

The Role of the MUI Fatwa Commission in Providing Solutions to Religious and Social Problems

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ABSTRACT

The development of science and technology affects people's lives, including in the field of law, especially for Muslim communities. Although they have legal guidance in the Qur'an and Hadith, the need for clerical guidance remains important. This research uses a qualitative method and literature study approach to understand the role of the Fatwa Commission in the Indonesian Ulama Council (MUI). Data was obtained from scholarly literature, with the aim of understanding existing information and identifying knowledge gaps that can be filled. MUI, through its fatwa commission, provides guidance on Islamic law using the *ijtihad* method. The fatwa commission has a key role in providing legal guidance that is relevant and applicable to the lives of Muslims in Indonesia.

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INTRODUCTION

Indonesia is the world's largest Muslim country. Nasionalism is the main character of the nation that is deeply rooted in life (Ma'mur, 2018). MUI's fatwa is very important for Muslims, MUI's fatwa is also an inspiration and a source of guidance for laws. The fatwa issued by MUI is due to a request or question from the community or institution (Helfnil, 2017). Majelis Ulama Indonesia is an organization which in conducting the socialization of the results of MUI's fatwa must implement a strategy so that the implementation can be accomplished properly for the general purpose. In socializing fatwa myu stratelgil komunikasi MUI is very dilpelrlukan so that lelbilh society easily melmahamil or melngeltahuil what iltu fatwa MUI, dil Elra Telknologi yang canggilh ilnil most people do not know that MUI tell melngell mengeluarkan fatwa mellaluil welbsiltelnya. It is because of this that makes MUI's fatwa less elfelktilf and rellelvan in the middle of society and those who know MUI's fatwa are the only ones who want to find out the information about MUI (Malinda, et al. 2023). The development of science and technology that is increasingly accelerating in life, such as in the medical, social and economic sectors, has had a significant impact on the course of life today, including the legal sector. The Muslim community is also part of the life of this world, so it will experience. (wahyudi, 2018) In legal matters, Muslims already have guidelines in the form of Al Hadith, but laymen cannot immediately take the law without direction from the experts. Therefore, it is necessary for the role of ulama as a figure who guides and where people ask. As Allah commands in the Qur'an surah An Nahl verse 43:

وَمَا أَرْسَلْنَا مِنْ قَبْلِكَ إِلَّا رَجَالًا نُوحِي إِلَيْهِمْ فَاسْأَلُوا أَهْلَ الذِّكْرِ إِنْ كُنْتُمْ لَا تَعْلَمُونَ

“And before thee also the apostles We sent were but men, to whom We granted inspiration : if ye realise this not, ask of those who possess the Message”.

Indonesia as a pluralistic country, of course, new problems will arise continuously as the life of the world develops, of course not all problems are in the Qur'an and Hadith of the prophet shallahu alaihi wa salam, so to answer these problems, the Indonesian Ulema Council was established as an institution and forum for gathering Indonesian scholars together with Muslim scholars and zu'ama (leaders) in enlightening the people. (wahyudi, 2018)

MUI was established with the aim to make the best society (Khairu ummah) and create a country that is peaceful, just and pleased by Allah ta'ala. So, the function of MUI is an institution that has the right to provide fatwa for every problem or issue that develops and occurs in society through its fatwa commission. (firmansyah, 2019)

Fatwa is a product of Islamic fiqh law that requires ijtihad. Ijtihad is used to identify problems and clarify the shar'i arguments that discuss certain issues. As the characteristic of Islam is convenience and suitable in any time and place (shalih li kulli zaman wa makan). (Rahman, 2016)

So from the above problems, a red thread can be drawn to formulate the problem, namely how is the role of the fatwa commission in the Indonesian Ulema Council.

RESEARCH METHOD

This research is a type of qualitative research that is a library study or library research. In this research, the main sources used are books and other literature (Hadi, 1995: 3). The research method applied is qualitative, which produces information in the form of notes and descriptive data contained in the text under study (Mantra, 2008: 30). Or a study carried out to solve a problem that is basically based on a critical and in-depth study of relevant library materials. The data used includes a number of scientific literature in the form of journal articles and books. In addition, secondary research data is obtained from various scientific literature relevant to the subject matter discussed in this scientific work.

