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**Typologies of the *Fiqh* Conception in the Covid-19 Pandemic Era
(Exploration on Religious Views and Attitudes of *Kyai*-in mosques of North
Coast of Java)**

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Abstract: This study aims to analyze the dynamics of the *fiqh* conception of the *kyai* and their congregations in the act of worship in the mosque. The practice of worship during the Covid-19 pandemic shifted in patterns and choices of *kyai* schools of thought after the MUI fatwa, which issued regulation regarding the temporary abolition of Friday, Eid prayers, tarawih, and the use of masks, hand sanitizers, and social distance (distanced rows) in the congregation of 5 daily prayers and religious activities in the mosque. This diversity is interesting to explore because these various conceptions of the acts of worship give negative impacts on intra-religious harmony. There are signs of socio-religious conflict, distrust of certain community leaders, symptoms of disharmony, disbelief in other parties in the public sphere, and social media. This socio-religious dialectical context is encountered by the *kyai*, leaders and communities on the northern coast of Central Java, especially in Pati Regency and Semarang City. This is qualitative research using multi-disciplinary methods regarding normative analysis of Islamic law and socio-anthropology. Data was collected through interviews with *kyai* and community leaders, observation and documentation. Data validation was carried out through triangulation, as well as descriptive-qualitative analysis, through reduction, data presentation, and drawing conclusions. The findings of this study are as follows: first, the dynamics of a new conception of *fiqh* as a result of the Covid-19 pandemic amid various MUI and government policies through the implementation of health protocol. Second, four typical new conceptions of *fiqh* were found for *kyai* and the public during a pandemic. The diversity of this community typology can be seen from their worship behavior and religious actions. Typical of the first group is ‘normative’ whose written texts are understood in literal sense about the pandemic jurisprudence and are very strict about implementing health protocol. The second is the ‘moderate group’ who is flexible in conceptualizing the *fiqh*

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of pandemic and carrying out health protocol. Third, there are 'liberative-ignore' groups who are liberal in understanding fiqh during the pandemic, and they do not pay much attention to the health protocol. Typical of the fourth group, the 'skeptics' who do not believe in the presence of the covid-19 pandemic, even among this group there are those who think that covid is just a power politics engineering.

Keywords: Fiqh Covid-19, Typology of the Muslim clerics, Mosque in Coastal areas of Java.

Abstrak: Penelitian ini mengikhtikarkan penelurusan atas dinamika perkembangan pemahaman fiqh ibadah para tokoh ulama beserta jamaahnya dalam mengimplementasikan berbagai tindakan ibadah, baik salat berjamaah 5 waktu, jumatan, tarawih, hingga berbagai majelis keagamaan di masjid selama musim Covid-19. Perbedaan ini menarik untuk diteliti, karena dampak dari keragaman ini adalah munculnya gejala konflik sosial keagamaan, distrust kepada tokoh kalangan tertentu, hingga gejala baru disharmoni akibat dari keberbedaan pilihan mazhab dalam bentuk saling mengolok-olok, hingga mengkafirkan muslim lainnya baik dalam ruang publik maupun media sosial. Tulisan ini mencoba menjawab kegelisahan ilmiah tentang akar keragaman pandangan dan tipologi fiqh yang dinamis di kalangan masyarakat pesisir utara Jawa Tengah yang difokuskan pada masyarakat Semarang, Pati dan sekitar. Pada tahapan selanjutnya tipologi pemahaman tokoh dan masyarakat ini ditelusuri pula basis rujukannya dari sumber-sumber hukum Islam khususnya dari pendapat imam mazhab yang kemudian tersistematika istilah fiqh pandemi Covid 19. Kedua hal ini kiranya menjadi salah satu kontribusi ilmiah atas kegelisahan umat Islam dengan segala pilihan-praktek ibadah mereka, sehingga berdampak pada ketenangan spiritualitas terkurangi social-conflict masyarakat yang terdampak wabah covid-19 khususnya aspek ekonomi dan pendidikan. Penelitian ini menggunakan pendekatan kualitatif dengan metode multidisipliner pada analisa normatif hukum Islam maupun sosio-antropologi. Dalam pengumpulan data akan dipakai berbagai pilihan jalur baik melalui observasi, interview dengan berbagi tokoh ulama dan ragam masyarakat Semarang maupun kajian pustaka sebagai sumber rujukan. Validasi data akan dilakukan melalui triangulasi, dan semua data yang terkumpul, dianalisa secara deskriptif-kualitatif, melalui: reduksi, penyajian data, penarikan kesimpulan. Dari hasil penelitian ini ditemukan setidaknya ada 4 (empat) kelompok tipikal masyarakat atas respon pemahaman mereka terhadap aturan hukum Islam pandemi covid-19. Pemahaman ini ditelusuri dari pemahaman mereka atas fatwa MUI tentang pelaksanaan sholat Jumah di rumah, menjalankan sholat berjamaah 5 lima waktu ataupun sholat taraweh dan idul fitri di rumah, maupun pemahaman atas keharusan mematuhi protokol kesehatan melalui penggunaan masker, maupun social distance (shof sholat)

hingga persoalan fiqh kontemporer yang muncul sebagai dampak pandemi covid 19. Keragaman tipologi masyarakat ini dapat terlihat dari perilaku keagamaan mereka ada kelompok yang memahami fiqh pandemi dan taat pada prokes, ada keompok yang tidak memahami fiqh pandemi dan tidak patuh dengan prokes, dan ada kelompok yang di moderat asta fiqh pandemi dan prokes. Dan muncul pula kelompok keempat, yakni yang tidak percaya dengan pandemi ini dengan pemahaman yang mereka yakini pandemi semata rekayasa politik kekuasaan.

Kata kunci: *Fiqh Covid-19, Tipologi Masyarakat; Kyai, Masjid Pesisiran.*

Introduction

The Covid-19 outbreak hit almost all parts of the world. There were 219 countries affected by the spread of the virus in 2020. In the Indonesian context, the spread of this virus is considered very fast. Based on data from the Covid 19 task force dated April 16, 2020, the number of initial confirmed patients was only a few people, to 5,516 people who were positive, and 496 people who deceased. The government seems to have taken various policies, including the PSBB or the Large Scale Social Restriction, which has begun to apply to the scope of Jakarta and areas in West Java, namely the city and Bogor Regency, Bekasi City and Regency, and Depok City. In the context of Central Java as a red zone area, only 5 districts have not been positively infected by Covid 19.¹

Such conditions are rolling fast, almost throughout the archipelago, this forces the government to ask people not only working in the capital city of Jakarta, but also in other areas in East Java, Central Java and West Java to stay at home. Such government policies are reinforced by the existence of *fatwa* (the decree of the *ulame* council) and the informal Islamic teaching/preaching (*tausiyah*) from the MUI both at the central and regional levels for the community. The contents of the MUI affirmation No. 14 of 2020 include a *fatwa* to temporarily cancel the 5 daily congregational prayers and Friday prayers in mosques. Even what is being ‘viral’ discussed by the Muslim community is the recommendation not to hold *tarawih* prayers (the night non-obligatory prayer during the month of Ramadhan) or Eid al-Fitr and Eid prayers in congregation in mosques as well as religious activities that bring many worshippers².

¹Arif Ganda Purnama Surya Tri Esthi Wira Hutama, Muhammad Indra Hadi, A Pramitasari, “Rekomendasi Lokasi Shelter Karantina Mandiri Sebagai Upaya Mitigasi Penyebaran Covid19 Pada Permukiman Pa-Dat Di Pesisir Utara Kota Semarang,” *Jurnal Riptek* 14, no. 1 (2020), p. 23–33.

²Akhmad Hanafi Dain Yunta and Asri Asri, “Hukum Melaksanakan Salat Id Secara Personal (Munfarid) (Sebuah Solusi Pelaksanaan Salat Id Di Masa Wabah Covid-19),” *Bustanul Fuqoha: Jurnal Bidang Hukum Islam* 1, no. 2 (2020), p. 262–71, <https://doi.org/10.36701/bustanul.v1i2.146>.

