



## **Perspectives from Islamic Law on the Muhammadiyah Central Leadership's *Tarjih* Council and Its Significance for Religious Moderation**

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### **Abstract**

The research aims to explain and analyse the views of the Muhammadiyah central leadership assembly and its relevance to religious moderation. The method used in this research is a literature study that examines legal products produced by the *Tarjih* Council and in-depth interviews with Muhammadiyah's central and regional leaders regarding their views on religious moderation. This research shows that the Muhammadiyah central leadership *tarjih* council has provided moderate and flexible legal thinking. The legal products produced by the *tarjih* assembly have provided much knowledge to the public about how to act pretty, not easily blame others for differing opinions, be open to giving input, live side by side, be non-violent and prioritise the power of reason in looking at problems. This research concludes that the Muhammadiyah Tarjih Council's views align with the concept of moderation currently being developed by the Ministry of Religion.

**Keywords:** *Tarjih* Council; Religious Moderation; Muhammadiyah; Islamic Law

### **Introduction**

In a pluralistic society like Indonesia, religion can be both a unifying factor and a trigger for social conflict. As proven in history, religions can also be seen as a means of social change. Therefore, religious conflicts are more often a manifestation of social conflicts with religious symbols for specific purposes, such as humanitarian and social values. There are many reasons for religions to live in harmony and positive tolerance and cooperate closely in social reform,

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social change, or social transformation. The role of religion in social reform, social change or social transformation manifested in the form of civil society does not work alone. It requires a medium or agent to make various changes. One of the agents of change that is exceptionally strategic and can be relied upon, at least at the practical level, is the existence of institutions engaged in social religion in Indonesia, including Muhammadiyah (Hidayatullah, 2010). Many experts and even officials have discussed the discourse that has developed lately on the issue of religious radicalism, in this case, Islam, which is often in the spotlight and the urgency of Islamic moderation (Suharto, 2021). In other words, radicalism will only make religion an accused party for the emergence of disharmony in people's lives, locally, nationally and internationally. Therefore, radicalism has no place in Islamic discourse, teachings and practices, and Islam places it as a common enemy (Sirin & Sholeh, 2021).

As stated in QS. An-Nisa/4: 58 as follows (Nafis et al., 2019).

﴿إِنَّ اللَّهَ يَأْمُرُكُمْ أَنْ تُؤَدُّوا الْأَمَانَاتِ إِلَىٰ أَهْلِهَا وَإِذَا حَكَمْتُمْ بَيْنَ النَّاسِ أَنْ تَحْكُمُوا بِالْعَدْلِ إِنَّ اللَّهَ نِعِمَّا يَعِظُكُمْ بِهِ إِنَّ اللَّهَ كَانَ سَمِيعًا بَصِيرًا

Translation:

Indeed, Allah enjoins you to deliver the trust to those entitled to it, and when you set a law among men, you should put it justly. Indeed, Allah is the best of those who instruct you. Indeed, Allah is All-Hearing, All-Seeing. (QS. An-Nisa: 58) (Ministry of Religious Affairs of the Republic of Indonesia, 2019).

Similarly, Azra stated that the contemporary period is the most thunderous, exciting, alarming, and painful period in transforming Islamic politics, as actualised by Muslims in various parts of the Muslim world (Suharto, 2021). Since the beginning, Muhammadiyah has introduced itself as a progressive Islamic movement (Mu'ti et al., 2016). KH. Ahm emphasised that with a strong national spirit, the Indonesian people wanted to be free from the shackles of colonialism. He argued that "the spirit of Islamic renewal must coexist with the national spirit to achieve independence (Nafis et al., 2019). Indonesia's first president, Soekarno, addressed society's ignorance, dullness, superstition and mysticism (Tahir, 2016).

Because based on history, Islamic legal thought has experienced a constructive and transformative condition. Many views are present from various groups responding to changes in socio-political conditions that are related to Islamic law. The climax of this response occurred during the New Order era, which initiated a dialectic regarding development policies and the role of religion (Tahir M, 2020). During this time, new ideas and thoughts emerged in Islamic law that were more varied by the developing socio-political conditions. This has attracted much attention because Islamic law is considered the core of Islamic civilisation (Mahsun, 2020). The works of Islamic Fiqh scholars are complete with theoretical and practical evidence regarding the principles of Wasathiyyah and Islamic Moderation that Fiqh scholars want, unlike those put forward by liberals whom the concept of Islamic moderation has more or less influenced from a Western perspective (Amin, 2014).

