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## **Towards the Multidimensional *Ushul Al-Fiqh*: A Study of the Integration of Science in the Fatwa of Majelis Ulama Indonesia**

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**Abstract:** This research examines multidimensional *ushul al-fiqh* in analyzing the fatwas of the Majelis Ulama Indonesia (MUI). The main problem to be explained in this article is the importance of social sciences for multidimensional *ushul al-fiqh* as contained in the fatwa of Majelis Ulama Indonesia. This research uses normative juridical methods which are analyzed using the *ushul fiqh* theory. The data collection method is documentation, namely taking data from journal articles books, and other sources. The method of analysis is the content analysis that the researchers use using the theory of multidimensional *ushul al-fiqh*, while the object is the fatwa-fatwa of the Majelis Ulama Indonesia (MUI). This research has two results. First, the social sciences complement the evidence of fundamentalist rulings in realizing the natural environmental influences, as a basic determinant and a major guide to people's lives, and the jurisprudence of social movements, of all kinds, considering the ties that bind people, and exploring the depths of the soul Humanity, considering the human being the pivot and the basis of this existence, so that the rulings derived from it are in agreement and conformity according to social issues. Secondly, the fatwas of the Council of Indonesian Scholars in the social field include those based on social sciences in addition to fundamental principles such as the Qur'anic texts and the Sunnah of the Prophet. In the context of *ushul fiqh* theory, it increasingly proves that fatwas and social sciences are quite dynamically integrated. This is evident in the fatwa of massage parlors and the sending of female workers abroad. Among them were those who were more inclined to fundamentalist rules than to pay attention to the social sciences, such as the fatwa on interfaith marriage and the celebration of Christian birth.

**Keywords:** *Ushul al-fiqh*, integration of sciences, Islamic law, Majelis Ulama Indonesia

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**Abstrak:** Penelitian ini mengkaji ushul al-fiqh multidimensi dalam menganalisis fatwa-fatwa Majelis Ulama Indonesia (MUI). Permasalahan utama yang ingin dijelaskan dalam artikel ini adalah pentingnya ilmu-ilmu sosial bagi ushul al-fiqh yang multidimensi sebagaimana terdapat dalam fatwa Majelis Ulama Indonesia. Penelitian tersebut menggunakan metode yuridis normatif yang dianalisis dengan teori ushul fiqh. Metode pengumpulan data adalah dokumentasi, yaitu mengambil data dari artikel jurnal dan buku serta sumber lainnya. Metode analisisnya adalah analisis isi yang peneliti gunakan dengan menggunakan teori ushul al-fiqh multidimensi, sedangkan obyeknya adalah fatwa-fatwa Majelis Ulama Indonesia. Penelitian ini memiliki dua hasil. Pertama, ilmu-ilmu sosial berfungsi untuk melengkapi hal-hal fundamentalis dalam hukum dan sosial yang bertujuan mewujudkan lingkungan harmoni, pedoman kehidupan bermasyarakat, dan menjadi dasar sosial, untuk semua manusia, menggali sisi kemanusiaan yang adil, menganggap manusia sebagai poros dan dasar dari realita kehidupan, sehingga aturan-aturan yang diturunkan dari Tuhan adalah relevan dan kontekstual dalam realitas sosial. Kedua, fatwa MUI bidang sosial meliputi fatwa yang bersumber pada ilmu-ilmu sosial di samping prinsip-prinsip fundamental seperti nash-nash Al-Qur'an dan Sunnah Nabi. Pada konteks teori ushul fiqh semakin membuktikan bahwa fatwa-fatwa dan ilmu-ilmu sosial terjadi integrasi yang cukup dinamis. Hal ini terlihat dari fatwa panti pijat dan pengiriman tenaga kerja wanita ke luar negeri. Di antara mereka ada yang lebih condong pada kaidah-kaidah fundamentalis daripada memperhatikan ilmu-ilmu sosial, seperti fatwa perkawinan beda agama dan perayaan kelahiran Kristen.

**Kata Kunci:** Ushul al-fiqh, integrasi ilmu, hukum Islam, Majelis Ulama Indonesia

## Introduction

The integration of knowledge, which is one of the missions of the State Islamic University (UIN), has very strong foundations, both philosophically, normatively, juridically, and historically. The philosophical basis concerns arguments or philosophical conceptions that show that basically all sciences are equal and need each other in order to achieve higher human goals. The normative basis for the integration of science concerns religious foundations (religious texts) and the need for efforts to reintegrate knowledge or eliminate the dichotomy between the religious sciences and other sciences. Sources for this normative basis include the Qur'an and Hadith, as well as products of the scholar's interpretation of these two sources of Islamic teachings related to science in Islam. The juridical basis for the integration of this knowledge is

the product of laws and formal rules that are specifically made to become the legal basis for and guide the process of transforming each IAIN into a UIN. The historical basis for the integration of knowledge is to describe the historical journey of PTKI in Indonesia from its inception to today. Initially standing as ADIA in Jakarta and PTKIN in Yogyakarta, they then became IAIN and STAIN, and then, since 2002, some of the PTKI have become UIN. Historically, since its inception, PTKI has had a dual function, namely as an academic institution as well as a missionary institution.<sup>1</sup>