The government's policy to implement social distances and the MUI (the *Ulama* Council) fatwa³ seen at the grassroots level of the community, has resulted in various attitudes, responsiveness to *kyai* (Muslim Clerics) figures, mosque caretakers and community groups. Differences in Muslim clerics' perceptions lead to different ways of perceiving the MUI regarding the health protocol. This diversity in conception leads to differing attitudes and choices of acts of worship. This is evidence from our observation on social behavior of the *kyai* and the congregation of the northern Java Coastal mosque. Our observation reveals that most Muslim clerics in the area consistently perform communal workshop such as the Friday prayers and five congregational prayers, and the non obligatory prayers, such as taraweh prayers at mosques in red zone areas⁴.

Our exploration was carried out through our reviews of the legal basis from the perspectives of Islamic law regarding the use of masks, hand sanitizers when praying in mosques and the variety of whether or not Friday prayers in mosques should be performed, the number of congregations, and others. There are various groups of Muslims responding to the MUI *fatwa* differently.⁵ Some Muslim groups are willing to abide by the government's regulation regarding the health protocol. However, some Muslim groups ignore these regulations, in which they still maintain the congregational performance of worship such as the five daily prayers, the Friday congregation, and in fact, the non-obligatory worship, such as the night prayer in the month of Ramadhan. These various socio-religious changes seem to manifest in the dynamics of various jurisprudence.⁶

This research is timely in light with these debates, since the Covid-19 pandemic has not fully halted.⁷ In the context of the coastal areas of Central

³There three *fatwa* or decrees of the MUI regardin the Covid-19, first, *fatwa* No.14, 2020 on the performance of daily prayers during the Covid-19 pandemic. Second, *fatwa* No.17, 2020 is about rules and regulations in regard with performing the prayers by wearing special uniforms during treatment and protection of the patients of the Covid-19. Third, *fatwa* No.18, 2020 on funeral managemen of Muslim deceased because of the Covid-19

⁴Akhmad Hanafi Dain Yunta and Asri, "Hukum Melaksanakan Salat Id Secara Personal (Munfarid) (Sebuah Solusi Pelaksanaan Salat Id di Masa Wabah Covid-19), p. 262-271

⁵Faried F. Saenong, *Fiqh Pandemi: Beribadah Di Tengah Wabah*, Jakarta Selatan: Nuo Publishing, 2020, p. 54-67

⁶An interview with some mosque congregates in the mosque, they are concerned with the command that 'if a Muslim leaves three time Friday prayers in congregation, he would turns to be non believer' dater 17 July 2020, at 14.00 the West Indonesian time

⁷Observation had been conducted from (2020-2021), within the mosque vicinity in communities in the city of Semarang, in Baitusofa Semarang mosque dan mosque in

Java, the spread of the virus has reached many areas within the province. The spread of the disease is the result of many activities, such as shopping, congregation in mosques and other places, and it is also brought by the medical teams as they are easily exposed to the virus. To stop the spread of the virus, MUI (Indonesian Muslim Council) and the governor of Central Java confirm that congregational Friday prayer is temporarily suspended, and other religious programs at mosques during the pandemic. However, many community members continue to carry out Friday congregational prayers at the mosques. In fact, they perform a-five time prayer in congregation without the distance and also hold regular learning circles in several mosques on the north coast of Java, both in the districts of Kendal, Demak, Kudus, especially Semarang, and the Pati district.⁸

This study does not attempt to justify a particular view of jurisprudence held by religious leaders and their followers; it rather analyzes factors leading to these diversities and the Muslim clerics' preference in adopting a particular school of thoughts in regard with their ways of worship during the pandemic. In addition, this article attempts to identify and explore the Muslim clerics and communities' responses on fatwa issued by the MUI regarding the implementation of congregational worship in mosques during the pandemic. This research is limited to exploring clerics, leaders and the communities' attitudes towards the government's regulations around the Baitusshofa Bangetayu Wetan mosque, Semarang, the Pati district. We would compare attitudes and conceptions of the Muslim clerics on the jurisprudence on the *kyai* and the community who choose not to hold Friday prayers in congregation, the night prayers during ramadhan and eid festivals and other social and religious activities in congregation in the mosque.⁹

This study is expected to contribute to a scientific analysis of various typologies of the Muslim clerics' opinions on the jurisprudence of the worship. This is important as the emergence problems in conceptualizing the jurisprudence have become new problems that threaten the harmony of Muslims in the context of Indonesia. The research also shows how Muslims' clerics' opinions intersect, which then create dynamics among Muslim communities.

Pati khususnya, especially in the Daarussalam Winong Pati mosque, Central Java. Observation took place on 27 January 2020 – February 2021.

⁸An interview with ustadz Syamsudin, the Muslim preacher team member at Sultan Agung Islamic Hospital, Semarang stated that more than 50 health practitioners have been infected by the virus. Kariadi Hospital as one of the hospital assigned to treat the Covid victim has been over-occupied with the patients dated 15 January 2021, at 10.15 WIB.

⁹Tri Bayu Purnama, "Perception and Response of Religious Leaders in Precaution Transmission of COVID-19 Through Handling and Burial of Dead Bodies in Indonesia," (2020), p.1–15.

The other significance of this study is its contribution to scientific dissemination to the public sphere during the current digital era.¹⁰

The outbreak of the Covid-19 virus that has hit more than 209 countries, including Indonesia, resulted in the emergence of various religious problems. One of the most striking issues is that the fact that there have been frictions among Muslims as the largest Muslim population in the world. The diversity of opinions seems to be very complicated at the grass root level, in which Roland Robertson (1992) refers to this phenomenon as a five-dimension of religious behavior:¹¹ Ideological dimension (religious belief), practical dimension (religious practice), the experiential dimension (religious feeling), religious knowledge dimension (religious knowledge), and the dimension of consequences (religious effect).¹²

The dominant actors in practicing certain kinds of religious actors are played by religious leaders, the Muslim clerics in implementing the jurisprudence of the worship, especially those that correlate with congregational obligatory worship. In this sense, the Muslim clerics along with their social relations: pesantren, educational institutions and the wider community are strong social capital. The social capital owned by these Muslim clerics (Endang Turmudi, 2004)¹³ is in the form of public trust (trust), norms (norms) owned by the Muslim clerics and their followers (networks) in providing religious understanding and manifesting in *ubudiyah* behavior. People tend to follow the directions, motivations and guidance of their clerics in matters of their choice of congregational worship. The pandemic has forced every individual to implement social distancing which is intended to better protect themselves from the spread of the Covid 19 virus in various regions.¹⁴

The Muslim clerics, and in this sense is called a *kyai* has a strong capital of social power relations, since they are considered by the community to have good care and dedication to the community. We refer to Putnam's (2003) theory as a tool in our analysis of the Muslim clerics' opinion on obligatory worship

¹⁰Mukharom Mukharom and Havis Aravik, "Kebijakan Nabi Muhammad Saw Menangani Wabah Penyakit Menular dan Implementasinya Dalam Konteks Penanggulangan Coronavirus Covid-19," *Salam: Jurnal Sosial Dan Budaya Syar-I* 7, no. 3 (2020), p. 239–46, <https://doi.org/10.15408/sjsbs.v7i3.15096>.

¹¹Ian Robertson, *Sociology*, New York: Worth Publishers, 1977, p.33-57

¹²Tenri Jaya, Lilis Suryani, and Dodi Ilham, "Pengaruh Mewabahnya Corona Virus Disease (Covid-19) Terhadap Implementasi Ritual Ibadah Di masjid Pada Masyarakat Islam Di Luwu Raya," *Madaniya* 1, no. 4 (2020), p. 177–81.

¹³Endang Turmudi, *Perselingkuhan Kyai Dan Kekuasaan* Yogyakarta: LKIS, 2004, p. 98 - 102

¹⁴Jaya, Suryani, and Ilham, "Pengaruh Mewabahnya Corona Virus Disease (Covid-19) Terhadap Implementasi Ritual Ibadah Di masjid Pada Masyarakat Islam Di Luwu Raya." (2020), p.24-27

such as the Friday prayer and other obligatory worship in congregation during the pandemic. The dialectical contexts of their understanding lead to the emergence of various typologies in understanding religious practices during the plague within a particular community.