The purpose of this research is to understand and evaluate existing information in a special field, as well as recognize knowledge gaps that can be filled through new research. Qualitative research with a literature study approach is generally carried out by reading, collecting, and analyzing data from written sources that are relevant to the research topic. The data obtained is then analyzed descriptively and interpretatively to produce new knowledge and conclusions that can be applied in a particular domain.

RESULTS AND DISCUSSION

1. History Of MUI

The Indonesian Ulema Council (MUI) is an independent institution that accommodates zu'ama, and Islamic scholars to guide, foster, and protect Muslims in Indonesia. MUI was established on 17 Rajab 1395 Hijri or July 26, 1975 AD in Jakarta, Indonesia. (firmansyah, 2019) The vision carried out by MUI is "The creation of good conditions of social life, nationality and statehood as a result of raising the potential and participation of Muslims through the actualization of the potential of ulama, zu'ama, and Muslim scholars for the glory of Islam and Muslims (izzu al-Islam Wa al-Muslimin)".

In its duties, MUI, among others, provides fatwa and advice on religious and social issues to the government and the people in an effort to improve national resilience, strengthen ukhuwah Islamiyah and implement inter-religious harmony in realizing unity and integrity, as well as being a liaison between ulama and umaro (government) and mutual interpreter between the people and the government. MUI is also non-political and non-operational.

Structurally MUI has four levels starting from the central level, level I which is the province, level II which is in the regency and city and sub-district level. MUI Center is located in the center of Jakarta capital city which is located at Jl. Proclamation number 51, Menteng, Central Jakarta MUI is protected under the auspices of the President of the Republic of Indonesia and has a board of consideration consisting of ministers who have a duty relationship with the MUI Center. (firmansyah, 2019)

This Central Indonesian Ulema Council has changed its chairman many times and held National Conference many times. Here are the chairmen of MUI from time to time, some have passed away and some are still active in the MUI movement in Jakarta.

1. Prof. Dr. Hamka (1977-1981)
2. KH. Syukril Ghosalil (1981-1983)
3. KH. Hasan Basril (1985-1998)
4. Prof. KH. Alil Yafilel (1998-2000)
5. KH. M. Sahal Mahfudz (2000-2014)
6. Prof. Dr. HM Diln Syamsuddiln (2014-2015)

7. Prof. Dr. KH. Ma'ruf Amin (2015-2020)

8. KH. Milftahul Akhyar (2020- selkarang)

2. MUI Fatwa

Etymologically, the word fatwa comes from Arabic Al-Fatwa, according to Ibn Mandzur the word fatwa is a mashdar form of the word fata, namely fatwan which means young, new explanation, lighting. (Ibn Mandzur, p. 145). This opinion is almost the same as the opinion of el-fayumi, as quoted by Ma'ruf Amin, who states that al-fatawa comes from the word al-fata, meaning a strong young man so that the person who issues the fatwa is called mufti, because the person has the strength to provide explanations and answers to the problems he faces as the strength possessed by a young man. Meanwhile, according to al jurjani, fatwa which comes from al fata or al futuya means an answer to or a problem in the field of law, so that fatwa in this sense means giving an explanation (Amin, M., 2008).

The Indonesian Ulema Council to carry out its duties as a protector of the community, especially helping the community to solve the problems that occur. Therefore, one of MUI's tasks is to issue and give Fatwa to the public. So that if one day there is a problem in the community then we as a society can follow the direction or fatwa of the Ulema Council.

Operationally, MUI has several commissions. 1) fatwa commission. 2) ukhuwah islamiyah commission. 3) commission of dakwah and development of Islamic society. 4) commission of education and fostering Islamic art and culture. 5) Commission of study and research 6) Commission of law and legislation. 7) Commission for the economic empowerment of the ummah 8) Commission for the empowerment of women, youth and families 9) Commission for informatics and mass media 10) Commission for religious harmony 11) Commission for foreign relations.