*Ushul al-fiqh* is one of the sciences whose relationship and need must be related to other sciences in order to complement it and derive rulings in view of the multiplicity of disciplines and dimensions. This is because the methodology of *Usul al-fiqh*, which the Muslims inherited, does not perish with what is required of it because it was established far from the reality of public life. And that ancient jurisprudence is based on little knowledge of the nature of things, cosmic facts, and social laws.<sup>2</sup> Which was possible for Muslims to realize at that time. As for today, everyone knows what the matter of the world is in terms of the prosperity and expansion of the various sciences, which is why it is necessary to review the matter of Islamic jurisprudence and build it new on the basis of what is available at this time.<sup>3</sup> This is an important matter that must be considered, and therefore it must be reviewed, as must the places in which it manifests.

There are new sciences that have emerged that should be included in the sciences that make up the science of jurisprudence. And he works with it within himself from those sciences that should be included in it: sociology, natural science, and what was similar in guiding the mujtahid jurist to realize

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<sup>1</sup>M. Amin Abdullah, "Religion, Science, and Culture: An Integrated, Interconnected Paradigm of Science," *al-Jami'ah: Journal of Islamic Studies* 52, No. 1 (2014). M. Amin Abdullah, "Islam as A Cultural Capital In Indonesia and The Malay World: A Convergence of Islamic Studies, Social Sciences and Humanities," *Journal of Indonesian Islam* 11, No. 2 (2017). Moh. Fathoni Hakim, "Paradigma Integrated Twin Towers Dalam Studi Hubungan Internasional Kontemporer," *Journal of Integrative International Relations* 3, no. 2 (2017), p. 1–17.

<sup>2</sup> Mohd Sham Kamis, et. al., "Readiness of Understanding the Arabic Term in Usul Fiqh," *Journal of Education and E-Learning Research* 7, no. 1 (2020), p. 100–103. Nur Solikin and Moh. Wasik, "The Construction of Family Law in the Compilation of Islamic Law in Indonesia: A Review of John Rawls's Concept of Justice and Jasser Auda's Maqashid al-Shari'a," *Ulumuna: Journal of Islamic Studies* 27, No. 1 (2023).

<sup>3</sup>Fathullah Al Haq Muhamad Asni, "Al-Syatibi Approach in Fatwa Standardizations and Its Effect of Statesâ Fatwa Committee," *International Journal of Academic Research in Business and Social Sciences* 7, no. 4 (2017), p. 1175–1183.

the correctness of fully imagining the subject of his diligence.<sup>4</sup> And that some of the jurisprudential principles that have not been given much attention must be reconsidered to rely on them in deriving jurisprudential rulings for the emerging facts, as they appeared to be fertile and fruitful.

The development of science has had an impact on all human actions and on the development of societies in general. Man has a better understanding of reality, but at the same time, the complexity of this reality has revealed an ocean of areas that still require contemplation and discovery. This reversal naturally necessitates that scientists specialize with increasing precision according to the different scientific fields and even within each specific field. It is the case that the world of humanities, empirical, and exact sciences has become so complicated that the acquisition of knowledge has developed in such a tremendous way during the last century that it has become necessary to reconsider the nature of the relationship established by scholars between textual sources and social and scientific conditions.<sup>5</sup>

Contemporary legal science examines the problems of individuals and groups in their worship and affairs and manages their interests in accordance with sharia principles, it requires that it be based on two pillars: the first is the commitment to the approach of diligence and consideration according to the rules of extracting rulings from their evidence, and the second comes from a good reading of the reality in which the ruling will be applied in a way that achieves the purposes of the legislation. This requires the use of social and human sciences to give a more accurate and objective portrayal of the place of governance.<sup>6</sup>

It appears that there is an important relationship between the *ushul al-fiqh* and other sciences in general and the science of society in particular. There is also a relationship between it and medical science. The relationship between the *ushul al-fiqh* and medical practice is as follows: It is necessary to observe the rules and provisions of the Sharia and its noble etiquette in medical issues and emergencies, as in other matters of life. And the need of

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<sup>4</sup> Muhammad Shahrul Ifwat Ishak, et.al., "The 'Urf of Hibah on Deposits: An Analysis in the Light of New Trends in Islamic Financial Industry in Malaysia," *International Journal of Fiqh and Usul Al-Fiqh Studies* 5, no. 1 (2021), p. 74–81.