The Muslim clerics' conception of the jurisprudence during the pandemic is very much influenced by their personalities, which is shaped by their backgrounds, socio-economic dimensions and even one's social and political network. While a person's subjective factor comes from educational backgrounds, reading references and includes family factors¹⁵. In addition, there is another dimension that plays significant roles in shaping the Muslim clerics' attitudes, which is the socio-religious factor. This factor constructs the Muslim clerics' attitude in coping with the pandemic; some of them are indeed fundamental in their belief that praying in congregation at mosques should be performed regardless of the risk of the deadly virus. This group of Muslim reiterates that we as Muslims should fear none but Allah. Muslim scholars' interpretation of the legal source texts of the Qur'an and the Prophetic tradition regarding Friday prayers, wearing masks during prayer, the performance of the non-obligatory prayer at the night of Ramadhan manifests in various typologies of Muslim clerics and their followers.

These typologies of Muslims are inevitable as people's attitudes and actions are very much influenced by subjectivities, level of knowledge and benefits gained. Max Weber's (1954),¹⁶ concept seems relevant to analyze the behavior of Muslim scholars, the mosque management to engage in congregational worship despite the government's restriction. By doing so, these Muslims believe to gain satisfaction and make them closer to Allah. This phenomenon is relevant to the findings of previous studies discussing the roles of Muslim clerics in empowering mosques. Research by Denu Irsandi (2018), for example reveals a description of the various activities that can run well in mosques. Efforts are made by motivating, directing, youth to run programs that reflect their needs. This kind of approach seems to be effective in educating Muslim youth on the jurisprudence of worship.¹⁷

The second research concerning the need for a study of the understanding of *fiqh* in the context of the social development of the people in Indonesia was written by Abd Rasyid Gandon, entitled Reconstruction of

¹⁵Anton Baker & Haris Zubair, *Metode Penelitian Filsafat*, Yogyakarta: Kanisius, 1990, p. 75.

¹⁶Max Weber, *Law Economic and Society*, New York: Edward Shils dan Max Rheinstein (tld), 1954, p.119-127.

¹⁷Denu Irsandi, "Manajemen masjid Ar Raudah Dalam Meningkatkan Pemahaman Fiqih Ibadah Pada Jamaah Remaja Di Kebon Jeruk Tanjung Karang Timur Bandar Lampung,," (2018), p.75-79.

Islamic Law (Review of Indonesian Fiqh Thoughts). This study suggested that there is a need for reconstruction of Islamic law, through educating Muslims on the existence of Islamic law to make it functional. Research written by Syafaul Mudawam, highlights the terminology of Sharia in contemporary Islamic studies that has led to serious confusion, because it is studied in a narrow sense and in the proportion of legal studies. Ideally *fiqh*, Islamic Law and Islamic Law are related field of studies in Islam, and the experts in those field refer to Ulama, Fuqaha, Qadi and Legal Experts.¹⁸

Research by Ahmad Fuadi, Tentiyo Suharto on Vaccination as a Countermeasure for the Covid-19 Pandemic from the Perspective of Islamic Fiqh was published in *el-Ghiroh Journal*. Vol. XIX No. March 1, 2021, discusses Islamic jurisprudence through *maqashid al-syariah* using normative juridical research so that the clarification data is studied objectively and analytically. Through this approach, the problematic aspects of the Covid-19 vaccine are shown. In his study, the benefit aspect which is the essence of *maqashid al-syariah* is divided into two parts, namely special benefit (*al-maslahah al-juz'iyah or al-maslahah al-khashshah*) which is oriented in protecting the internal needs of Muslims (*ri'ayah hajat al Muslims*) in managing various aspects of life, both those related to religious and religious needs, individual, family, social, scientific, and economic aspects.¹⁹

Other research by Ade Mahmud, et al, Health Quarantine Model Based on Positive Law and Fiqh Maslahat to Break the Chain of Corona Virus Transmission, published in *Yuridika Insight Journal* Vol. 4, No. 2, September 2020, discusses quarantine indicators in emergency conditions during a pandemic. The review is based on the perspective of *maslahat fiqh* and positive state law. This research is descriptive with normative juridical type. The quarantine process is based on positive law as regulated in Law no. 6 of 2018 concerning health quarantine. The quarantine technicalities and procedures for worshiping during the quarantine period are left to the *ulil amri* (leaders') policy with the guidance of the ulema's fatwa through the MUI institution. The main purpose of quarantine in the perspective of health protocols and regulated by religion is to maintain life safety and reject evil (*mafsadat*)²⁰.

¹⁸Ade Mahmud, Dian Alan Setiawan, and Arini Puspitasari, "Model Karantina Kesehatan Berdasarkan Hukum Positif Dan Fiqh Maslahat Untuk Memutus Rantai Penularan Virus Corona," *Jurnal Wawasan Yuridika* 4, no. 2 (2020), p.213, <https://doi.org/10.25072/jwy.v4i2.366>.

¹⁹Tentiyo Suharto Ahmad Fuadi, "Vaksinasi Sebagai Penanggulangan Pandemi Covid-19 Perspektif Fiqh Islam," *Journal of Chemical Information and Modeling* 19, no. 1 (2021), p. 38–45.

²⁰Mahmud, Setiawan, and Puspitasari, "Model Karantina Kesehatan Berdasarkan Hukum Positif Dan Fiqh Maslahat Untuk Memutus Rantai Penularan Virus Corona."(2020), p.213 -239

In addition, Hudzaifah Achmad Qotadah discusses the pros and cons of community groups against the government policies regarding self-preservation and religious safeguards with various forms of policies that limit them. In the principle of *maqasid al sharia*, it is important to prevent harm, and the same is true with the Covid 19. This study examines and analyzes the complexities that occurred based on the review of *maqasid al sharia*.

These previous studies were library research studies that have not thoroughly discussed the dynamics of fiqh, especially on the law of the permissibility of eliminating Friday and congregational prayers, and congregational activities in other public spaces. This study further discusses the emergence of the COVID-19 pandemic in various areas that prevents Muslims from attending Friday congregational prayers at the mosque, praying 5 times a day or other activities carried out in congregation by Muslims.

In this study, several important reviews are discussed within a qualitative approach. The method, as presented by Denzin and Lincoln, is used to read the analyzed social phenomena from the understanding of figures and society with all social actions that become data or raw materials that are analyzed qualitatively.²¹ The qualitative approach is considered appropriate to explore reserach problems. This is in line with Koentjaraningrat's belief that qualitative research would be effective in answering this kind of inquiry.

The socio-anthropological approach is used to analyze the Muslim clerics' perception on the performance of worship during the pandemic. The main data sources in this study are the understanding and actions of worshipping at the mosque of the Muslim clerics, leaders and the communities. Therefore, the main informants are the central figures of the community who are responsible for the management of the mosque and its congregation. The secondary data sources come from a variety of written documents in the form of Islamic law books, websites, and the Qur'an and regulations related to the discussion. The data is collected through interviews, observation and document analysis. Interviews are used to get various informations about the views, thoughts of religious leaders and the community in the covid-19 pandemic season. Interview data is complemented by observation data on activities carried out by leaders and also the Javanese coastal community.

In analyzing the data, we refer to Mill and Hubberman's categorization: There are three levels of categorization: first, the data obtained is analyzed, and the second ways of analysis is connecting the data with relevant theories, and finally the finding is analyzed through philosophically analysis. Data from various sources were analyzed qualitatively, either by reducing data, presenting data, and drawing conclusions.

²¹ Denzin & Lincoln, *The SAGE Handbook of Qualitatif Reasearch*, Thousand Oaks: SAGE Publications Inc., 2011, p. 114-121.

Muslim clerics and The Javanese Coastal Mosque Communities' typologies of conceptualizing the jurisprudence on Covid-19

The mosque is the center of the place for Muslims to carry out various acts of worship as exemplified by the Prophet. The development of the mosque and its essential function is highly dependent on the role of religious stakeholders, the Muslim clerics and their followers. The relationship between figures and the active involvement of their followers within the boundaries of the social environment usually produce a unique Islamic pattern in the socio-religious dynamics that interact with each other in their daily activities.²² The presence of the global Covid-19 outbreak in almost all parts of the world has an impact on the dynamics of understanding Islamic jurisprudence, especially for Muslims on the northern coast of Central Java.

Due to the wider spread of the virus the government imposed Large-Scale Social Restrictions. This policy coincided with the issuance of the MUI fatwa which contained the temporary suspension of congregational Friday prayers²³. In addition, it is recommended that the public sermon for the eid festival be eliminated. This policy for sure creates controversies within the communities, in which some agree and the others do not. Social dilemma occurs due to the different measurement of what counts as the red zone and green zone. The public opinion on the jurisprudence of the pandemic is also shaped by the Muslim clerics' interpretation of the pandemic. This is where the dynamics of social behavior are interesting to analyze from various types of people and religious figures. The presence of this diversity of typologies of understanding has fueled the differences in communities and mosques amid the increasing number of people who have been confirmed positive for Covid-19.