Research conducted by Kholissudin (2020) found that First, *Tarjih* Assembly figures have the same perception that maqasid in Islamic teachings benefits humans. They differ in

their scope and methods of revealing maqasid. Based on some of these reasons, the author is interested in discussing the leadership of the Muhammadiyah *Tarjih* Council on religious moderation from the perspective of Islamic law.

## **Literature Review**

### **1. Definition and Dynamics of *Tarjih*:**

The word *tarjih* comes from the root r-j-h followed by the wazan fa'aal to become *rajjaha-yurajjihu-tarjih* which means to strengthen. In the literature of *uṣul fiqh*, scholars give various definitions. Ash-Shukani says *tarjih* is to improve one of the two arguments that are considered contradictory (Ash-Shukani, 2000). In contrast, Al-Amidi defines *tarjih* with two contradictory arguments, where one argument demands to be done while the other does not (Al-Amidi, 2003). In a different wording, Ali Hasballah said *tarjih* is making something the strongest, meaning making a proposition more critical than other propositions because there are advantages shown by the proposition (Hasballah, 1976).

The definition above illustrates that the object of *tarjih* is twofold: the arguments of Shara" which are contradictory in appearance and how to defend or reject an opinion from various opposing opinions. So the activities of *tarjih* in *uṣul fiqh* are: 1) determining the most *rajih* argument after investigating the contradictory arguments. 2) determining the most vital scholarly opinion based on the source of teaching and the use of *uṣul fiqh* methods (Abu et al.). The shift in the meaning of *tarjih* from just choosing an opinion (which already exists) to the meaning of finding (which previously did not exist) or *ijtihad* cannot be separated from the spirit of *Tajdid* carried by this organisation. Muhammadiyah, as an Islamic organisation, is known as a reform or *tajdid* movement.<sup>103</sup> For Muhammadiyah, one of the characteristics of Islamic teachings is *tajdid*.<sup>104</sup> At the beginning of the establishment of Muhammadiyah, the concept of *Tajdid* had not been formulated in such a way. KHA. In his activities then, Dahlan only focused on eradicating deviant religious practices and returning them to the teachings of the Koran and as-Sunnah. In 1968, before the 37th Congress, M. Djindar Tamimy offered the formulation of *Tajdid* as the *khittah* of Muhammadiyah (Kamal et al., 2002). He stated that *Tajdid*, with the meaning of renewal, has two aspects, namely,

- 1) *Tajdid* means a return to authenticity and purity. That is, if the target is about the principles of struggle that are fixed and not changing.
- 2) *Tajdid* means modernisation if the target is the problem of methods, systems, techniques, strategies, tactics of struggle and others that are changing and adapting to the situation, conditions, space and time (Puar, 1989).

Nevertheless, because the formulation above is straightforward and there is no explanation, in 1989, at the *Tarjih* Congress in Malang, the concept of *Tajdid* was discussed again. It became an official formulation for all Muhammadiyah citizens. The formulation is:

*Tajdid* has two meanings, namely: From the etymological aspect, it means renewal and from the terminological element, it contains two meanings, namely: a. Purification; b: improvement, development, modernisation and the like. In the sense of "purification," *Tajdid*

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intends to maintain tmahantan of Islamic teachings based on and sourced to Al-Quran and As-Sunnah Ash-Shohihah. In the meaning of "improvement, development, modernisation and the like", Tajdid is intended to interpret, practice and embody Islamic teachings by sticking to the Al-Quran and As-Sunnah Ash-Shohihah. To carry out Tajdid in both senses of the term requires the actualisation of an intelligent and fitri mind and a clean mind, which is imbued with Islamic teachings. According to the Muhammadiyah Association, Tajdid is one of the characteristics of Islamic teachings (Tanfiz Decision of Tarjih Muhammadiyah XXII, 1990).

