to make efforts to maintain health and stay away from anything that can cause exposure to disease because it is part of maintaining the primary goal of religion (*al-Daruriyya al-Khams*).
- b. People who have been infected with the Corona virus, must protect and isolate themselves so that transmission does not occur to others. For him, Friday prayers can be replaced with midday prayers, because Friday prayers are compulsory worship that involves many people, so there is a chance of

---

<sup>23</sup> Ali Abubakar, "Reinterpretasi Shalat Jumat (Kajian Dalil dan Pendapat Ulama)". *Media Syariah* 13, No. 2 (2011): 169-178. See also, Hasanuddin A.F., *Fikih Ibadat*, p.40.

<sup>24</sup> Ibn Rusyd, *Bidayah al-Mujtahid*, (Mesir: Mustafa Bab al-Halab li al-Nasr, 1960), p. 329. See also, Erman, "Rekonstruksi Ketentuan Shalat Jumat". *Kutubkhanah* 14, No. 1 (2011): p. 1-13.

<sup>25</sup> Faried F. Saenong, *Fikih Pandemi*, p. 15-16.

mass transmission of the virus. For him, it is forbidden to carry out sunnah worship activities that open up opportunities for contagion, such as the five-time / *rawatib* congregation, Tarawih and *Eid* prayers in mosques or other public places, as well as attending public recitation and large *tablighs`*.

- c. People who are healthy and who are not yet known or believed not to be exposed to COVID-19 must pay attention to the following matters:
  - 1) If he is in an area with high or very high transmission potential based on the provisions of the authorities, he may leave Friday prayers and replace them with midday prayers at the residence, and leave the five times / *rawatib* prayer, Tarawih, and *Eid* at the mosque or other public places.
  - 2) If someone is in an area where the potential for transmission is low based on the provisions of the authorities, they obliged to carry out religious duties as usual. They must guard themselves to bring their prayer rug, and often wash hands.
- d. In the event of the uncontrolled spread out of COVID-19 in a life-threatening area, Muslims may not hold Friday prayers in the area until conditions return to normal, and they must replace them with *zuhur* prayers in their respective places. Likewise, it is not permissible to carry out religious activities that involve many people. It is believed to be a medium for the spread of COVID-19, such as the five-time prayer/*rawatib*, *Tarawih* and *Eid* prayers in mosques or other public places, as well as attending public recitation and public islamic teaching (*taklim*).
- e. In conditions where the spread out of COVID-19 under control, Muslims must hold Friday prayers. Muslims also may carry worship activities that involve large crowds, such as congregants, five prayers, *Tarawih* and *Eid* prayers in mosques or other public places, and attend general recitals and *taklim* while keeping yourself from being exposed to COVID-19.
- f. The government makes this fatwa as a guideline in setting

COVID-19 countermeasures policies relating to religious issues, and Muslims are obliged to obey them.

The above MUI fatwa considers social welfare. It prioritizes mutual safety so that the law on Friday prayers is adjusted to the conditions and the extent of the spread out of COVID-19 in the area. It is in accordance with the principles of *fiqhīyah*: *Must not endanger yourself and endanger others* and *refuse mafsadah takes precedence over seeking benefit*.

## 2. Prayer in the Congregation at the Mosque

Salat in terminology is worship that consists of certain words and deeds which begin with *takbir* for Allah SWT and end with greetings.<sup>26</sup> One can do the obligation prayer by himself and worship in the house or mosque. Congregation means that if two or more people jointly pray and one of them acts as an imam. Congregational prayers are a symbol of the togetherness of Muslims and as a symbol of people's obedience to leaders. If the priest is wrong, then you can reprimand him in ways that have been taught by the Prophet. If the priest does not violate the *sharia*, the people must obey it.<sup>27</sup> Majority of ulama stated that the law of congregational prayers is the *sunnah muakkad* (special sunnah).<sup>28</sup> Provisions to protect the soul from contracting the deadly coronavirus are obligatory. The ulama stated a standard that avoiding danger is always prioritized overlooking for benefits.<sup>29</sup> This statement is reinforced by the word of Allah SWT, which means: ... *and do not throw yourself into destruction ...* (Surah al-Baqarah [2]: 195) and the hadith of the Prophet SAW, which means: *Avoid epidemics such as your run (avoid) the pursuit of a tiger* (HR. al-Bukhari). Therefore, Muslims must prioritize caution because, in the implementation of congregational prayers in the mosque, there is no

---

<sup>26</sup> Nurhayati dan Ali Imran Sinaga, *Fiqh dan Ushul Fiqh*, (Jakarta: Prenadamedia Group, 2017), p. 83.

<sup>27</sup> A. Darussalam, "Indahnya Kebersamaan dengan Shalat Berjamaah". *Tafsire* 4, No. 1 (2016): p. 24-25.