This diversities in socio-religious phenomena, lead to our discussion of Pierre Bourdieu's theory of Habitus (1993)²⁴ which suggests that the Muslim clerics' attitudes and concepts, ideas, and knowledge are constructed through habits, which then culturalized into the habitual actions of a group of people. It is in this sense that these various understanding and conceptual frameworks emerge as the result of the pandemic are constructed through habits and behaviors. In this context, the activities of a Muslim in worship is perform to

²²M.Ariel Effendi Abdul Rahmat, *Seni Memakmurkan masjid*, Gorontalo: Ideas Publishing, 2017, p.47-78.

²³The president issued the decree in response to Covid-19: (1) Kepres No. 11, 2020 on the public health emergency, and (2) Kepres Nomor12, 2020 regarding the covid 19 as the national disaster.

²⁴Pierre Bourdieu, *The Field of Cultural Production*, Columbia: Columbia University Press, 1993, p. 22-38.

maintain the sense of self, descent, even property, and religion. Everything that can destroy life to be avoided rather than acts for the purpose of worship alone. Therefore, many *mujtahid*-the Muslim scholars give the rule that staying away from *madharat*-the difficult times is preferable to gaining benefit. Things that are forbidden and things that are lawful or permissible in Islam are intended to provide the safety of one's life. Thus, the Islamic legal order produce a dynamic and adaptive a legal product.²⁵ It is within this idea that the Muslims should always secure their wellbeings ²⁶.

The Islamic jurisprudence is flexible depending on context and condition as to provide benefits for humans being; this is so because the basic principle of the Islamic law is avoiding harm to humans. Therefore, acts of worship can be adaptive to places or times. The pilgrimage, for example, may need to be halted if the peaceful condition cannot be secured due to war within certain areas, which may be harmful to the pilgrims.²⁷

In social theories it is also stated that a person's behavior is determined by the level of knowledge he has. The higher a person's knowledge, the better the choices of his actions will be and vice versa that individuals who do not have sufficient knowledge, then their actions will be reflected according to the level of their knowledge ability. In the context of the Covid-19 pandemic, it can be stated that the variety or response from the community or even kyai figures, is actually influenced by the variety of understandings of Muslim clerics and society itself. This suggests that different conceptions on certain religious issues are shapped by the level of Islamic knowledge a group of Muslim has, and this also applies to the attitude towards the Covid-19 pandemic²⁸

This article analyzes the typologies of various Muslim community leaders and community groups whose views or understanding of Covid-19 is related to Islamic jurisprudence issues, especially the *fiqh* of worship. This arrangement is good for the implementation of health protocols, as well as the implementation of worship such as Friday prayers, the distance of the 5 daily prayer shifts in congregation, the non-obligatory prayers in mosques or Islamic learning circles activities in mosques..

²⁵Nurhayati and Muhammad Syukri Albani Nasution, "Maqāsīd Al-Sharīa in the Fatwa of the Indonesian Ulama Council Regarding Congregational Worship During the COVID-19 Pandemic."(2020), p.68-74

²⁶Abu Zahrah, *Ushul Fiqih, Edisi Terjemahan Saifullah Ma'shum Dkk*, Jakarta: Pustaka Firdaus, 2003, p.67-89

²⁷Amrina Rosada and Partono Partono, "Sikap Optimis Dimasa Pandemi Covid-19," *Al-Insyiroh: Jurnal Studi KeIslaman* 6, no. 2 (2020), p. 112–26, <https://doi.org/10.35309/alinsyiroh.v6i2.3889>

²⁸M. 'Abid Al-Jabiri, *Post-Tradisionalisme Islam, Terj. Ahmad Basso* Yogyakarta: LKIS, 2000, p. 99-105

There are many types of the Muslim clerics at the Daarussalam Pati and Baitussofa mosque in responding the Covid-19 pandemic. This study found four typical figures and people who have a variety of views and behaviors on Covid-19. First, the “normative” type of people, which is a typical category that obeys the government’s regulations, and this group of Muslims have sufficient understanding of *fiqh* rules. They abide by the MUI fatwa; they appear to be disciplined with health protocols. Categorized in this group are *kyai* (the Muslim clerics), intellectuals, and also community leaders, especially those who are included in the government circles, both in the bureaucracy of the state civil apparatus and the military. Second, they are typically ‘moderate’, who are flexible in their understanding of the government’s rules and regulations. This group of Muslims is neither strict in implementing health protocols nor is rigid in refusing the protocol. They have relatively fair understanding of the Islamic jurisprudence. Those who belong to this moderate group are mostly educated academics.

The third category of people is those that ignore the government’s regulations, they tend to ignore health protocols. Included in this circle are religious leaders who are not included in the circle of government institutions or religious institutions that have a coordinating relationship with the government. Among the beliefs of these figures and circles are those who think that disease is from God, so there is no need to be afraid of, because illness or death is only a matter of God’s will. The fourth category is the ones who are skeptical. The people in this category do not see the pandemic as real, and thus they do not pay enough attention to health protocols in the social environment. They stated that the Covid-19 was a political conspiracy. People in this group include among other young people who are against the government’s regulation.

The Covid-19 pandemic leads to some legal flexibilities because the Islamic jurisprudence see it is better to give benefits or the *ummah* and the Islamic jurisprudence of pandemic is needed which provides a process of adaptability to Islamic legal literature that provides guidance in pandemic situations. The *Fiqh* of pandemic presents an intense discourse both on the health side of hygiene and other medical matters. In determining the legal decision, the Muslim scholars refer to health experts or general practitioners, since they have a legal authority to decide things related to health.

In the context of the current pandemic, the Islamic legal order is more dominant on the issue of *taharah*-purity. Purification itself is the basis of reference to Islamic law for the validity of other worships. Regarding Friday prayers, for example, the discussion relates to purification in the form of bathing or the practice of cutting nails and even wearing perfume when performing Friday prayers. Recommendations from the Islamic law on the issue of *taharah* are the main concern, because *taharah* itself is an indicator of a Muslim’s faith. Thus, the acts of worship during the pandemic have been actually anticipated in

Islam, but the behavior of the Islamic conception seems not to have been fully implemented by Muslims. Cleanliness on the outward side such as body hygiene, clothes, washing hands, wearing masks, not crowding in crowds during a pandemic are teachings recommended by scholars who were referred to from the Prophet Muhammad.²⁹

The Islamic law has reiterated that the act of worship should be performed only if there is no harm will cause to Muslims there is a rule from the scholars that worship is not allowed if it causes harm to oneself or to others. This is relevant to the case of pandemics nowadays. The use of masks in the matter of prayer, for example, is permissible compared to normal conditions or even in a massive social context being discussed among the people, namely the procedures for congregational worship in mosques, distanced prayer rows. In fact, the recommendation not to perform congregational Friday prayers is the example of flexibility in the *fiqh* provisions. The government also argues that spread of the corona virus can be controlled through social distance and one way to do it is to maintain the new normal, by staying at home without outdoor activities.³⁰

The medical community argued that the Covid-19 virus can spread through breathing, physical contact between people who have been confirmed positive for Covid-19 and people who happen not to wear masks, hand sanitizers, or do not keep a distance. This spread actually reaches every individual regardless of age or social status. Islam teaches to always develop knowledge and teaches to always be responsive to social changes.³¹ The presence of the Covid-19 virus is a fact that every individual is responsible for maintaining personal hygiene, mentality or even strength of mind, which then increases immunity in the body. Islam has educated all believers to take care of their personal being. However, the teaching of Islam in this case seems to be ignored.³²

²⁹A. Qodri Azizi, *Reformasi Bermazhab, Sebuah Ikhtiar Menuju Ijtihad Saintifik Modern*, Jakarta: Teraju, 2003, p. 67-89.

³⁰Kementrian Kesehatan, *Pedoman COVID REV-4. Pedoman Pencegahan Dan Pengendalian Coronavirus Disease (COVID-19)*, Jakarta: Direktorat Jenderal Pencegahan dan Pengendalian Penyakit, 2020, p. 78-81.