<sup>5</sup> H Y Ahmad Mujahideen, et. al., "Aplikasi Dan Kesan Kaedah-Kaedah Fiqh Berkaitan Fiqh Muamalat Dalam Perniagaan Islam: Satu Ulasan Application and Effect of Fiqh Rules Related To Fiqh Muamalat in Islamic Business: A Review," *Finance and Business (IJAFB) International Journal of Accounting, Finance and Business (IJAFB)* 6, no. 6 (2021), p. 64–72.

<sup>6</sup> Adlin Zulkefli, et.al., "Application of E-Wallet : A Preliminary Analysis from the Shariah Perspective," *International Journal of Fiqh and Usul Al-Fiqh Studies* 3, no. 2 (2019), p. 98–105.

fundamentalists and jurists to visualize medical issues and emergencies from the side of specialists, because the ruling on something is a branch of their perception. What the legal fatwa requires is knowledge of the patient's licenses and the provisions related to purity, prayer, fasting, pilgrimage, and other acts of worship in cases of illness of all kinds, as well as knowledge of the provisions related to marriage and its medical contraindications, pregnancy and its defects, and abortions.<sup>7</sup>

Likewise, the relationship between *ushul fiqh* and astronomy to determine the entry of the months of Ramadan and Shawwal or the new moon (*hilāl*).<sup>8</sup> Thus, the problem of carrying out the Hajj pilgrimage from *istiṭā'ah* (ability), placement (*badal*), is analyzed using the science of *ushul fiqh* so as to obtain conclusions in accordance with the rules of Islamic law. involving other sciences such as sociology, anthropology, and other sciences to realize the goals of Islamic law for human benefit.<sup>9</sup>

Fatwas of the Indonesian Scholars Council contain several areas according to the issues that occurred in society and need to explain their ruling. Among them is a social issue that comes out of fatwas in the social field. The multidimensional *ushul al-fiqh*, the principles of integrated jurisprudence in the social field, have a major role in analyzing fatwas in the social field.<sup>10</sup> Based on the background of the previous research, the researcher presents the following two research questions: What is the importance of the social sciences for the multidimensional *ushul al-fiqh*? How to analyze the fatwas of *Majelis Ulama Indonesia (MUI)* from the perspective of the multidimensional *ushul al-fiqh*?

This research is considered to have a high novelty because no previous research has revealed multidimensional *ushul fiqh* studies. Abd. Razak discusses legal phenomena that live in the community such as traditions, Hajj, marriage, and inheritance using *ushul fiqh* studies that rely on texts, while *'urf*

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<sup>7</sup> Ratna Wijayanti and M Meftahudin, "Kaidah Fiqh Dan Ushul Fiqh Tentang Produk Halal, Metode Istinbath Dan Ijtihad Dalam Menetapkan Hukum Produk Halal," *International Journal Ihya' 'Ulum Al-Din* 20, no. 2 (2018), p. 241–268.

<sup>8</sup> Muhammad Hasan, "The Interaction of Fiqh and Science in the Dynamics of Determining the Beginning of the Hijri Month in Indonesia," *Journal of Islamic Law (JIL)* 4, no. 2 (2023).

<sup>9</sup> Roswati Nurdin and H. Rajab, "The Practice of Hajj Substitution in Indonesia: The Search for Legal Certainty through Usul al-Fiqh Approach," *al-Risalah: Forum Kajian Hukum dan Sosial kemasyarakatan* 22, No. 2 (2022). Nursyirwan Bustanul Arifin, et.al., "The Shifting Meaning of Istiṭā'ah in Performing Hajj for the Bone People in the Perspective of Islamic Law," *Samarah: Jurnal Hukum Keluarga dan Hukum Islam* 7, No. 3 (2023).

<sup>10</sup> Nasiri Nasiri, "The Perfect Performance of Tariqat Al-Mutakallimin According Fakhruddin Al-Razi Perspective," *International Journal of Islamic Thought and Humanities* 2, no. 1 (2023), p. 56–64.

(tradition) is only supporting.<sup>11</sup> *Ushul fiqh* has established its methodology by scholars such as ihtishan, 'urf, *maslahah mursalah*, including the development of social science.<sup>12</sup> Using *ushul fiqh* as an analytical tool requires a study of the text as a basis and modern science to prove it.<sup>13</sup> *Ushul fiqh* is a relevant contextualization methodology used in the modern era, but combining all approaches is a big mistake if it is implemented incorrectly.<sup>14</sup> Therefore, all of these studies used only one approach in *ushul fiqh* to solve contemporary problems. This research uses multidimensional *ushul fiqh* as an interconnected integration that combines all approaches, which can be seen from the fatwas of the Majelis Ulama Indonesia (MUI).