<sup>28</sup> Hasanuddin A.F., *Fikih Ibadah*, in Taufik Abdullah (Chief Editor), *Ensiklopedi Tematis Dunia Islam*, (Jakarta: Ihtiar Baru Van Hoeve, 2002), p.39.

<sup>29</sup> Faried F Saenong and friends, *Fikih Pandemi Beribadah di Masa Wabah*, (Jakarta: NUO Publishing, 2020), p. 5.

guarantee which is not and has been infected. Instead, there are people who are infected but show no symptoms at all. Prayer at home is more important to avoid the spread of coronavirus which is easily transmitted and very deadly.

MUI issued fatwa number 31 of 2020 concerning the Implementation of Friday Prayers and in congregation to Prevent COVID-19 Transmission. Social prayers are carried out by stretching the congregation and to prevent the transmission of the COVID-19 outbreak, the application of physical distancing during congregational prayers by stretching the legal safeguards is allowed, the prayers are valid. They do not lose the virtue of the congregation because this condition is a part of *sharīyya*. The implementation of congregational prayer needs to adhere to health protocols, such as wearing a mask, bringing your own prayer mat, *wudlu* from home, and maintaining a safe distance. Pilgrims who are sick are encouraged to pray at their respective residences. Pilgrims who are sick are encouraged to pray at their respective residences.<sup>30</sup>

Still in the context of the COVID-19 virus outbreak, the failure of Friday prayers and congregational prayers are *dharuriyat* (necessities) cases. This *dharuriyat* need is a basic need that involves realizing and protecting the existence of five main things, namely religion, soul, reason, descent, and wealth. Therefore, if these obligations continue to be carried out, especially in areas that have high potential in transmitting the disease, it can lead to other potential cases of transmission. Both worships provoked crowds and crowds that should have been avoided during the spread of the COVID-19 virus outbreak. For that reason, the legal decision is based on two ways, namely: *hifzuba min nabiyah al-wujud* (safeguarding things that can perpetuate its existence) and *hifzuba min nabiyah* there (preventing things that can be eliminated). For example, to maintain health that can be categorized as *al-nafs*, then humans must consume nutritious food, maintain cleanliness, and do a healthy lifestyle. And to prevent

---

<sup>30</sup> Fatwa MUI Number 31 in 2020 regarding the Implementation of Friday Prayers and Jamah to Prevent COVID-19 Transmission. <https://mui.or.id/wp-content/uploads/2020/06/FATWA-MUI-NO-31-TAHUN-2010-TENTANG-PENYELENGGARAAN-SHALAT-JUM%20%80%99AT-DAN-JAMAAH-UNTUK-MENCEGAH-PENULARAN-WABAH-COVID-19.pdf>.

this loss, it is recommended to avoid crowds that have the potential to cause transmission,<sup>31</sup> wear masks when sick, and conduct burial following the advice of the authorized health officer.<sup>32</sup>

### 3. Ramadan and *Eid*

The month of Ramadan is a glorious and holy month for Muslims throughout the world. Ramadhan is a month that is required for Muslims to perform Ramadan fasting (QS. Al-Baqarah [2]: 183) and is one of the five pillars of Islam. Ramadan fasting is obliged in the Sya'ban month of the second year of Hijriyah. Ramadan fasting has many virtues, as has been conveyed by the Prophet Muhammad in his authentic traditions. Ramadan fasting is a means to obtain forgiveness of sins that have been past, the appointment of degrees and multiply the merit of goodness, as the words of Prophet Muhammad SAW which means: *Whoever fasts in the month of Ramadan by faith and expects merit from God, past sins will be forgiven in the past* (Narrated by Bukhari).<sup>33</sup> Specifically in Indonesia, Ramadan is carried out lively with various religious activities and cultural activities, such as *tarawih* congregation, breaking the fast together, grave pilgrimage before Ramadan, the drum parade ahead of *Eid*, and visiting each other (*silaturahmi*) when *Eid*. All of these religious and cultural activities create a large crowd. Ramadan 1443 H / 2020 AD this year, the

---

<sup>31</sup> Firdaus F. There are Still Friday Prayers in the Mosque, People Asked to Obey MUI Fatwa. Okezone.com [Internet]. 2020; Available from: <https://www.okezone.com/tren/read/2020/04/15/620/2199471/masih-ada-sholat-jumat-di-masjid-masyarakat-diminta-patuhi-fatwa-mui>.