³¹Hudzaifah Achmad Qotadah, "Covid-19: Tinjauan Maqasid Al-Shariah Terhadap Penangguhan Pelaksaaan Ibadah Shalat Di Tempat Ibadah (Hifdz Al-Nafs Lebih Utama Dari Hifdz Al-Din?)," *SALAM: Jurnal Sosial Dan Budaya Syar-I* 7, no. 7 (2020), p. 659–72, <https://doi.org/10.15408/sjsbs.v7i7.15676>.

³²Masrul Leon A. Abdillah, "Pandemik COVID-19: Persoalan Dan Refleksi Di Indonesia, Yayasan Kita Menulis, 2020, p. 170–98.

The Dynamics of Muslim clerics' conception of the Islamic jurisprudence of the Pandemic and the Community of the Java Coastal Mosques

The COVID-19 pandemic not only has an impact on the economic crisis but also changes socio-religious values. The diversity of religious understanding and behavior, results in different responses towards acts of worship, especially regarding Friday prayers, *tarawih* prayers or regular learning circles. However, these differences in responses do not risk religious harmony.³³

In the context of the Darussalam mosque in Pati, there are several typologies of responses towards the MUI fatwa or health protocols during the pandemic. The first group is kyai and society who are normative in understanding *fiqh* and the rules of health protocol regulation. Included in this group is Kyai Yusuf. In his opinion, safety of life is the main, by following the MUI fatwa and obeying the health protocols issued by the government as *ulil amri*. This view is as stated by Ust. Rahman, who every day accompanies bathing processions and funerals for the deceased due to the Covid. He said that the Covid-19 virus is real, it is endemic throughout the world. For him, the MUI fatwa which regulates the form of worship in mosques by implementing health protocols must be carried out because of religious teachings that command caution when an epidemic (*thoun*) hits.³⁴

In this typology there is also kyai Abdul Kafi who always seems disciplined in implementing health protocols. As a boarding school caregiver, he has a fairly strong view of *fiqh*. This can be seen during the marriage ceremony he attended, he made sure that the wedding ceremony had been held following the health protocol. Ali Syafa has an understanding of *fiqh* or the discipline of health protocols that are applied well and is included in this group³⁵ as well as Ustadz Azhar, who is an Islamic boarding school assistant and is disciplined in implementing health protocols. Included in this group are village officials who were assigned as the Covid-19 task force in Pekalongan Village.³⁶

³³Mujahidatul Haibah, Chaerul Rochman, and Ida Farida, "Pembelajaran Jarak Jauh Kegiatan Amaliyah Bulan Ramadhan Masa Pandemi Covid-19," *Al-Hikmah: Jurnal Agama Dan Ilmu Pengetahuan* 18, no. 1 (2021), p. 36–43, [https://doi.org/10.25299/al-hikmah:jaip.2021.vol18\(1\).5370](https://doi.org/10.25299/al-hikmah:jaip.2021.vol18(1).5370).

³⁴Ust Rahman is a figure assigned by the the NU (the biggest Muslim organization in Indonesia) to supervise the bathing process of the decease to funeral process in accordance with the Islamic law. He is himself disciplined in keeping health protocol. (interviewe 19 February 2021, at 11.00 WIB)

³⁵Kyai Ali Syafa' is an ex marriage caregiver in the Jaken, Jakenan dan Winong sub-district of Pati regency, and head of the mosqur caretakers (Interviewed, 7 September 2020, at 10.30 WIB)

³⁶Ustadz Azhar is a teacher and also the deputy rincipal of the Islamic secondary school in Pati, as the civil apparatus, he abided by the health protocol, other

The second typical is the moderate category that has a moderate understanding of covid fiqh). Those who are in this second group are disciplined in keeping health protocols, it is carried out proportionally. Among these groups are Kyai Adib³⁷ as a strong figure in the Pati community. He views the Covid-19 as a disease that God has presented that needs to be anticipated, but yet, he believes there should not be over feared. Kyai Dhofier Maqosid³⁸ as an alumnus of an Islamic campus also has a moderate view on this issue. In addition, Kyai Faiz who is the caretaker of the Tahfidz Madinatul Quran Islamic boarding school in Pati³⁹ and kyai Alwan, both of whom are graduates of the boarding schools and are the caretakers, are not very strict in responding to health protocol, but he is also not very negligent in implementing the protocol. Both view that this pandemic is part of the test that is carried out in this life, so patience and fortitude must be shown.

The third group is a typical liberative-ignore, they actually have a good understanding of the Covid-19 jurisprudence, but on the other hand they are not willing to comply with health protocols in a disciplined manner.⁴⁰ Deep religious understanding in certain positions has implications for the courage not to be strict with the formalistic health protocols from the government. This category includes Ustadz Hilal⁴¹ who is an alumnus of an Islamic boarding school. Ustadz Rowi and Ustadz Hendri are among scholars who are categorized into this third group⁴²

community leaders also strictly abide by the health protocol. This is so as they have a depth understanding on the religious teaching. (Interviewed by 10 September 2020, at 13.30 WIB)

³⁷ Kyai Adib al Arif as the civil apparatus and the Islamic secondary principal and was the principal in high achieving Islamic secondary schools. He is also the top management of the al-Hikmah Islamic boarding school and as the head of mosque management of 2021 (Interviewed, 15 March 2020, at 09.00 WIB)

³⁸ Kyai Dhofier as the civil apparatus is a principal of the Islamic primary school of Tarbiyatul Banin Pekalongan, Pati always abides by the health protocol. (Interviewed, 17 March 2021, at 11.00 WIB)

³⁹ Is a civil apparatus, was the principal of the Islamic primary schools Tarbiyatul Islam, Pecangaan Pati and also the top management of the Islamic boardings school, he is the alumni of the State Islamic Institute, he has been infected the covid-19 (Interviewed 2 October 2020), at 14.00 WIB)

⁴⁰ They are more relaxed in responding the covid-19, and regard the covid-19 is a kind of test from Allah.

⁴¹ He teaches at the madrasah Tarbiyatul Banin in addition to the management of the pesantren. He is the graduate of the pesantren Nurul Ummah Jogjakarta and studies in UIN Sunan Kalijaga. He was affected the Covid-19 (2021).

⁴² Both of them are the graduate of the pesantren tahfidz, he is not wearing mask and use handsanitizer during public interactions (Observed in 2020).

Included in this group is kang Taufan, in fact he has a duty as an extension worker in the Winong Pati sub-district⁴³ but it seems that they do not heed the health protocol, when they are doing activities at the mosque. They do not seem to wear masks when traveling in public areas and do not keep their distance enough when interacting with other communities. Kyai Zawawi, can be categorized in this group, and Kyai Zawawi was infected as a result of consistent hand shaking after leading Tarawih prayers at the mosque.⁴⁴

The fourth typology is a group that is skeptical about the existence of the COVID-19. This group of people assumes that the covid is not real, and it is not as deadly as reported by the media, it is mere political engineering. This group is more dominant among mosque youth, who tend to be emotional. Even though they do not have complete and valid data, they see covid as a global pandemic, this is a politicized epidemic. There are also some religious leaders in this circle, but they think that this disease is something not to be afraid of. Even in some pulpits it is stated that if Allah wills the death of a person, then he will die as a human. This typical behavior tends to ignore the health protocol and feel normal about the threat of a pandemic that is spreading in the community⁴⁵

One of them that is typical is kyai Nur as a boarding school caretaker as a pure alumni of the pesantren. Kyai Nur is a teacher at the madrasa but he is also a farmer. Among young people, included in this category are Agus, Joko, Nur, and youths in the youth management of the mosque. From their daily observations, it seems that they do not really care about health protocols because they still consider it something not to be afraid of. However, the latest data (2021) shows that several kyai in this category have been exposed to Covid-19 and are required to self-isolate. Some of the older (elderly) kyai were rushed to the hospital and some of the younger ones prefer to self-isolate at home.

As for the context at the Baitushofa mosque in Semarang, the kyai whoe is included in this normative type is Kyai Sukardi. As a clergyman, he seems to maintain discipline in health protocols and motivates the public to be disciplined during the pandemic. Ustadz Hadirin, a preacher at the Baitusshofa mosque, has a strong understanding of *fiqh*. During the pandemic, he prays tarawih at home. He wears a mask almost every day, and is much disciplined in implementing the health protocol. He also distances himself from other worshipers if he happened to pray in congregation at mosque. He said that the COVID-19 is real and thus

⁴³Observed and interviewed in 2020-2021, he is the mosque caretakers and a councillor. He did not abide by the health protocol.