This research is one of the categories of library research on the formulation of multidisciplinary *ushul al-fiqh* in the elicitation of rulings. Therefore, data collection depends on library sources. The sources used in this research include primary and secondary sources. The primary sources are fundamentalist books and the social and medical sciences.<sup>15</sup> To analyze the collected data, the researcher uses an inductive and textual approach. The textual approach is used by the researcher in analyzing books on the fundamentals of jurisprudence and the social and medical sciences in deriving rulings. As for the inductive approach, it is used to analyze the role of the *ushul al-fiqh* and the social and medical sciences in arbitrating various contemporary issues, so that the *ushul al-fiqh* are multidisciplinary.

### The Importance of the Social Sciences to the Multidimensional *Ushul Al-Fiqh*

The contemporary jurist's familiarity with the auxiliary areas that help in the process of *ijtihad* enables him to activate rulings and give a clearer

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<sup>11</sup> Muhd Imran Razak, et. al., "Analisis Isu-Isu Hukum Islam Berkaitan Wanita Dalam Fiqh Jihad Aliran Ekstremisme Agama," *UMRAN - International Journal of Islamic and Civilizational Studies* 6, no. 1 (2019), p. 63–78.

<sup>12</sup> Khairudin Shaary and Mohammad Amir Wan Harun, "Amalan Rukhsah Sembelihan Ahli Kitab Menurut Yusuf Al-Qaradawi Dalam Kitab Al-Halal Wa Al-Haram Fi Al-Islam," *BITARA International Journal of Civilizational Studies and Human Sciences* 3, no. 1 (2020), p. 22–31.

<sup>13</sup> Khairil Azmi Nasution, "The Urgency of Fiqh Rules in Islamic Civil Law," *International Journal Reglement & Society* 1, no. 1 (2022), p. 116–23.

<sup>14</sup> Nabil Bello et al., "Maqaid Al-Shariah and the Online Banking System: Implications for Service Delivery," *International Journal of Fiqh and Usul Al-Fiqh Studies* 1, no. 1 (2017), p. 91–99.

<sup>15</sup> Munir Fuady, *Metode Riset Hukum: Pendekatan, Teori dan Konsep*, Jakarta: Rajawali Press, 2018. Burhan Bungin, *Penelitian Kualitatif: Komunikasi, Ekonomi, Kebijakan Publik, Dan Ilmu Sosial Lainnya* (Jakarta: Kencana Prenada Media Group, 2018), p. 12-18.

perception of jurisprudential theories. It also does not fulfill the purpose of diligence by merely using modern means to renew the knowledge kit and sharpen the communicative ability without familiarity with the oriented and influential disciplines in society and with the process of elicitation.<sup>16</sup>

Most of the events of contemporary ijtihād are complex phenomena or composed of a group of complex phenomena, and in order to understand them, using and employing the appropriate cognitive tools and within an appropriate methodology with those phenomena is necessary.<sup>17</sup> This is what often requires the use of multiple approaches that help to understand the incident that is the subject of jurisprudence.

Among the sciences that have a great presence in diligent matters are sociology and social psychology. Ijtihādī facts outside the field of worship are mostly social facts, and their understanding requires benefiting from sociology and social psychology, as sociology takes care of the study of society and social behavior through the study of groups. Institutions, structures, social systems, policies, organizations, social processes, social systems, and others. Therefore, it is said that the results of social research help different groups of educators, managers, those interested in solving social problems, jurists, social makers, economics, education, and culture. As for social psychology, it is concerned with the study of social behavior by following up on the psychological characteristics of groups, patterns of social interaction, and reciprocal influences between individuals.<sup>18</sup>

Through this, he seeks to build a better society by understanding the behavior of individuals and groups. As for the second stage, which is the application of the Sharia ruling on the incident, it in turn needs to note multiple considerations in terms of psychological, social, political, economic, cultural, and others. This requires that all these considerations be taken into account in a precise and objective manner so that the Sharia ruling comes into its proper place and achieves the required justice. In this matter, it is inevitable to seek the help of psychological and social considerations provided by both sociology and social psychology.<sup>19</sup>

If a jurisprudential judgment is based on qualified qualifications in the mufti based on knowledge of legal rulings and contemporary issues, then the

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<sup>16</sup> Zulkefli, Rusmadi, and Aziz, "Application of E-Wallet: A Preliminary Analysis from the Shariah Perspective."

<sup>17</sup> Wijayanti and Meftahudin, "Kaidah Fiqh Dan Ushul Fiqh Tentang Produk Halal, Metode Istinbath dan Ijtihad dalam Menetapkan Hukum Produk Halal."

<sup>18</sup> Nasution, "The Urgency of Fiqh Rules in Islamic Civil Law."