The formulation of Tajdid above illustrates that Tajdid within Muhammadiyah is in the form of first, returning to the original (purification) concerning the expression of religious practice that has been strictly rehearsed (worship and principles of faith). The expression of spiritual practice in fundamental beliefs and mahdhah worship has been strictly categorised, the norms have been determined in such a way, and the meaning is firm (ghairu ma "qul alma "na). In this case, humans are not allowed to make creations, and if there is a deviation from these norms, it must be purified by returning to the Koran and as-Sunnah. Second, efforts to find the substance of religion to dynamise social life and civilisation. The manifestation of religious practice in the field of mu'amalah is not strictly regulated, so the opportunity for ijtihad by reinterpreting the teachings of the Koran and hadith or actualising intelligent thoughts according to Islamic teachings by the conditions of society is possible (Anwar, 2005).

This second formulation clearly illustrates the need to develop methods for addressing the issues that arise. The Tarjih Council is tasked with mentarjih khilafiyah issues and resolving and finding laws on cases that arise. Syafi "i Ma "arif, in a panel discussion in 1985 entitled "The Idea and Image of Muhammadiyah as a Tajdid Movement", said

That Muhammadiyah has stagnated in producing fresh thoughts about Islam and this, according to him, is not in line with the ideals and image of Muhammadiyah as a tajdid movement. According to Islamic teachings, when there are changes and developments in society, Muslim scholars are justified in carrying out Tajdid to refresh their understanding and appreciation of religious teachings. The failure of Muslims that occurred for centuries in the past was because Muslims at that time closed the door to ijtihad. For this reason, if Muhammadiyah wants to maintain its position as a tajdid movement, a movement of reformers, innovation, creating something new, modernisation, restoration and others that are synonymous with tajdid, then the only open way is to carry out serious ijtihad to actualise Islamic teachings by existing conditions. If not, he said, through this forum, the Tajdid movement for Muhammadiyah was officially revealed so as not to become a mental and psychological burden (Ma'arif, 2000).

The same statement also came from M. Amin; he said the new social, economic, political science and technology situation requires answers for Muslims because otherwise it will backfire. According to him, the dynamism of social life and civilisation that occurs today must be addressed through reconstruction and reinterpretation so that the situation can contextualise Islamic teachings. According to him, the scientific building of fiqh is built based on the thinking

and logic that lived in his day. If the historicity of Muslims living now differs from that of Muslims in the classical era, reconstruction efforts are necessary (Abdullah, 2000).

## **Result and Discussion**

Moderation within Muhammadiyah is not a new thing; in its history, the Muhammadiyah movement has applied the concept of moderation for a long time. KH Ahmad Dahlan when proselytising for the purification of Islam to eradicate TBC (superstition, heresy and khurafat) because all three are not only by Islamic teachings but also by human reason. KH Ahmad Dahlan accepted the progress of the times with its technology, such as determining the direction of the Qibla with a compass, conducting a teaching system like other modern schools, and many others. Muhammadiyah upholds the principles that exist in the teachings of Islam. Regarding rituals (worship), Muhammadiyah holds the basic principles of Islamic law: everything is prohibited unless it is in the Koran and Hadith. Regarding muamalah, namely human relations, Muhammadiyah adheres to the open and progressive principle that everything is permissible. However, a law (Al Quran and Anah) prohibits it (Boy, 2021).

Looking at the current condition of Indonesia, the biggest challenge is from radical and extremist groups. They see Indonesia as a country that is not Islamist, and even the President of Indonesia is considered a thogut (leader of misguidance), so Indonesia must be taken out of power and make Indonesia an Islamic state. With the existence of radicalism and extremism, the image of Islam is getting worse, giving rise to an understanding that wants to reinterpret the verses of the Koran according to their will without scientific support; they are liberal Islamic groups. The worst effect of radicalism is that people perceive Islam as a religion filled with hatred and violence, so many Muslims themselves think that their religion teaches violence, so many Muslims leave Islam and switch to other religions or become atheists.

Muhammadiyah, as a moderate Islamic movement, clearly opposes radicalism and extremism in religion. Muhammadiyah leaders continue to voice Islam, which is rahmatan lil-'alamin. In 2015, Muhammadiyah proclaimed the idea of Pancasila State as Dar Al-ahd wa al-syahadah. This idea is essential because it emphasises the importance of Indonesian nationalism, maintaining NKRI and upholding Pancasila as an Islamic ideology. The concept initiated by Muhammadiyah is based on official Muhammadiyah thoughts such as MKCH (matan and ideals of Muhammadiyah life), Muhammadiyah personality, khittah Muhammadiyah and others. Muhammadiyah views Pancasila as having substance by Islamic teachings (Shofan, 2021).