⁴⁴He an active member of the mosque and has been infected by the virus

⁴⁵He has a good understanding of the *fiqh* and he is not concerned very much with the health protocol. It is proven by the frequency of organizing the religious events publicly without healt protocol. (Observed dan interviewed, 2020-2021).

all should engage in health protocol for the common good of every congregation and society.

In addition, ustadz Hambali is also included into the normative group. He is active in the Muhammadiyah organization which is very strict in carrying out the discipline of health protocols.⁴⁶ Even among the figures, he who insists on not holding any non obligatory worship in the mosque including the slaughter of Qurban, he has strong understanding of *fiqh*. There is also St. Asydaqu, who is an administrator of school accommodation, is a disciplined person. He believes in the need to abide by the health protocol. In addition, Suroto, a teacher at an elementary school also consistently wears a mask and maintains health protocols.

Mbah Damin or Maljum⁴⁷ the head of the sub-county and an advisor to the mosque management, reiterated the need to strictly implement health protocols in five time daily prays in congregation. The participants believe that every individual has a responsibility to take care of themselves and also take care of others.

In the second type, the moderate group of Muslim, their understanding of *fiqh* is not too rigid and their attitude is flexible towards health protocol during the pandemic. Among them is Dwi as one of the figures (chairman of the sub-county 2018) who has a good religious understanding and maintains health protocols.⁴⁸ Mbah Hendro, a supervisor of the Baitusshofa mosque foundation, is also very strict in maintaining health protocol regardless of his shallow understanding of the *fiqh* and religious teaching.

In addition, Ali Ngatmin as the chairman of the mosque foundation and the superintendent of elementary schools with status of the civil servant seems to be moderate in responding to the need for health promotion during the covid pandemic.⁴⁹ Ali Ngatmin has a fairly good understanding of Islamic *sharia* and has a social spirit in managing the mosque and its environment. Sudarto, an academic with a busy life as an architectural consultant who is active in various institutions can be categorized into this moderate group. Mr. Sudarto is also very much involved in the management of the Baitusshofa mosque foundation regardless of her religious knowledge

⁴⁶ Ustad Hambali is a teacher at the Muhammadiyah educational institution, he is the management of Baitul sofa foundation, and the imam of the *dhuhur* and *Ashar* in the mosque. The observation shows that Ust. Hambali (2020-2021), keeps wearing mask while he is the mosque.

⁴⁷He is the retired living around the mosque, when interviewed in 2021, his wife and in law were infected by the covid-19.

⁴⁸He is the civil apparatus and the school principal observed in 2021

⁴⁹ Ali Ngatmin is the school supervisor (Observed and interviewed in 2020).

In addition, Kartono⁵⁰, Andik and Masruri are those who are not very strict in health protocol, and are not very rigid in responding to the pandemic, including in the management of the Baitusshofa mosque. They are also active in religious and community activities by being active in the management of the village.⁵¹ Categorized in this typical category are Peni, part of the mosque management who is consistent in dealing with mosque infrastructure facilities and also Joko, whose profession is a security member. Those people seem not to be so strict in following health protocol. They are however, concerned with mosque management. This suggests that there is a power relationship between work and social commitment in the community.

The kyai or Muslim clerics and their followers who fall into the third type are those who tend to ignore regulations, tend to be more relaxed on health protocols. This attitude is so much influenced by religious understanding, in which they see that all things take place in the world are Allah's will and decisions, illness for example is seen as the wills of Allah, and thus do not see the keeping up with health protocol as necessary. Included in this group is the late 'Pak Haji', in his sermon⁵², for example he once stated that there is no need to be afraid of the Covid-19 disease and even if he dies because of the Covid-19 it is a part of God's destiny. This belief is reflected in policies of the management of the mosque that does not implement social distance (the distance of the prayer rows) or the provision of hand sanitizers, masks, temperature gauges, all of which are the authority of the chairman of the foundation and the management during his term of office.

The new treasurer in the foundation, Amin whose wife was exposed to the Covid-19 during the interview seems not to be disciplined in implementing health protocols. This is apparent during the programs taking place at the Baistussofa mosque, in which there is no specific health protocol is held. Included in this type of group are some religious leaders, such as Kyai Mastur or chairman of the mosque management, Nur Hamim⁵³, both of whom have a deep understanding of *fiqh*, and are trusted by the community but do not implement health protocol policies. This can be seen from the decision to hold congregational night prayer during the month of Ramadhan. Nur Hanim does not comply with health procedure as commanded by the government. Mr. Pri, Mr. Bambang who are already retired seem not to pay enough attention to the health protocol, both of them barely wear masks, nor does engage in social distancing even in Friday congregations, 5-time congregations, and *tarawih* or

⁵⁰Kartono is the village leader (2017-2020). He is discipline in health protocol.

⁵¹ Kyai Mi'roj has the moderate view in covid (Observed, 12 July 2020).

⁵²Has deceased because of the covid-19 (Interviewed dan observed 2020).

⁵³Nur Hamim is a civil apparatus religious teacher. (Interviewed and observed 2020-2021)

when interacting in the public area. Included in this group is Gunawan, who is the mosque assistant routinely calls to prayer at the mosque for five daily prayers, especially at dawn

The fourth type of group in the context of the Baitusshofa mosque is skeptical in responding to the existence of Covid-19 and considers covid to be part of a mere manipulation of power politics. One of the people in this group is mbah Suminto who happens to be part of the mosque management for the worship section⁵⁴ He is not very strict with health protocols because this virus is considered non-existent. In his daily behavior, he is active in congregation and sometimes he leads the 5 daily prayers, he seems to never heed health protocols. Included in this group is Sholihin, who happens to work as a private driver do not heed the health protocol when performing the five daily prayers at the mosque., he is not strict enough in carrying out health protocols. Including Arif, who is a mosque caretaker, especially in Ramadan during the tarawih congregational prayers, he almost never wears a mask and moves the health protocol when performing congregational worship at the mosque. Another person in this group is Khozin, a businessman who regularly attend the congregational workshop in the mosque. During the congregational workshop he barely heeds the health protocol. He seems to be skeptical and does not believe in covid-19 as a danger that spreads all over the world. In addition, Yusuf Arafat, has rarely meet up with the health protocol.

The Dialectic of Understanding Fiqh of the Covid 19 by Muslim clerics and society in the Perspective of the Imam of the Madhhab

From observation data (2020) in both Central Java, namely the mosque in Semarang City as a representation of the mosque in the city zone⁵⁵ and the Jami' Daarussalam mosque in Pati which is located in the countryside, it appears that there are various behaviors of kyai and their congregations who perform regular worship in congregation, including: there are those who are in compliance with the health procedures, there are those who do not care about the health procedures during the covid 19 pandemic⁵⁶, both wearing masks, measuring body temperature, spraying sanitizers on their hands before entering the mosque for congregational Friday prayers. Other health protocols, such as the use of hand sanitizers or social distancing, are not implemented properly. It is for sure

⁵⁴Some patients are made as covid-19 suspects. (Interviewed, 7 March 2020, at 15.30 WIB).

⁵⁵ Observed, 26 March 2021, at 12.00 WIB)

⁵⁶Eman Supriatna, "Wabah Corona Virus Disease (Covid 19) Dalam Pandangan Islam," *SALAM: Jurnal Sosial Dan Budaya Syar-I* 7, no. 6 (2020), p. 555–64, <https://doi.org/10.15408/sjsbs.v7i6.15247>.

that such behavior is greatly influenced by the knowledge and beliefs of the people who are also influenced by religious figures. In fact, many Muslims in these two mosques continue to perform Friday prayers in congregation and other religious activities at the mosque by not carrying out health procedures.