<sup>32</sup> World Health Organisation (WHO). Infection Prevention and Control for the safe management of a dead body in the context of COVID-19. 2020. The procedure for burying a corpse exposed to COVID-19 has been regulated in the Fatwa of the Indonesian Ulema Council (MUI) Number 18 of 2020 concerning Guidelines for the Management of the Body (*Tajbiẓ al-Jana'iz*) of Muslims Infected with COVID-19 and Circular of the Minister of Religion of the Republic of Indonesia Number P- 002 / DJ.III / Hk.00.7 / 03/2020 the Year 2020 concerning Appeals and Implementation of the Protocol for Handling COVID-19 in Public Areas in the Directorate General of Islamic Community Guidance in the fourth point explained about the Appeal to Implement the Protocol for the handling and burial of bodies exposed to COVID-19.

<sup>33</sup> Sumarno Adi Subrata dan Merses Varia Dewi, "Puasa Ramadhan dalam Perspektif Kesehatan: Literatur Review", in *Khazanah: Journal of Islamic Studies and Humaniora* 15, No. 2 (2017): 241-262.

COVID-19 outbreak hit the world, including Indonesia. The COVID-19 epidemic is destroying various life arrangements including worshipping in the month of Ramadan.

Secretary of the Fatwa Commission of the Indonesian Ulama Council (MUI), Asrorun Niam Sholeh, said there are several things related to worship in the month of Ramadan in the midst of the coronavirus (COVID-19) pandemic that must be considered. Among other things, worship from home and change the habit of giving alms directly to indirect. The habit of alms breaking the fast together in the form of food, inviting neighbours or we attend by breaking the fast together, is replaced by sending it to people's homes in need by officers.<sup>34</sup>

All the magnificence of Ramadan must be suppressed, and Muslims undergo more Ramadan at home because of the spread of the coronavirus. In Islamic principles, the safety of the human soul is at a high position and priority. Magnificence Ramadan, which involves crowds and participants, has the potential to endanger the safety of the human soul and must be avoided. And the end of the spiritual journey of Ramadan is Allah presenting the *Eid al-Fitr* prayers the law of recommended rulings (*sunnah muakkadah*).<sup>35</sup> Islam, like teaching, does not forbid its followers to express the joy of celebrating *Eid* according to their own habits. However, with the pandemic of COVID-19 Muslims must adapt to the situation and conditions to keep worshipping at home for the safety of their souls.

Concerning *Eid* celebrations, MUI issued fatwa Number 28 of 2020 concerning Guidelines for the procedures of announcing (*kaijiat*) *Takbir* and *Eid* Prayers during the COVID-19 Pandemic. Provisions for the implementation of *Eid* prayers in the COVID-19 area, namely: 1. *Eid al-Fitr* prayers may be carried out in congregations in fields, mosques, *mushalla*, or other places for Muslims who: a. Was in an area that was under control at the time of 1 Syawal 1441 H, one

---

<sup>34</sup> Kompas.com, "This is MUI's Direction Regarding Ramadan Worship During the COVID-19 Pandemic. <https://nasional.kompas.com/read/2020/04/13/17281501/ini-arahan-mui-terkait-ibadah-ramadhan-di-tengah-pandemi-COVID-19?page=all#page2>.

<sup>35</sup> Faried F. Saenong and friends, *Fikih Pandemi Beribadah Di Masa Wabah*, p. 48.

of which was marked by the transmission rate showing a decreasing trend and the policy of easing social activities that allowed crowds to occur based on credible and trustworthy experts. b. Located in controlled areas or areas free of COVID-19, and it is believed that there is no transmission (such as in rural areas or homogeneous confined housing, no one has COVID-19, and there is no entry and exit of people). 2. *Eid al-Fitr* prayers may be carried out at home in the congregation with family members or individually (*munfarid*), especially those in areas where the spread of COVID-19 has not been controlled. 3. The implementation of *Eid al-Fitr* prayers, both at the mosque and home, must continue to implement health protocols and prevent potential transmission, among others by shortening the reading of the prayer and carrying out the sermon.<sup>36</sup>

#### 4. Hajj and Umrah

Hajj is a deliberate visit to the Kaaba (*Baitullah*) in Mecca to worship by carrying out certain practices. Hajj is the fifth pillar of Islam, must be implemented immediately, for people who have fulfilled the once-in-a-lifetime condition. Hajj is a worship that has a specific time of implementation, which is between the 9th and 13th of the month of *Dhul-Hijjah*. It means the pilgrimage only happens once a year. The conditions for the obligatory pilgrimage, according to the scholars, are Muslim, balig or mature, sensible, independent (not a slave), and capable (*istita'ah*).<sup>37</sup> *Istita'ah* is someone who already has a physical ability and the existence of security capabilities that is safe in travel and the vehicle that drove him to *Baitullah*. Hajj obligations are delayed if health is disrupted, travel is unsafe, or the quota is full.<sup>38</sup>

Umrah is a pilgrimage to *Baitullah* by carrying out a series of activities, namely *tawaf* around him, performing *sa'i* between Mount Safa and Marwah, and cutting hair. Malikiyah and Hanafiyah scholars state that the umrah is the law of the *sunnah mu'akkad* because the

---

<sup>36</sup> MUI's Fatwa Number 28 in 2020 regarding Guidelines for Kaifiat Takbir and Eid Prayers during the COVID-19 Pandemic, <https://mui.or.id/wp-content/uploads/2020/05/Fatwa-MUI-No-28-Tahun-2020-tentang-Panduan-Kaifiat-Takbir-dan-Shalat-Idul-Fitri-saat-COVID-19.pdf>.