<sup>19</sup> Fathullah Asni, "The Role of Mura'ah Al-Khilaf Epistemology in the Standardisation of Fatwa: An Analysis at the Perlis State Mufti Department," *International Journal of Academic Research in Business and Social Sciences* 11, no. 10 (2021).

mufti must differentiate between deduction and revelation. As the deduction is based on the jurisprudence of abstract and general texts and ends with the fundamentalists determination of the legal ruling stripped of the dependencies, which is what Al-Shatibi called the "original requirement" of the rulings before the accidental parcels, such as the ruling on the permissibility of hunting, selling, and renting, As for the revelation, it is based on understanding the catastrophe and its reality, so each catastrophe with its reality is a single case that may not resemble any precedent, regardless of its gender or type.<sup>20</sup>

Accordingly, the jurisprudential process requires good jurisprudence of the reality affecting the jurisprudential preference because the fatwa is built on the basis of reality, and thus it needs to achieve the general and specific areas. The jurisprudence of the required reality does not deviate from obtaining a deep understanding of what people's lives revolve around and what obstructs and directs them. It depends to a large extent on discovering the laws of socialization and urbanization and understanding the intellectual conditions and factors influencing them. From here, we have seen that the jurisprudence of reality includes the following matters : a) recognizing natural environmental influences as a major determinant and directive of people's lives; b) the jurisprudence of social movements of all kinds, considering the ties that bind people; c) exploring the depths of the human soul, considering the human being the pivot and the basis of this existence.<sup>21</sup>

Thus, the social sciences are considered one of the most important tools for understanding lived reality and understanding calamity and its surroundings, and the importance of the social sciences in jurisprudential consideration is highlighted based on the following considerations:<sup>22</sup>

1. Contemporary reality has witnessed profound transformations and major challenges in the cultural, political, social, economic, and social sciences fields, with their abundance of studies and theories, which are considered the best way to control the jurisprudence affected by reality in order to apply the appropriate rulings to it. If we accept that the mujtahid is the son of his era and his environment And that the diligence to extend the religion to the reality of the people and to correct their paths with its approach must

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<sup>20</sup> Hayatullah Laluddin, "Maslahah's Role as an Instrument for Revival of Ijtihad," *International Journal of Islamic Thought* 8, no. 1 (2015), p. 27–34.

<sup>21</sup> Irwan Habibi Hasibuan, et.al., "The Effect of Religiosity and Maslahah Orientation on Halal Awareness, Satisfaction And Loyalty of Consumers of Halal Labeled Food," *International Journal of Science and Society* 3, no. 2 (2021), p. 154–175.

<sup>22</sup> Chablullah Wibisono, et.al., "Influence of Local Tax and Zakat Infaq Maslahah through to Regional Income (Overview of New Trends in Sustainable Development)," *International Journal of Financial Research* 10, no. 4 (2019).



take into account the data of the era and the problems of the people, who are the subject of the Shari'a rule.

2. The social sciences are considered means for revealing reality. Knowledge of human reality requires the use of a number of means of knowledge that reveal the different aspects of the nature of human action in itself, the details of its events, its direct and indirect motives and causes, and the effects and results that arise from the action. The summary of human and social knowledge should be used to explore the reality of human reality.
3. Islamic legislation has constants and variables, and Islamic history is continuous and governed by social or cosmic phenomena that give social life its various forms, and those social and cosmic phenomena are formed from the constant and the variable To other names 19.
4. Sociologists are interested in explaining the meaning of social relations with a statement of roles and positions, noting that the nature of Western society differs from the nature of Muslim society. Gold and silver, their choice in ignorance is their choice in Islam if they are jurisprudent. The mufti should note this feature, and others such as communication and compassion, the organic entity of the Muslim community, and tolerance in social dealings, when addressing the issue of fatwas on issues brought before him.
5. Social theories benefit the Mufti in applying the ruling to the facts presented to him. For example, we find the theory of Odin Sandland, which he brought out in his book "The Principles of Criminology. It was one of the most famous theories in criminology in the year 1939 AD. It considers the individual as part of the group to which he belongs, and therefore he adopts All its attitudes, behaviors, and directions, and from here he learns from her hatred of the law or her lack of respect for it, so he violates the law whenever he has the opportunity, based on his perception that this act is familiar to his group and is not reprehensible.
6. In dealing with the emerging issues in his hands and before pronouncing the verdict he reached in, the mufti must make sure of the correctness of his extraction of the inferences of the texts by the well-known methods of inference, the integrity of his adaptation of the facts, and his testing of the effects of the fatwa, because every jurisprudential ruling has an effect in reality. There is no doubt that adapting the incident and testing the impact of the fatwa are two broad areas for investment in the social sciences.<sup>23</sup>

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<sup>23</sup> Tengku Fatimah Muliana Tengku Muda, et.al., "Protecting the Spousesâ Interest (Maslahah) in Cases of Defects through the Application of the Islamic Principle of Harm," *International Journal of Academic Research in Business and Social Sciences* 7, no. 4 (2017), p. 89–90.