According to one of the views of the Imam of the Abu Hanifah school of thought, for example, Friday prayers should not be performed at home, because the house is not a public place. Likewise, according to the Imam Malik school of thought, it is not permissible for Friday to be performed at home and Friday prayers must be held in the mosque. Other *Imam* such as Imam Shafi'i or Imam Ahmad do not allow prayer at home, because the minimum congregational requirement of 40 people to perform Friday prayers. Friday prayers are obligatory for every Muslim who has fulfilled the conditions and the pillars of which are a healthy condition, having common sense, and is not during traveling. Someone who is sick or is exposed to conditions of aging, in the hadith of the Prophet Muhammad it is said that it is permissible not to congregate because it protects oneself from transmission of sick people. The *hadith* narrated by Imam Bukhari and Muslim states that, "If there is news of a plague in an area it is recommended not to enter it and when a person is already in an area known for that pandemic, it is forbidden to leave the area." Such normative arguments actually reinforce the possibility of allowing Friday prayers to be replaced with 4 rak'ahs of midday prayer and also that Friday prayers can actually be carried out at home without having to be present in mosques to avoid crowd.⁵⁷

Some Muslim clerics and their followers in the City of Semarang area or in the southern Pati Coast (2020) refers to one of the *hadiths* of the Prophet that says, "whoever leaves three Friday prayers without any good reasons, Allah will make his heart stubborn." This hadith was narrated by Turmidhi and Tabrani, and Daruqutni.⁵⁸ Not to leave three times Friday prayer successively in the hadith means differently to how it reads in the text. The hadith suggests that only if someone underestimate the Friday prayer without any constraints, Allah will despise the person. In the time of the prophet, it is permissible to pray at home for Friday prayer during the heavy rain. The position of the Jumah prayer, as well as the obligatory prayers in the mosque which is located *fardu kifayah*, can change, not mandatory, especially the *tarawih* prayer, the Eid al-Fitr prayer

⁵⁷Qotadah, "Covid-19: Tinjauan Maqasid Al-Shariah Terhadap Penanggulangan Pelaksanaan Ibadah Shalat Di Tempat Ibadah (Hifdz Al-Nafs Lebih Utama Dari Hifdz Al-Din?)."(2020), p. 659-672

⁵⁸Zahrah, *Ushul Fiqih, Edisi Terjemahan Saifullah Ma'shum Dkk.* p. 148-157

which has a *sunnah* legal status⁵⁹. This seems to be a social fact of 'misguided' worship during a pandemic that is still being carried out by the community

Although basically Islamic law provides provisions for congregational prayer that the legal status of *sunnah muakkadah*, but the more important law in this condition is to protect oneself from deadly virus attacks as an obligation. The law of prioritizing the obligatory over the voluntary practice of worship is also a preferred practice. In other worship behaviors seen in the North Coastal Java mosques, in particular, it appears that crowd in praying still exists in some mosques which still do not enforce social distancing.⁶⁰

In the discussion of stretching the prayer rows, the opinion of the Shafi'i, Maliki, and Hanafi priests is of the view that the legal status of the *taswiyah* row is *sunnah* and not mandatory. As for leaving the congregational prayer, does not invalidate the prayer law. This is referred to the *hadith* narrated by al-Bukhari that part of the perfection of prayer does not mean invalidating the law of prayer itself when in congregation. However, Syihabudin al Qolyubi,⁶¹ as well as Ibn Hajar condemned the permissibility of social distance in praying because there was an excuse. Likewise, Imam Nawawi gave a legal ruling against the congregational prayer who stood alone in his *shof*-the line in praying, especially when there is an excuse such as a pandemic, which is considered an emergency. Thus the pandemic conditions, impacting prayer with tenuous *shof* becomes an obligation to maintain the establishment from the transmission of people who may have been confirmed positive with no symptoms⁶².

In an emergency, even things that are not allowed are legalized based on the rule "an emergency allows something that is forbidden". The *dharuri*-emergency element during the Covid-19 pandemic can shift its position from being *haram* (forbidden) to something that is *halal* (permissible), moreover, practices that are *sunnah* do not actually have to be carried out in order to guard against things that threaten the safety of the soul.⁶³ In the historical study of the time of the Prophet and his companions, there was also a pandemic outbreak that enveloped the city of Medina in the 6th year of Hijriyah, a cholera-type

⁵⁹Mohamad Dahlan, "فيروس حول الإندونيسي العلماء مجلس فتوي من التبليغ جماعة موقف"، كوفيد المستجد كورونا (Respons Jamaah Tabligh Terhadap Fatwa Majelis Ulama Indonesia Tentang Covid-19)," *Qiyas, Jurnal Hukum Islam Dan Peradilan* 5, no. 1 (2020), p. 53–69.

⁶⁰ The *hadith* by Abu Dawud suggests that illness is one of the reasons for relaxation in congregation prayer, in the Baitushofa mosque the practices of worship does not abide by the health protocol. By contrast in Daarussalam mosque in Pati, implement health protocol. (observed 2020-2021).

⁶¹Syihabuddin Al Qolyubi, *Hasyiyah Qaliyubi Wa Umaira*, n.d.p.295,

⁶²Imam Nawawi, *Raudhatut Thalibin*, Juz I, n.d. p.356.

⁶³J. Auda, *Maqasid Al-Syariah as Philosophy of Islamic Law: A System Approach*, London: The International Institute of Islamic Thought, 2008, p.12-16

epidemic at that time became part of the contextualization of how the Prophet and his companions carried out behavior to protect themselves from the spread of the covid.

This is explained in the *hadith* narrated by Imam al Bukhari that, “avoid plagues like running away from being chased by a tiger.” This means that Islam teaches to change fate to better conditions for the safety of the soul, guarding property or mind in the context of a pandemic. Islam teaches to be wise in worship by not being trapped in rigid *fiqh* laws, which ultimately does not heed the existence of *maqashid sharia* which provides health protection for the people.⁶⁴ In such a context, the Islamic law order provides an order as a regulation that *rahmatan lil alamin* does not provide a general burden that makes it difficult for Muslims to implement it.

Data (2020) on the understanding of *kyai* and the coastal community of Central Java in the third categorization, namely those who are liberative in understanding *fiqh*, show that they are not disciplined enough and heed the process of praying in congregation in mosques and Friday prayers being part of the obligation and trust in Allah. Some argue that if it is time to die, then he will die, and what is not desired, he does not die, he will still be alive. The matter of death is the sole concern of Allah. Even the fourth typical of those who do not believe in the existence of Covid-19 is considered a mere political engineering of power, then the issue and understanding that is being rolled out is that Covid-19 keeps Muslims away from mosques.⁶⁵

This seems contradictory to the fact that in 2020 the Saudi Arabian government has eliminated the pilgrimage for all Muslims in the world into a form of *ijtihad* that even obligatory worship such as Hajj can actually be postponed in order to anticipate the spread of the Covid-19 virus.⁶⁶ From the history of the Haram mosque which was closed in 827 Hijri due to the pandemic that hit the city of Mecca with the victims of up to 1700 people, Ibn Hajar al-Asqalani also gave a criticism of the practice of community members praying during the outbreak of the year in the city of Damascus and the impact of gatherings.

Such conditions almost have similarities with the situation that occurs in mosques, especially on the northern coast of Central Java, that in the new

⁶⁴Mahmud, Setiawan, and Puspitasari, “Model Karantina Kesehatan Berdasarkan Hukum Positif Dan Fiqh Maslahat Untuk Memutus Rantai Penularan Virus Corona.”(2020), p.57-62

⁶⁵Asri, Zulfiah Sam, and Rezky Damayanti, “Salat Jumat Setelah Salat Hari Raya Id Saat Pandemi Covid-19 Dalam Perspektif Hukum Islam,” *BUSTANUL FUQAH: Jurnal Bidang Hukum Islam* 1, no. 3 (2020), p. 472–83, <https://doi.org/10.36701/bustanul.v1i3.187>.

⁶⁶Heldavidson, “First Covid-19 Case Happened in November, China Government Records Show – Report2020.” *The Guardian*, 2020.

year or post-election and exacerbated by the saturation condition of the community who no longer pays attention to health protocols, this increases in positive Covid-19 confirmation significantly, especially at the national level. This means that the order of Islamic teachings has actually provided a very flexible dialectical space for the implementation of worship, which is not very rigid in the obligation to congregate in the mosque or even Friday prayers. This has also been issued by the MUI fatwa, however, social facts occur in the community that there are various understandings and this understanding has an impact on each choice of action when worshiping in mosques and other public places of worship.⁶⁷

On the other hand, mosques and the Islamic law actually have a significant role in motivating, initiating and providing an example for the community to succeed in government programs or provide prosperity to the surrounding community. One of the prosperities is the elimination of the threat of the Covid-19 pandemic which is factually happening in all parts of the world. Legally, the use of masks during prayer, as stated by Imam Nawawi in the book *al Majmu*, is not recommended when praying. Based on the hadith narrated by Abu Dawud that, “the Messenger of Allah forbade a person to cover his mouth during prayer.” In the discussion of sharia law when a person prays, there are 7 body parts attached to the floor of prostration or the place of prayer, namely the forehead, nose, both palms, hands, knees, and toes.