<sup>37</sup> Sayid Sabiq, *Fiqh Sunnah* 5, (Jakarta: Cakrawala Publishing, 2009), p. 267.

<sup>38</sup> Budi Kisworo, "Ibadah Haji di Tinjau dari Berbagai Aspek". *Al Istinbath: Jurnal Hukum Islam* 2, No. 1 (2017): 75-98.

Umrah does not belong to the pillars of Islam. Safi'iyah and Hanabilah scholars stated that the legal Umrah was obligatory as well as performing the Hajj, as Allah said: *And complete the Hajj and Umrah because of Allah* (Qur'an, 2: 196).<sup>39</sup> Umrah can be done at any time, and the Sunnah is done once in a lifetime.

In the current situation of the COVID-19 pandemic, the Government not only eliminated umrah activities but also canceled the Hajj pilgrimage due to the transmission of the deadly coronavirus. The Government, in this case, issued the Decree of the Minister of Religion of the Republic of Indonesia No. 494 of 2020 concerning Cancellation of the Departure of Hajj Pilgrims at the Hajj Holding Year 1441 H / 2020 AD.<sup>40</sup> With the issuance of the Minister of Religion (KMA), the implementation of the pilgrimage in 2020 was abolished or canceled. The cancellation of the hajj was decided by considering the health, safety, and security of the hajj pilgrims while in embarkation or debarkation, travel conditions, and in Saudi Arabia which was feared to be threatened with life by the COVID-19 pandemic which struck almost all countries in the world including Indonesia and Saudi Arabia. In Islamic teachings, safeguarding the soul is one of the five *maqāṣid al-sharia* besides protecting religion, reason, descent, and property which must be used as the basis for primary considerations in the determination of law or policy by the Government to realize benefits for the community.

Kiai Cholil, Chairperson of the MUI Community Development and Da'wah Commission, explained, for the benefit of the people the implementation of the Hajj in 1441 AH should have been postponed. He stated that prospective Indonesian pilgrims are still in a condition that is not yet pandemic free, so it is challenging to carry out health protocols during the pilgrimage. If the pilgrimage continues this year,

---

<sup>39</sup> Hasanuddin A. F, *Fikih Ibadat*, p. 52.

<sup>40</sup> Decree of the Minister of Religion of the Republic of Indonesia No. 494 of 2020 concerning Cancellation of the Departure of Hajj Pilgrims at the Hajj Holding Year 1441 H / 2020 AD <https://kemenag.go.id/home/artikel/43372/keputusan-menteri-agama-nomor-494-tahun-2020-tentang-pembatalan-ke-berangkatan-jemaah-haji-pada-penyelenggaraan-ibadah-haji-tahun-1441-h--2020-m>.



it is feared that it will give harm the pilgrims.<sup>41</sup>

### **Analysis of *Maqāsīd al-Sharīa* on Worship During the COVID-19 Pandemic**

Events and problems faced by humans cannot be counted and continue to evolve in accordance with changes in social conditions. When all of the issues do not make sense, there will be a text or explicit statement in the Qur'an and Sunnah. Therefore human problems that continue require *ijtihad* to answer. Umar ibn Khattab demonstrated the extraordinary expertise of *ijtihad* in the search for legal purposes. He expressly refused to give zakat to converts as stipulated in surah al-Taubah verse 60. He considered the nature of converts to be impermanent, and one day if those attributes were gone, they could be transferred to others who were more entitled to receive zakat.<sup>42</sup> Umar not only used *ra'yu* (reason) in setting events that had no meaning, but he tried to find a problem to which the purpose of establishing a law.<sup>43</sup>

The purpose of enacting the law is to preserve the five *dharuriyat* in Islam, namely religion, reason, self, descent, and wealth for the happiness of human life in this world and the hereafter, by taking the beneficial and rejecting the destructive. The purpose of law reconciliation is for the benefit of the servant. Therefore, anything that has the potential to disturb the five of these must be prevented and avoided first, exceeding the importance of worship. The human soul in Islamic law is highly glorified, must be nurtured, guarded, defended, not confronted with the sources of damage and destruction.