Haedar Nashir, head of PP Muhammadiyah, emphasised that Muhammadiyah disagrees with and does not provide space for ideologies, thoughts and attitudes that are contrary to the ideology of Pancasila (Nashir, 2016). Furthermore, he wrote that it has been a modern, reformist, renewal Islam since its establishment.

The background of the establishment of Muhammadiyah is due to several things, such as the mixture of Islamic religious life in Indonesia, inactive religious education institutions, and the authorities' attitude towards Islam. Therefore, Muhammadiyah continues to make

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renewal and modernisation efforts in spiritual understanding and guidance, education, health and others based on progressive Islam (Yulianto, n.d.). In addition to the above, there are several essential points about Haedar Nashir's thinking about Islamic moderatism in Muhammadiyah, including the following:

Islam is an enlightening religion. Indonesian society, the majority of which is Muslim, must be able to reveal itself as a progressive people and be able to enlighten the life of the nation and the nation. Muslims must excel in morals, civilisation, technology, politics, economics and culture. Islam offers a path to progress in all areas of life imbued with universal values.

- 1) Spirit and Meaning of Enlightenment. Enlightenment in Muhammadiyah's thought is entirely based on Islamic teachings.
- 2) Muhammadiyah is an enlightenment movement. Muhammadiyah aims to advance the people and the nation. The presence of Islam is to bring humanity out of darkness (jahiliyyah) to the truth, namely the teachings of Allah.
- 3) Islam progresses. Islam has a mission to advance human civilisation. Islam views men and women as equal without discrimination. Islam fights for anti-war, anti-terrorism, anti-violence and oppression, anti-underdevelopment, and anti-destruction on earth, such as corruption, abuse of power, destruction of nature, human crimes and others.
- 4) Islamic Reformism / Modernism is a movement that wants to transform Islam in modern life. Reformism is carried out in all fields, such as law, education, economics and others.

In addition to Din Syamsudin and Haedar Nashir, Professor Syafii Maarif is a Muhammadiyah figure and a former leader of PP Muhammadiyah who continues to voice Islamic moderatism in Indonesia. Syafii Maarif's view of Islamic moderatism is how to provide a reinterpretation of Islamic religious texts, the purpose of which is for Muslims to have an attitude of tolerance towards other religious communities in Indonesia, which consists of a pluralistic society. The efforts made by Syafii Maarif to promote Islamic moderatism can be seen from his active activities in various religious and interfaith forums and also through his writings on Islamic moderation. In addition, he founded the Ma'rif Institute, which pays attention to cultural and humanitarian issues; he is also active in reducing conflicts between religious communities (Saputra, 2021).

### ***A. The Relevance of the Views of the Tarjih Assembly of Muhammadiyah with Indicators of Religious Moderation***

The role of the Majelis Tarjih institution is crucial in the Muhammadiyah organisation. Majelis Tarjih is the face and reflection of the Muhammadiyah organisation because the Tarjih institution is an institution that issues a fatwa in Muhammadiyah. Society, in general, and Muhammadiyah members, in particular, will look to the fatwa issued by Majelis Tarjih because it results from deliberation and not from individual members of the Muhammadiyah organisation. If the fatwa issued by Majelis Tarjih is radical, the public will consider Muhammadiyah a revolutionary organisation, and vice versa. In Indonesia, with the development of radicalism, the public expects the fatwas issued by Muhammadiyah to be

moderate, calm and peaceful so that the situation in Indonesia returns to peace and the inter-religious community can coexist nicely. One of the fatwas issued by Majelis Tarjih is a fatwa on social relations between Muslims and non-Muslims. The fatwa of the majlis on the relationship between Muslims and non-Muslims is as follows:

- a. Associating or having good relations with non-Muslims in the community is permissible, including eating food served by them unless it is food that is forbidden to eat,
- b. It is permissible to accept non-Muslim goods if they are given purely and not bindingly, and the goods delivered are halal,
- c. Muslims are not allowed to donate things that are used for other religions' worship because this is an act that helps evil and sin;
- d. Following the process of non-Muslim worship is an act that is prohibited because interfaith harmony can only occur outside the field of creed and worship,
- e. The muamalah relationship with non-Muslims is permissible, as long as no evidence prohibits it, such as following Christmas worship, which is haram, but helping Christmas preparations, such as venue preparation and others, is halal.  
Giving donations and assistance to non-Muslims is permissible,
- g. Giving and receiving donors from Muslims is permissible, and many other fatwas related to relations between Muslims and non-Muslims (Muhammadiyah, 2021).