The mosque is a place where people from many different places gather and they interact with each other.⁶⁸ It is difficult to detect who have been infected with the virus. For that reason, Islam prevent someone from exposing to greater danger, and in doing so, the Islamic teaching recommends that Muslims take some cautions to avoid the danger. In the case of the COVID-19, it is expected that the use of masks hand sanitizer are strategies to avoid greater danger.⁶⁹

Based on our observations in mosques on the Java Coast, many use masks, but there are also many examples that do not use masks and mosques in some areas are not strict enough to enforce health protocols because of the understanding that they are in the green zone and the mosque is a holy and clean place, and ablution prevent the virus from spreading.

The recommendation for Friday prayers and praying five times in congregation at the mosque, is stated in Number 31 2020 of Indonesian Ulema Council. In the Indonesian context, the law of *fiqh* during a pandemic has been flexible. There are mosques perform congregational Friday prayer using

⁶⁷Asri, Sam, and Damayanti, “Salat Jumat Setelah Salat Hari Raya Id Saat Pandemi Covid-19 Dalam Perspektif Hukum Islam.”(2020), p. 472-483

⁶⁸Abdul Rahmat, *Seni Memakmurkan masjid*.

⁶⁹Abdurrahman Al Jaziri, *Al Fiqhu Ala Mazhabibil Arba'ah*, Juz I, n.d.p.15,”

physical distancing, and in some others, the Friday prayer is replaced to the Dzuhur prayer. The fatwa of the Ulema Council reflects two perspectives in conducting Friday prayer. First, the mosque management organize shifting procedures, while the second perspective is replacing the Friday prayer altogether with the Dhuhur prayer; it is permissible to do Friday prayer using the physical distancing system, and this allowable for safety purposes.

Based on this MUI fatwa, there is also an opinion that the shift model of Friday's implementation time in the next wave is permissible, while other laws do not provide a valid law for Friday prayers themselves as a substitute for the noon prayer or the congregational noon prayer, because there is not enough space for prayer, the Friday prayer. Likewise, the refusal to use hand sanitizer, which is considered alcohol, is a one-sided understanding. According to Wahbah az Zuhaily, the use of alcohol for medical purposes is not a problem. The *lajnah fatwa* at al-Azhar states that alcohol is not an unclean substance, so that everything it mixes (including hand sanitizer) is not considered unclean.

On other contemporary issues with this pandemic outbreak, the 2020 Hajj will be canceled, as well as religious recitation activities that are held or held, but with an online pattern, it makes an adaptability as a community in viewing religious rituals or patterns in carrying out worship. Some of the problems that are still emerging and have not received adequate legal answers in the matter of fiqhiyah during the pandemic include marriage contracts which are run online where the groom and bride are separated by the method and the marriage contract which is attended by the guardian and witnesses in each of those places run online.

The fatwa of the Indonesian Ulema Council is limited to the encouragement and no penalty will be imposed for breaching the fatwa. For that reason, there are some mosques abide by the fatwa in term of the health protocol, but some others chose not to do so. The government's regulation, however, has stronger coercive power because it is supported by legislation and also the completeness of the apparatus to secure the situation, thus, in the Indonesian context, coercion is not the best possible way to actualize the the Islamic law, while in certain areas of religious regulation such as zakat, it is better off now, since it has organized by organizational agencies within the government.⁷⁰

In addition, it is an obligatory for Muslims to maintain five things: religion (hifz had-din), soul (hifz an-nafs), reason (hifz al-aql), offspring (hifz an-nasl) and property (hifz al-mal). Djazuli added that the purpose of Islamic law is to protect the people (hifz al-ummah. Furthermore, universal

⁷⁰Syafrida Syafrida, "Bersama Melawan Virus Covid 19 Di Indonesia," *SALAM: Jurnal Sosial Dan Budaya Syar-I* 7, no. 6 (2020), <https://doi.org/10.15408/sjsbs.v7i6.15325>.

good (al-maqasid al-kulliyah or al-maqasid al-ammah) is oriented towards reaching the benefit of mankind as a whole. This universal benefit takes into account the socio-anthropological reality of mankind, as a whole in the face of the covid-19 pandemic, to solve the interests of mankind as a whole (common sense).⁷¹

Al-Imam As-Shatibi asserted that the role of sharia is to provide safety for all mankind and fight for the common good. This goal cannot be separated from three categories, namely *dharuriyyat*, *hajiyyat* and *tahsiniyyat* in order to realize the benefit of mankind in life in this world and in the hereafter.⁷² Nasaruddin Umar (2020) confirmed that the issue of wearing masks, health protocols for Muslims especially in places of worship in mosques is a must in order to maintain the establishment of maqasid sharia as decreed by the MUI and instructed by the government as *ulil amri* (2020).⁷³

Conclusion

The Covid-19 pandemic has had a prolonged impact on the dynamics of Islamic law, including among Muslims who have diverse views on the presence of this pandemic. The research found at least four community groups, both those with a fundamentally textual view of pandemic *fiqh*, moderate groups and those who ignore the religious provisions contained in the MUI fatwa as well as compliance with health protocols, and a group that does not believe in the Covid-19 as a global pandemic.

Based on this research, which was funded by the Unissula Semarang research and community service institute, we hope that it has contributed to the findings of the diversity of views and behaviors of the people of the northern coast of Java in carrying out their daily *ubudiyah* fiqh. In addition, the presence of the Covid-19 pandemic, apart from having an impact on social change, has also led to the adaptation of Muslims to the new face of Islamic jurisprudence from various choices of *ijtihad* results from the Muslim scholars. This can be seen in the dynamics of their response, the Muslim community, especially in the coastal lands of Central Java, in the face of the Covid-19 pandemic by

⁷¹W. Khallaf, "Khulashah Tarikh At-Tasyri' Al-Islam" Kuwait: Dar Al-Qalam., 1971, p. 18–23.

⁷²Qotadah, "Covid-19: Tinjauan Maqasid Al-Shariah Terhadap Penanggulangan Pelaksanaan Ibadah Shalat Di Tempat Ibadah (Hifdz Al-Nafs Lebih Utama Dari Hifdz Al-Din?)."(2020), p. 659-672

⁷³Dalam beberapa forum seminar yang diadakan secara online, imam besar masjid Istiqlal ini mengajak untuk disiplin protokol kesehatan. Dan juga ketaatan kepada beragam kebijakan pemerintah dalam rangka memutus rantai penyebaran covid 19.

continuing to behave in their daily worship, both in the mosque and in their family environment.

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Informan interview:

The leaders (kyai) of mosque administrators, village officials, administrators of youth mosque organizations, marbot, congregations, Daarus Salam mosque in Kab. Pati, they are;

Kyai Yusuf, Ust. Rahman, Kyai Abdul Kahfi, Kyai Ali Syafa', Azhar, Imam Kyai Adib al Arif, Kyai Dhopir Maqosid, Ust. Faiz Maqosid, ust. Ali Nafe, Kyai Alwan.

Kyai Zawawi, Ust. Hilal, Ust. Hadrowi, Ust. Hendri, Taufan, Kyai JB, kyai Nur Yahya, Agus, Joko, Nur St, several youths from the mosque, Interviews (during 2020-2021) with informants: leaders (kyai) of mosque administrators, village officials, administrators of mosque youth organizations, marbot, congregations, Baitusshofa mosque, Kab. Semarang City, they are;

Kyai Sukardi, Nasrudin, Ust. Ladies and gentlemen, Mr. Hambali, Damin, Marimin, Asdaqu, Suroto,

Mbah Hendro, ust. Ali Ngatmin, Abisat, ust. Sahal, Sudarto, Kartono, Dwi, Supeni, Andik, Masruri, Joko, BS.,

Kyai Hufron, kyai Mastur, Kyai Nur Hamim, Amin, Mbah Pri, Mbah Bambang, Gunawan, Suminto, Khozin, Sholihin, Arif, Yusuf Arafat, several youths from the mosque.