Islam, as a religion, never imposes burdens beyond its ability to run the *shari'a*. When there is a contradiction between worship and preservation the soul (*nafs*), keeping the soul of the law obligatory

---

<sup>41</sup> <https://mui.or.id/berita/28136/mui-ada-alasan-syari-dibalik-pembatalan-haji/>.

<sup>42</sup> M. Saud Ramdan al-Buti, *Dawabit al-Maslahah* (Beirut: Muassasah al-Risalah, 1986), p. 140-150.

<sup>43</sup> Ahmad Amin, *Fajr al-Islam* (Kairo: Maktabah al-Nahdiah al-Misriyah, 1975), p. 238. See also, Muhyidin, "Maqashid Al-Syariah (Tujuan-Tujuan Hukum Islam) sebagai Pondasi Dasar Pengembangan Hukum". *Gema Keadilan* 6, No. 1 (2019): p. 13-32.

while carrying out the congregational prayer of the sunnah, then what is done must save the soul first and then continue to carry out the prayer lonely (*munfarid*) especially in pandemic conditions. The atmosphere during COVID-19 will inevitably affect the perspective of religion and the application of Islamic law, the jurist and scholars must think about what strategies will be implemented when worshiping, especially those relating to gathering many people.

During the pandemic that occurred throughout the world, it causes differences in the implementation of worship, including in Indonesia. Some of changings since the pandemic, are the implementation of Friday prayers, prayer in congregation in the mosque, the implementation of Ramadan and *Eid al-Fitr*, to the implementation of the Hajj, and Umrah. The implementation of Friday Prayers touches on the outbreak of the COVID-19 epidemic, so the law is unlawful for those exposed to COVID-19 with the proposition of the hadith, *Don't be sick mixed with the healthy*. This is also a form of efforts to maintain health and stay away from anything that can cause exposure to disease because it is part of maintaining *al-dharuriyat al-khams*. People who have been infected by Coronavirus must protect and isolate themselves so that transmission does not occur to others. For him, it is forbidden to carry out sunnah worship activities, including the implementation of congregational prayers that open up opportunities for transmission.

Then regarding the prayer in congregation in the mosque, majority of ulama stated that the law of congregational prayer is the *sunnah mu'akkad* (special sunnah).<sup>44</sup> As for protecting the soul from contracting the deadly Coronavirus, it is obligatory. Scholars stated that avoiding danger is always prioritized, overlooking for benefits.<sup>45</sup> Legal retrieval is based on *hifzuha min nahiyah* there (preventing things that can be eliminated). And to prevent this loss, it is recommended to avoid crowds that have the potential to cause transmission.

In Islamic principles, the safety of the human soul is at a high

---

<sup>44</sup> Hasanuddin A.F., *Fikih Ibadah*, in Taufik Abdullah (Ketua Editor), *Ensiklopedi Tematis Dunia Islam*, (Jakarta: Ihtiar Baru Van Hoeve, 2002), p.39.

<sup>45</sup> Faried F Saenong and friends, *Fikih Pandemi Beribadah di Masa Wabah*, (Jakarta: NUO Publishing, 2020), p. 5.

position and priority. Magnificence Ramadhan, which involves crowds and participants, has the potential to endanger the safety of the human soul and must be avoided. And the end of the spiritual journey of Ramadan is Allah presenting the *Eid al-Fitr* prayers the law of recommended rulings (*sunnah muakkadah*).<sup>46</sup> Islam, as teaching, does not forbid its followers to express the joy of celebrating *Eid* according to their respective habits. However, with the outbreak of COVID-19 Muslims must adapt to the situation and conditions to keep worshipping at home for the safety of their souls.

Likewise, with the pilgrimage, if we look at the conditions of compulsory pilgrimage, which includes the capability (*istita'ah*).<sup>47</sup> Someone who already has the physical strength and security capabilities that are safe on the way and the vehicle that drove him to *Baitullah*. Hajj obligations are delayed if health is disrupted, travel is unsafe, or the quota is full.<sup>48</sup> In the teachings of Islam, protecting the soul is one of the five *maqāṣid al-sharīa* besides protecting religion, reason, descent, and property, which must be used as the main consideration in determining the law or policy by the government in order to realize benefits for the community.

The provisions that apply above take into account the congruence of the people and prioritize mutual safety so that the law is adjusted to the conditions and the extent of the spreadout of COVID-19 in the area. This is in accordance with the principles of *fiqhiyah*: *must not endanger yourself and endanger others* and *reject maṣṣadah takes precedence over seeking benefit*. The general provisions have fulfilled the main objectives of the legislators (*shari'a*) in the context of *al-maqāṣid is taḥqiq masalih al-khalqi* (realizing the benefit of the creatures), that the obligations of sharia are intended to maintain *al-maqāṣid*.<sup>49</sup> Allah SWT revealed the *sharīa* (the rule of law) nothing but to take

---

<sup>46</sup> Faried F. Saenong and friends, *Fikih Pandemi Beribadah Di Masa Wabah*, p. 48.