In addition, Majelis Tarjih is also the face of progressive and modern Islam declared by Muhammadiyah. Examples of these advanced and contemporary Islamic Fatwas are in medicine and human engineering, such as the prevention and treatment of diseases, offspring planning, and improving human quality. The fatwa is as follows:

1. In the field of planning for offspring, in this case in Indonesia is a family planning program, the content of the fatwa of the Tarjih Council is that it is permissible to plan to have offspring, but must have the following reasons:
  - a) Worrying about the health and safety of the mother because of pregnancy and childbirth, this is if it is known from a doctor's statement,
  - b) Fear for the safety of religion due to the narrowness of life will be dragged into things that are haram because driven by the interests of the child, such as the problematic economy to commit haram acts such as stealing and others,
  - c) Fears for the health and education of the child if the child is too close,
  - d) The permissibility of abortion for the reason of eliminating the evil, namely the safety of the mother.
2. IVF, in the case of IVF, is permissible if the sperm and ovum come from a legal partner, meaning that the sperm must come from the husband and the ovum comes from the wife. However, in its implementation, the Tarjih Council also provides conditions, namely:
  - a) Sperm retrieval techniques are carried out in a way that is not contrary to Islam,
  - b) A female doctor should do the placement of the zygote,
  - c) The patient is the wife herself.

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3. Organ transplantation is permissible if this option is the last resort to save the patient.
4. Human embryo cloning is the creation of one or more identical individuals. Usually, this is done in the IVT-ET program for cases that have difficulty conceiving due to a lack of embryos; this process is permitted (Jamma, 2017).

In addition, the Tarjih Council also issued fatwas in the economic field, namely in the banking sector, such as fatwas on bank interest and insurance. In terms of bank interest, Muhammadiyah forbids bank interest that exploits debtors. While in terms of insurance there are two, namely loss insurance and life insurance. In the case of loss insurance, Majelis Tarjih believes there is usury and uncertainty in loss insurance, so it is prohibited. Not all life insurance has the elements above, namely usury and uncertainty, so the Tarjih Majelis punishes it as a shubhat thing, which is good to be abandoned (Jamma, 2017).

In making decisions, Majelis Tarjih does so by deliberation and invites experts in their fields; if the issue is about health, then health experts will also be asked, and if the problem is in the banking sector, then experts in their fields will also be requested. From this, we can see the role of Majelis Tarjih as an institution that issues fatwas from the Muhammadiyah organisation. The fatwas issued by Majelis Tarjih in this field are the face of the Muhammadiyah organisation. People can judge whether Muhammadiyah is a radical, extreme or backward organisation. With this fatwa, we believe that Muhammadiyah is a moderate and progressive organisation that aims to benefit Muslims and humanity. The perspectives of Majelis Tarjih PP Muhammadiyah on religious moderation are very relevant to the indicators of religious moderation. Some of these indicators include:

- a) Tolerance and Respect for Differences: Majelis Tarjih PP Muhammadiyah emphasises the importance of tolerance and mutual respect in religion, one indicator of religious moderation.
- b) Avoiding Extremism and Intolerance: Majelis Tarjih PP Muhammadiyah also emphasises the importance of preventing extremism and intolerance in religion, another indicator of religious moderation.
- c) Maintaining Balance in Religion: The concept of religious moderation explained by Majelis Tarjih PP Muhammadiyah also includes efforts to balance religion between aspects of worship and muamalah. This is an essential indicator of religious moderation.
- d) Religious Education and Knowledge: Majelis Tarjih PP Muhammadiyah emphasises the importance of religious education and knowledge in maintaining religious moderation, which is an essential indicator in strengthening the understanding of the actual teachings of Islam.