Fatwa Commission is a commission that is in charge of analyzing, discussing and formulating fatwa issues. This commission is called as the heart of MUI because its existence is always together with the existence of MUI Center since 1975. The fatwa commission always conducts scientific activities of scholars with the aim of discussing the problems of the ummah, of course, by looking at the condition of the development of the ummah, the demands and needs of society and the progress of science and technology. And to determine the commission's fatwa, it holds a meeting regularly and systematically. (Ma'mur, 2018)

Fatwa in language is explanation and illumination. While fatwa according to terminology is the explanation of shara' law related to the problem asked by a person or group (Ma'mur, 2018). It can be concluded that a fatwa is an explanation or explanation of a problem asked by a person or group which is then answered by a scholar or mufti.

To determine the fatwa of MUI fatwa commission based on the Qur'an, Hadith, Ijma' and qiyas which are the sources of law that are widely used by scholars. MUI fatwa guidelines have four basic legal provisions. First, every legal decision must have a legal basis in the Qur'an and Hadith that is mu'tabar and also must not conflict with the interests of the people. Second, fatwas that are not based on the Qur'an and Hadith should not contradict ijma', mu'tabar qiyas and other legal arguments such as istisham and others.

Thirdly, before deciding on a fatwa, whether it is a legal argument or the arguments of the parties who differ in opinion, it is necessary to check the income of the previous Imam of the Mazhab. In this case, if the legal material is different, then the way to achieve this is to look at the similarity of the "Ilal" and analogize it to the substantive law determined by the scholars of the Madzhab. If this is not possible, then the methodology of the Imam's Madzhab is used as an analytical knife to solve the problem. Fourth, MUI fatwas always pay attention to the opinions of experts on the topic under study. (Ma'mur, 2018).

Fatma Retrieval Method

The method of determining the law of the fatwa commission of the Indonesian Ulema Council (MUI) involves several approaches, namely the Nash Qathi'i approach, the Qauli approach, and the Manhaji approach. The following is an explanation of these methods (Hasan 2006):

1. Nash Qathi'i Approach:

Based on the principle of "Ni'matu dhalam ma'am" (all things of the world must be respected), this method emphasizes differences in opinion and personal judgment in dealing with issues of Islamic law.

2. Qauli Approach:

Based on the principle of "Akhir hadith hukum" (Islamic law is derived from the practice of prophets and speakers), this method examines various hadith relevant to the legal issue to reach a decision.

3. Manhaji (Au'l-Yahi) Approach:

Based on the principle of "The Law is the Son" (Islamic law is lahir from Allah SWT and not volunteered by the prophet), this method uses the principles of Islamic law given by Allah SWT to deduce the law.

In the process of fatwa determination, the MUI Fatwa Commission uses these methods simultaneously to reach a decision that is in line with *usul al-fiqh* (Islamic legal principles) and the particular context of the issue at hand. The final fatwa given by the MUI Fatwa Commission has general provisions, legal rulings, and other rulings on the answers to the issues raised.

CONCLUSION

The Indonesian Ulema Council (MUI) is an independent institution formed on July 26, 1975, with the aim of guiding, fostering, and nurturing Muslims in Indonesia. MUI has a hierarchical structure and has undergone a change of chairman since its establishment. MUI's main task involves providing fatwa and advice related to religious and societal issues.

MUI is not involved in politics and operations. The fatwa commission, as the core of MUI, has an important role in reviewing and formulating religious fatwas. Fatwas are issued based on the principles of Islamic law, such as the Qur'an, Hadith, *Ijma'*, and *qiyas*.

Fatwa making involves the *Nash Qathi'i*, *Qauli*, and *Manhaji* approaches simultaneously to reach a decision that is in accordance with the principles of Islamic law and the context of the issue at hand. MUI's fatwa has high credibility, is considered binding, and is integrated in legislation. Understanding and following the fatwa is considered important in the lives of Muslims in Indonesia.

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