<sup>47</sup> Sayid Sabiq, *Fiqh Sunnah 5*, (Jakarta: Cakrawala Publishing, 2009), p. 267.

<sup>48</sup> Budi Kisworo, "Ibadah Haji di Tinjau dari Berbagai Aspek". *Al Istinbath: Jurnal Hukum Islam* 2, No. 1 (2017): 75-98.

<sup>49</sup> Asmuni, "Studi Pemikiran *al-Maqasid* (Upaya Menemukan Pondasi Ijtihad Akademik yang Dinamis)". *Journal Mawarid*, No. 14 (2005).

benefit and avoid consciousness (*jalb al-mashalih wa dar'u al-mafasid*). The rules of law that God has determined are only for the benefit of humans.<sup>50</sup>

In line with this, a mujtahid obliged to give legal consideration to what has been excavated from the Qur'an or the Sunnah based on the circumstances surrounding the legal object. If the law resulting from his ijtihad is not suitable to be applied to the purpose of the law because the application of the law brings harm, then the mujtahid must look for other laws that are more appropriate, so that harm can be eliminated and benefit can be achieved (*nazarīyyat i'tibar al-ma'al*).<sup>51</sup>

The benefit that is manifested in the provisions above has fulfilled the needs of the *dharuriyat*. They are the primary needs which provide the salvation of humankind both in the world and in the hereafter, by preserving religion and also maintaining the soul. With the enactment of juridical procedures regarding the procedures for carrying out worship during a pandemic by the jurists, the imposition of restrictions and even the prohibition of worship carried out with a large crowd, have considered the benefit for humankind, especially against human lives, including there is not much disease transmission during the current pandemic. Then also meet the needs of pilgrimage with Islamic law removes all difficulties. The law *rukhsah* (relief) can be implemented when, in fact, it has difficulty in carrying out *taklif* orders.

Concerning the stipulation of law, to make *maslahat* as an argument in establishing the law, the Maliki and Hanbali schools require three things: first, the benefit is in line with the will of the *sharia*. It is included in the type of interest that is supported by the text in general. Second, the benefit is rational and specific, not just an estimate, so that the law established through the benefit produces benefits and avoids or rejects *madharat*. Third, benefit concerns the

---

<sup>50</sup> Yusuf Qardhawi explained that among the laws resulting from ijtihad there is a law whose foundation is a temporal benefit, which can change according to changes in time and circumstances, meaning there must be a change in the law that resembles it, see Yusuf Qardhawi, *Pedoman Bernegara dalam Perspektif Islam*, (Jakarta: Pustaka Al-Kautsar, 1999), p. 256-260.

<sup>51</sup> Yusdani, "Ijtihad dan *Nazarīyyah Itibar al-Maal*", quoted from [www.yusdani.com](http://www.yusdani.com), accessed on 14 July 2021.

interests of many people, not personal attention or certain small groups.

## Conclusion

The purpose of enacting the law is to safeguard and preserve the five *dharuriyyat* in Islam, namely soul, religion, property, descent, and reason, as clearly stated in the *maqāṣid al-sharā'ah*. Enacting the law will be a legal clinical trial of acceptance in life. However, this test is due to an emergency that occurs, and will not apply in the usual circumstances. The law must be able to touch not only in normal conditions, but even the law must be sturdy in emergencies. Maintaining the human soul in Islamic law becomes the main thing because the preservation of the soul will affect compliance with other legal aspects (religion, property, ancestry, and reason). This part of the concept of *maqāṣid al-sharā'ah* is *maslahat*, which is to reject harm or badness and draw benefits (*dar'u al-mafasid wa jalb al-masalih*).

The fatwas of the Indonesian Ulama Council has been imposed in terms of worship during the current pandemic by considering the benefit of the people and prioritizing mutual safety. The law is adjusted to the conditions and conditions of the extent of the spread out of COVID-19 in the area. It is following the rules of *fiqhīyah*, "must not endanger yourself and endanger others" and "reject mafsadah takes precedence over seeking benefit". These provisions are tangible forms of the results of efforts made by the jurists in seeking laws that are more in line with the critical conditions of this pandemic so that abolition can be removed and benefits can be achieved. Also supported by the text in general, and concerning the interests of many people.

## Bibliography

- Abdullah, Taufik (Chief Editor). *Ensiklopedi Tematis Dunia Islam*. Jakarta: Ichtiar Baru Van Hoeve, 2002.
- Abubakar, Ali. "Reinterpretasi Shalat Jumat (Kajian Dalil dan Pendapat Ulama)". *Media Syariah* 13, No. 2 (2011): 169-178.
- al-Buti, M. Saud Ramadan. *Dawabit Al-Maslahah*. Beirut: Muassasah al-Risalah, 1986.
- Ali, Muhammad Daud. *Hukum Islam*. Jakarta: RajaGrafindo Persada,

2004.