Thus, the view of Majelis Tarjih PP Muhammadiyah on religious moderation is very consistent and relevant to the indicators of religious moderation, which include tolerance, avoiding extremism and intolerance, maintaining balance in religion, and strengthening religious education and knowledge.



***B. Analysis The Decision Assembly Tarjih PP Muhammadiyah about Religious Moderation***

The view of religious moderation adopted by Majelis Tarjih PP Muhammadiyah is based on the understanding that religion must be understood holistically and contextually. This means that religion must be understood with social, political, and economic life and the changing times.

In this view, religious moderation is about tolerance and simplicity, balance, and modesty in religion. Religious moderation was also considered a form of renewal in understanding and practising spiritual teachings.

Majelis Tarjih PP Muhammadiyah emphasised that religious moderation is not the same as liberalism, secularism, or radicalism. Muhammadiyah's religious moderation is based on moderate Islamic principles: simplicity and prosperity, tolerance and adherence to spiritual teachings, and freedom and responsibility. Religion has two functions in society, namely latent and manifest functions. Religious milestones sometimes result in concrete forms that unconsciously form an equilibrium (harmony) in society; this is the latent function of religion. Meanwhile, the function whose purpose is clear and neatly built is called the manifest function (Majelis Tarjih dan *Tajdid* Muhammadiyah Central Leadership. 2018).

In addition, Muhammadiyah's religious moderation also emphasises the importance of building harmonious and inclusive relationships with other groups in society, as well as fighting for the rights and welfare of all citizens without exception. Muhammadiyah's religious moderation is reflected in the organisation's policies and programs, such as quality education, community economic empowerment, human rights advocacy, and efforts to build harmonious relationships with other social groups. Overall, Muhammadiyah's view of religious moderation aligns with the values of democracy, tolerance, and universal humanity, and it develops concepts that are moderate and inclusive of Islamic teachings.

This view is expected to positively contribute to the development and progress of the nation and state. Moderation in Islamic legal thought gave birth to moderate fiqh, which can build harmonious relations between religious communities when applied to interfaith relations. Such fiqh is not new in the tradition of Islamic law. The need for moderate fiqh cannot be separated from the needs of Muslims and building the life of the nation and state. Indonesia's challenge is the problem of intolerance, violence, and conflict, some of which use religious symbols and legitimacy. For Muhammadiyah, the existence of the Indonesian state and nation is an inseparable part of the history of Muhammadiyah's development. Although Muhammadiyah was born before Indonesia was born, Muhammadiyah, together with Muslims and people of other religions, also fought for the birth and establishment of the nation and state.

The evidence of the involvement of Muhammadiyah citizens can be seen from the contribution of Muhammadiyah citizens to the national movement. The first General of the Indonesian Armed Forces was a Muhammadiyah Pandu activist (General Soedirman), the first KNIP chairman, Kasman Singodimejo, was a Muhammadiyah figure, as well as the first President of the Republic of Indonesia, Soekarno, who was a Muhammadiyah school teacher and an administrator of the Muhammadiyah Education Council when he was exiled to

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Bengkulu. On the other hand, Muhammadiyah citizens have a firm stance on issues categorised as areas of *akidah* (belief) and *ubudiyah* (ritual). In the case of Ahmadiyah, for example, the Tarjih Decision Set (HPT) firmly states that the verses and traditions regarding the existence of the Prophet Muhammad as the last Prophet are apparent. Hence, rejection of these verses and traditions is a denial of these verses and traditions (PP Muhammadiyah, 2011). This shows a clear and uncompromising stance on matters of faith. However, this firm stance is not intended to legitimise the use of violent methods, especially physical ones, against Ahmadiis. Moreover, history records the relationship between Muhammadiyah and Ahmadiyah members in the early development of Ahmadiyah in Java (Zulkarnian, 2005). The Central Java MTT, for example, once invited Ahmadiyya figures to speak in front of the scholars of the Tarjih Council of PWM and PDM throughout Central Java to provide an opportunity for Ahmadiyya to Ahwan Fanani-Moderation of Jurisprudence Thought to explain its position on the issue of Mirza Ghulam Ahmad's prophethood which became a polemic.