7. The social sciences help to better download the divine intent on reality, and this is not possible except with these sciences with all their branches, which are related to human life from the facts that the mind has discovered, which helps to define the aspect of the divine intent among several possibilities, so it directs the diligent consideration and accordingly leads to Rationalizing religiosity by judging sound understandings in the social sciences.
8. In the era of the Companions and the great jurists before the era of codification, the people of theories and fatwas relied in their knowledge of the calamities on the knowledge of reality, so they combined religious knowledge with the legal sciences and realistic knowledge with the social sciences. The two knowledges were disrupted together, and a real crisis arose, represented in the difficulty of downloading the immortal text of revelation to the complex and changing reality of people, and what made matters worse.<sup>24</sup>
9. The fundamentalist methodology based on the analysis of the text alone does not enable us to properly study the contemporary issues that are characterized by intertwining and complexity, just as the obsession with "normative theory" that dominates the diligent approach would deny these sciences and the inability to provide effective solutions to the problems and issues of the age.<sup>25</sup>

On the other hand, we see that the immersion in descriptive and textual studies and the reliance on the verbal approach and the sciences related to the text, and neglecting the social sciences and not paying attention to them, led to an inflation of the jurisprudence of worship with a failure in the jurisprudence of transactions, or in other words, the atrophy of the jurisprudence of life, transactions, economics, politics, and work, just as the shackles of the social sciences with value judgments affected their social character.

There are two important issues in jurisprudence that should not be overlooked in any process of jurisprudence. The first issue is that the methodology that deals with the text in a manner that exceeds dealing with the objective reality is a Petra methodology that cannot remove the appropriate judgment for the incident in question. As for the second issue, it is that the

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<sup>24</sup> Sudarmawan Samidi, et.al., "The Role of Maqasid Al-Shariah and Maslahah in Ethical Decision Making: A Study of Professionals in Indonesia," *International Journal of Business Studies* 1, no. 2 (2018), p. 85–92.

<sup>25</sup> Nizaita Omar and Zulkifly Muda, "The Application of the Rule of Istihsan Bi Al-Maslahah (Juristic Preference by Interest): A Practical Approach on Some Medical Treatment," *International Journal of Academic Research in Business and Social Sciences* 7, no. 5 (2017), p. 231.

jurist, when focusing on the incident subject to *ijtihad*, should not be unaware of the social effects that result from his *ijtihad*. This is because unstudied jurisprudence leads to adverse effects in many cases. It seems that this matter is due to taking the individual and personal dimensions of the legal rulings without the social dimensions of them, as many of those who deal with fatwas tend to downgrade the social rulings (transactions in the general sense) to the status of devotional rulings (worship), so they fall into the problem of the negative effects of their fatwas on social reality.<sup>26</sup>

In order to avoid some of the caveats that affect the soundness of jurisprudence when dealing with human and social knowledge, the following controls should be observed:<sup>27</sup>

1. The need for the jurist to be aware of the constants of the Islamic conception of man, society, and existence based on established Islamic principles.
2. Avoiding value judgments in the study of social phenomena without rejecting Islamic values and studying these phenomena in a scientific study aimed at monitoring the psychological, social, educational, and other problems of Muslims and describing them accurately to develop strategies for each Islamic society according to the circumstances of each society.
3. Adopting the Noble Qur'an and the authentic Sunnah of the Prophet as references in issues of belief, behavior, values, morals, and behavior to benefit from the human heritage in these sciences, on the grounds that it is a common heritage without blind imitation in all theories, and without reducing social knowledge to certain personalities such as Freud and Durkheim. And "Marx", the disciplines of psychology alone have so far reached fifty majors, and the age of the American Psychological Association is more than a century, and all of them are recruited to serve man and society.
4. Knowing that the results provided by the social sciences do not require generalization, as many of them are relative, and in the field of sociology in particular, it is common that these sciences are subject to the dominance of Western indicators and contain a great deal of bias in thought and reality, For this reason, many of those interested in reforming the sciences and reformulating them according to the correct Islamic perception agreed.

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<sup>26</sup> Mahyudin Ritonga et. al., "The Drug Addicts Rehabilitation: On Perspective of the Maqashid Shari'ah and Law Basic Principle Raja Ritonga Sekolah Tinggi Agama Islam Negeri Mandailing Natal The Drug Addicts Rehabilitation: On Perspective of the Maqashid Shari'ah and Law Basic Princip," *International Journal of Advanced Science and Technology* 29, no. 4 (2020), p. 2837–2845.

<sup>27</sup> Juswandi Juswandi, "The Urgency of Jurisprudence in Actualization Islamic Law," *PENA LAW: International Journal of Law* 2, no. 1 (2023), p. 1–9.