- Ali, Zezen Zainul. "Social Distancing Upaya Pencegahan Penyebaran COVID-19 Perspektif *Maqashid al-Syariah*". *Nizham* 8, No. 01 (June 2020): p. 82-94. <https://doi.org/10.32332/nizham.v8i01.2130>.
- Amin, Ahmad. *Fajr Al-Islam*. Kairo: Maktabah al-Nahdiah al-Misriyah, 1975.
- Anindya, Nirmalasanti Pramesi. "Implementasi *Maqashid Syari'ah* dalam Menghadapi Wabah COVID-19". *Medina-Te: Jurnal Studi Islam* 16, No. 1 (2020): p. 1-11.
- Asmuni. *Studi Pemikiran Al-Maqasid (Upaya Menemukan Pondasi Ijtihad Akademik yang Dinamis)*. *Jurnal Mawarid*, No. 14 (2005).
- Auda, Jasser. *Maqāṣid al-sharia as Philosophy of Islamic Law: A Systems Approach*. Herndon: The International Institute of Islamic Thought, 2010.
- "Decree of the Minister of Religion of the Republic of Indonesia No. 494 of 2020 Concerning Cancellation of the Departure of Hajj Pilgrims at the Hajj Holding Year 1441 H / 2020 AD," n.d. <https://kemenag.go.id/home/artikel/43372/keputusan-menteri-agama-nomor-494-tahun-2020-tentang-pembatalan-keberangkatan-jemaah-haji-pada-penyelenggaraan-ibadah-haji-tahun-1441-h--2020-m>.
- Ebrahim SH, Memish ZA. "COVID-19 — the Role of Mass Gatherings." *Travel Med Infect Dis*, 2020.
- Erman. "Rekonstruksi Ketentuan Shalat Jumat." *Kutubkhanah: Jurnal Penelitian Sosial Keagamaan* 14, no. 1 (2011). <http://ejournal.uin-suska.ac.id/index.php/Kutubkhanah/article/view/275/258>.
- F, Firdaus. "There Are Still Friday Prayers in the Mosque, People Asked to Obey MUI Fatwa." *Okezone.com* [Internet], 2020. <https://www.okezone.com/tren/read/2020/04/15/620/2199471/masih-ada-sholat-jumat-di-masjid-masyarakat-diminta-patuhi-fatwa-mui>.
- Gao, Q., Hu, Y., Dai, Z., Xiao, F., Wang, J., & Wu, J. "The Epidemiological Characteristics of 2019 Novel Coronavirus Diseases (COVID-19) in Jingmen, China". *Medicine* 99, No.

- 23 (2020). <https://doi.org/10.2139/ssrn.3548755>.
- Gharbal, Syafiq. "Al-Mausuah Al-Arabiyah Al-Mayussarah." Kairo: Dar al-Qalam, 1965.
- al-Ghazali, Abu Hamid. *Al-Mustashfa Min Ilm Al-Ushul*. Beirut: Dar Ihya al-Turats al-Arabi, n.d., n.d.
- <https://Mui.or.Id/Berita/28136/Mui-Ada-Alasan-Syari-Dibalik-Pembatalan-Haji/>, n.d.
- Hakim, Muhammad Lutfi. "Pergeseran Paradigma Maqashid Al-Syariah dari Klasik Sampai Kontemporer." *Al-Manahij* 10, No 1 (2016): p. 1-16.
- Hikmat, Mahi.M. et. all. *Implementasi Maqasid Syari'ah dalam Iktisar Memutus Mata Rantai Persebaran COVID-19 di Indonesia*. Bandung: Pusat Perpustakaan UIN Sunan Gunung Djati Bandung, 2020.
- Ibn Asyur, Muhammad al-Thahir. "Treatise on Maqashid Al-Sharia." In *Translated from Arabic from Mohamed El-Tabir El-Mesawi*. London, Washington: The International Institute of Islamic Thought, 2006.
- Jauhar, Ahmad al-Mursi Husain. "Maqashid Al-Syariah Fi Al-Islam." In *Translation. Khikmawati, Maqashid Syariah*. Jakarta: Amzah, 2009.
- al-Juwaini. *Al-Burhan Fi Ushul Al-Fiqh*. Kairo: Dar Anahar, n.d.
- Khasan, Moh. "Kedudukan Maqashid Al-Syariah in Pembaharuan Hukum Islam." *Dimas* 8, no. 2 (2008).
- Kisworo, Budi. "Ibadah Haji Ditinjau dari Berbagai Aspek." *Al Istinbath: Jurnal Hukum Islam* 2, No. 1 (2017): 75-98.
- Kompas.com. "This Is MUP's Direction Regarding Ramadan Worship During the COVID-19 Pandemic," n.d. This is MUI's Direction Regarding Ramadan Worship During the COVID-19 Pandemic.
- Lubis, Nur A. Fadhil. "Hukum Islam dalam Kerangka Teori Fikih dan Tata Hukum Indonesia." Medan: Pustaka Widyasarana, 1995.
- Mansur, Ibnu. *Lisan Al-Arab*. Beirut: Dar al-Sadr, n.d., n.d.
- Mardani. "Ushul Fiqh." Jakarta: RajaGrafindo Persada, 2013.
- Muhyidin. "Maqashid Al-Syariah (Tujuan-Tujuan Hukum Islam)