5. There is no doubt that Western social sciences developed within the Western civilized framework and were linked to the rational definitions formulated by "Descartes", as well as to Bacon's abstraction, Comte's positivism, and Hegel's idealism. In this way, we find that the social sciences contain a degree of bias, whether in their philosophical dimensions, in their theory, or in their practical applications, and the conclusions that they reached and formulated in the form of scientific laws that the West is trying to generalize and impose as unified models for study and analysis. The bias for Western reference is strongest in the social sciences, which seem more influenced by the philosophical and theoretical backgrounds of their founders.
6. Not taking risks in interpreting the texts of the Qur'an and the Sunnah of the Prophet with the conventions that occurred in psychology and sociology because the texts of revelation are above the jurisprudence of human beings that are not subject to doubt, including what one of them went to, saying: "We do not see in this regard any disagreement or discrepancy between what he calls for." Modern psychologists and what the Great Qur'an refers to didn't he mean by the unconscious: the soul that leads to evil? Isn't it meant by the sense of self-reassurance? The superego is also self-blame. There is no contradiction, then, between the Qur'an and psychology in their view of the human soul, although the first has a closer look that is more general and comprehensive than the second. There is no doubt that such a proposition calls for scientific reservations first of all. On the one hand, we see that the writer has reduced all psychology to the theory of psychoanalysis, and on the other hand, he interpreted the Qur'anic texts with phenomena in psychology without evidence, and there is no doubt that such an approach is not what is intended. For the benefit of the Mufti from the social sciences, The Mufti should familiarize himself with the principles presented by social planning experts that help determine the importance and seriousness of the problems so that a basis can be reached for determining the priorities among them.
7. The Mufti should familiarize himself with the principles presented by social planning experts that help determine the importance and seriousness of the problems so that a basis can be reached for determining the priorities among them.<sup>28</sup>

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<sup>28</sup> M. Shabri Majid, Abd. Abd et al., "A Study of Literature: Cryptocurrency of Syariah Perspective," *International Journal of Economic, Business, Accounting, Agriculture Management and Sharia Administration (IJEBA)* 1, no. 2 (2021), p. 417–428.

### The Fatwas of MUI in the Social Field from the Perspective of the Multidimensional *Ushul al-Fiqh*

Every December, Christians celebrate Christmas Day, which falls on December 25th. To welcome the celebration, several corner shops and supermarkets are decorated with knick-knacks related to Christmas. The mass media did not want to be left behind in enlivening the celebration by broadcasting special Christmas programs.<sup>29</sup> According to Christian faith, Christmas celebrations are held in order to commemorate and live up to the birth of 'Isa al-Masih (Jesus Christ). Christians believe in Jesus as God's child who was born from the holy womb of Mother Mary. This is different from Islam, which considers Prophet Isa as one of the Apostles who is also an ordinary human being. Theologically, the Christian faith in Prophet Isa a.s. is of course very much contrary to Islamic law, which believes that Prophet Isa was not God, nor was he the son of God who was born into the world, but one of the many Prophets sent by Allah SWT, as emphasized in Al-Qur'an Surah Al-Maidah, verse 75.<sup>30</sup>

Some Muslims misinterpret the celebration of Christmas by thinking it is the same as the celebration of the Birthday of the Great Prophet Muhammad. This misunderstanding led some Muslims to attend Christmas celebrations and sit on Christmas committees under the pretext of religious tolerance. Yet, from a traditional perspective, the celebration of Christmas is worship.<sup>31</sup> For this reason, the MUI Fatwa Commission stipulates that Christmas in Indonesia, although there are those who regard it as a tribute to the Prophet Isa, is still difficult to separate from the Christian rituals of worship. So in the fatwa, participating in the Christmas ceremony together for Muslims is unlawful. For this reason, the MUI advises Muslims not to fall into doubt and violate Allah SWT's prohibitions by participating in Christmas activities.<sup>32</sup>

The fatwa that it is forbidden to participate in Christmas celebrations together is based on information from the Qur'an, the hadith of the Prophet SAW, as well as *q'idat al-fiqhiyyah*. The MUI appears to be very careful when

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<sup>29</sup> M. Shabri Abd. Majid et al., "A Study of Literature....", p. 299–308.

<sup>30</sup> Erma Nurdaningsih et al., "Method of Lecture and Discussion: Increasing Islamic Understanding," *International Journal of Scientific Multidisciplinary Research* 1, no. 2 (2023), p. 97–106.

<sup>31</sup> Nur Hidayat and Wahyu Abdul Jafar, "Ijtihad From Friends Of The Prophet Muhammad In Making Justice Law," *International Journal of Educational Research & Social Sciences* 2, no. 1 (2021), p. 111–117.

<sup>32</sup> Rose Ruziana Samad and Zurina Shafii, "The Realization on Maqasid Al-Shariah and Maslahah Concepts in Cooperative Governance Practices," *International Journal of Advanced Research in Economics and Finance* 3, no. 4 (2021), p. 45–54.

establishing a joint Christmas Celebration fatwa by first explaining the differences between fellow believers in worldly matters and those related to worship and faith. The determination of this fatwa is intended as a clear guide regarding the Joint Christmas Celebration so that there is no mixing of faith and worship between Islam and Christianity without reducing the importance of inter-religious harmony in Indonesia.

In principle, this fatwa explains the permissibility of Islam to cooperate and mingle with people of other religions on worldly matters. This, among other things, is based on the word of Allah in Surah Al-Hujurat/49, verse 13:

يَا أَيُّهَا النَّاسُ إِنَّا خَلَقْنَاكُمْ مِنْ ذَكَرٍ وَأُنْثَىٰ وَجَعَلْنَاكُمْ شُعُوبًا وَقَبَائِلَ لِتَعَارَفُوا إِنَّ أَكْرَمَكُمْ عِنْدَ اللَّهِ أَتَقْوَاهُ إِنَّ اللَّهَ عَلِيمٌ خَبِيرٌ

Meaning: "O people, indeed, We created you all from a male and a female, and We made you all nations and tribes so that you may know one another. Verily, the most honorable among you in the sight of Allah is he who fears Allah. Surely Allah is All-Knowing, All-Knowing." (Q.S. Al-Hujurat/49:13).

On the other hand, Muslims are also prohibited from mixing their faith and worship with the faith and worship of other religions. This is based on the word of Allah SWT in QS. Al-Kafirun/109 verses 1-6 and Surah Al-Baqarah/2 verse 42. In addition, Muslims must acknowledge the prophethood and apostleship of 'Isa Al-Masih ibn Maryam as their confession to other Prophets and Apostles, based on the word of Allah SWT in Surah Maryam/19, Surah Al-Maidah/3: 75, and Surah Al-Baqarah/2: 285. Furthermore, whoever believes that God is more than one and/or has a child named 'Isa Al-Masih, then that person becomes a disbeliever and polytheist, based on Allah's word.<sup>33</sup>

On the day of Resurrection, Allah will ask the Prophet 'Isa a.s. whether he, when in the world, ordered his people to acknowledge himself and his mother (Maryam) as God. Later, the Prophet 'Isa will answer, "No". This is based on the word of Allah in Surah Al-Maidah/5: 116–118. Islam teaches that Allah is the One and Only.<sup>34</sup> This is contained in Surah Al-Ikhlash 112: 1-3. In addition, Islam teaches its followers to stay away from things that are doubtful and prohibited by Allah. In addition, Islam teaches its followers to stay away from things that are doubtful and prohibited by Allah. Islam also

<sup>33</sup> Asni, "Al-Syatibi Approach in Fatwa Standardizations and Its Effect of Statesâ Fatwa Committee."

<sup>34</sup> Razak, Abd et al., "Analisis Isu-Isu Hukum Islam Berkaitan Wanita Dalam Fiqh Jihad Aliran Ekstremisme Agama."

teaches that its people always prioritize efforts to resist damage rather than taking benefit from something, as in the *fiqhiyah* rule: “*dār al-mafāsīd muqaddamu ‘ala jalb al-masālih*” "Rejecting the damage must take precedence over attracting benefits".

When viewed from the perspective of the argument, the MUI fatwa regarding the prohibition of Christmas Together uses a textual and *manhaji* approach using fiqh rules as an implementation of the *sadd adz dzari'ah method*, which aims to prevent the mixing of Islamic beliefs with other religious beliefs. The style of *ijtihad* in is easy, namely drawing legal conclusions from laws that have not been put forward by previous scholars, choosing a new opinion on certain issues that were not discussed before, or drawing alternative conclusions on issues that were disagreed with by previous scholars. In determining the fatwa for the prohibition of joint Christmas celebrations, no quotations from the opinions of previous scholars were found, considering that this issue is a contemporary phenomenon that in the past was not as well known as it is in today's society.

## Conclusion

The social sciences complement the evidence of fundamentalist rulings in realizing the natural environmental influences as a fundamental determinant and a major guide for people's lives; and the jurisprudence of social movements of all kinds, considering the ties that bind people; and exploring the depths of the human soul, considering the human being the pivot and the basis of this existence, so that the rulings derived from them are in agreement and conformity according to social issues. Based on the theory of *Ushul Fiqh*, there is an integration between Islamic law and the social sciences. This can be seen from the fatwas of the Indonesian Ulema Council in the social field, which are based, among other things, on social sciences as well as fundamentalist principles such as the texts of the Koran and the Sunnah of the Prophet, the flower of messengers, and the strength of their pretexts. This is proven by the fatwa on massage parlors and the sending of female workers abroad. Among them there are those who are more inclined to adhere to fundamentalist principles rather than paying attention to social sciences, such as fatwas on marriages between different religions and Christian birth celebrations.

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