- Sebagai Pondasi Dasar Pengembangan Hukum”. *Gema Keadilan* 6, No. 1 (2019): p. 13-32.
- “MUI’s Fatwa Number 28 in 2020 Regarding Guidelines for Kaifiat Takbir and Eid Prayers during the COVID-19 Pandemic,” n.d. <https://mui.or.id/wp-content/uploads/2020/05/Fatwa-MUI-No-28-Tahun-2020-tentang-Panduan-Kaifiat-Takbir-dan-Shalat-Idul-Fitri-saat-COVID-19.pdf>.
- “MUI’s Fatwa Number 31 in 2020 Regarding the Implementation of Friday Prayers and Jamah to Prevent COVID-19 Transmission,” n.d. <https://mui.or.id/wp-content/uploads/2020/06/FATWA-MUI-NO-31-TAHUN-2010-TENTANG-PENYELENGGARAAN-SHALAT-JUM’AT-DAN-JAMAAH-UNTUK-MENCEGAH-PENULARAN-WABAH-COVID-19.pdf>.
- Musolli. “Maqashid Syariah: Kajian Teoritis dan Aplikatif pada Isu-isu Kontemporer”. *At-Turas: Jurnal Studi Keislaman* 5, No. 1 (2018): 60-81.
- Nizar, Muhammad Choirun. “*Literatur Kajian Maqashid Syariah*”, *Ulul Albab: Ulul Albab, Jurnal Studi dan Penelitian Hukum Islam*, No. 35 (2016): p. 53-68.
- Raysuni, Ahmad al-. *Nazariyyat al-Maqāsid 'Inda al-Imam al-Shatibi*, Beirut: al-Ma'had al-'Alami li al- Fikr al- Islami, 1995.
- Rusyd, Ibn. “*Bidayah Al-Mujtahid*.” Mesir: Mustafa Bab al-Halab li al-Nasr, 1960.
- Sabiq, Sayid. “*Fiqh Sunnah*.” Jakarta: Cakrawala Publishing, 2009.
- Saenong, Faried F. and friends. “*Fikih Pandemi Beribadah di Masa Wabah*.” Jakarta: NUO Publishing, 2020.
- Sinaga, Nurhayati and Ali Imran. “*Fiqh dan Ushul Fiqh*.” Jakarta: Prenadamedia Group, 2017.
- Subrata, Sumarno Adi and Merses Varia Dewi. “*Puasa Ramadhan dalam Perspektif Kesehatan: Literatur Review*.” *Khaṣanah: Jurnal Studi Islam dan Humaniora* 15, No. 2 (2017): 241-262.
- Syarifuddin, Amir. “*Ushul Fiqh*.” Jakarta: Logos Wacana Ilmu, 1997.
- al-Syatibi, Abu Ishaq. *Al-Muwafaqat Fi Ushul Al-Syariah*. Beirut: Dar al-Kutub al-Ilmiyah, 2003.



- Syukri, Muhammad Albani Nasution. "Filsafat Hukum Islam." Jakarta: Raja Grafindo Persada, 2016.
- Syukri, Muhammad Syukri Albani Nasution & Rahmad Hidayat Nasution. "Filsafat Hukum Islam & Maqashid Syariah." Jakarta: Kencana, 2020.
- al-Thahir, Muhammad ibn Asyur. "Treatise on Maqashid Al-Sharia." London, Washington: The International Institute of Islamic Thought, 2006.
- World Health Organisation (WHO). *Infection Prevention and Control for the Safe Management of a Dead Body in the Context of COVID-19*, 2020.
- Yusdani. "Ijtihad dan Nazariyyah Itibar Al-Maal." *Quoted from www.Yusdani.Com*, n.d.
- Zuhaili, Wahbah. "Ushul Al-Fiqh Al-Islami." Kairo: Dar al-Fikr, 1986.
- \_\_\_\_\_. "Fiqh Islam Wa Adillatuhu." Jakarta: Darul Fikri, 2011.