This is an inappropriate position to encourage the *fiqh* of inter-religious relations. The issues of interfaith relations raised by Muhammadiyah through the MTT are more based on the concerns of Muhammadiyah citizens on various social and religious matters. However, a clear principle is followed by Muhammadiyah: although Muhammadiyah is firm in cases that fall into the category of worship and belief, Muhammadiyah residents avoid the streets of violence. Regarding violence, the MTT has a clear stance. This can be seen in the decision of Musywil Tarjih Sukoharjo on November 21-22, 2009.

The verdict on -Jihad and Suicide Bombing<sup>1</sup> confirms that based on various kinds of *jihad*, -detonating a bomb that intentionally causes the perpetrator to die is suicide, not suicide. Suicide for any reason, according to Islam, is haram (Tengah et al. P., 2010). This decision confirms Muhammadiyah Central Java's position on the claim of *jihad* carried out by some Muslims through acts of violence as an unacceptable action in *shar'i*. The issue of religious harmony that may become an important issue is the relationship between Muslims and non-Muslims. Several issues regarding inter-religious relations emerged in the tarjih discussion.

At the Central Java PW level, for example, there was a discussion about attending religious celebrations of people of other religions, congratulating Christmas, and saying greetings, namely at the Tarjih Musywil in Purwokerto March 22-23, 2008. The Musywil Tarjih Purwokerto gave birth to the decision of the Central Java MTT Muhammadiyah, which emphasised that attending ceremonies and rituals of other religions (in the case of Christmas) is haram for Muslims. The basis used by the Central Java MTT is:

- 1) Alquran,
- 2) Sunnah,
- 3) *ushul* rules, namely a) *qiyas*, b) *sadd al-zariah*, and c) (درء المفساد مقدم على جلب المصالح) *maslahah* attracts over *mafsadah* rejects (اجتمع الحال و لحرام غلب الحرام) *الضرورات تبيح المحظورات* ,
- 4) *fiqh* rules, namely a) harm must be eliminated, b) looking at the haram is also haram, and c) if *halal* and *haram* are mixed, the haram wins ( ( اذا ) المصالح جلب على مقدم المفساد درء ( اذا ) (اجتمع الحال و لحرام غلب الحرام) *الضرورات تبيح المحظورات* ). (Tengah, M. & T. P., 2010).

Using various rules or approaches to legal istinbath is a significant breakthrough in the Muhammadiyah body, vital in returning to the Koran and Sunnah. The diversity of legal arguments and istinbath rules allows the birth of legal products that depart from a more detailed examination of the issue. In the case of wishing Merry Christmas, for example, thoughts developed among the musyawirin 64 SHAHIH - Vol. 2, Number 1, January-June 2017 (tarjih deliberation participants) about the need for tafshil (analysis) in looking at the problem. The idea of analysing the problem emerged, namely:

- 1) Congratulating the Prophet Jesus is Sunnah,
- 2) It is not permissible to greet Jews and Christians, and it is not acceptable to greet them,
- 3) The ruling on wishing people a merry Christmas is shubhat (doubtful), so it is better to avoid it. (Tengah, M. & T. P., 2010).

This analytical approach shows an approach that is not merely black and white in addressing the pronunciation of Christmas greetings by Muslims to Christians. Although the MTT's decision on the issue of inter-religious relations is based on a protective spirit by rejecting things considered to enter the territory of ubudiyah and the creed of other religions, the decision is not allowed to lead to an exclusive attitude. The decision of Tarjih PP Muhammadiyah emphasises that Islam does not prohibit Muslims from dealing with and doing good and being fair to non-Muslims who are not hostile, based on Surah al-Hujurat (Qs.49/13):

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

Translation:

O people! Indeed, We have created you from a man and a woman; then We made you into nations and tribes so that you may know one another. Indeed, the noblest among you in the sight of Allah is the most pious (Ministry of Law and Human Rights. n.d.)

al-Mumtahanah (Qs. 60/8) :

لَا يَنْهَىٰكُمْ اللَّهُ عَنِ الَّذِينَ لَمْ يُقَاتِلُوكُمْ فِي الدِّينِ وَلَمْ يُخْرِجُوكُمْ مِنْ دِيَارِكُمْ أَنْ تَبَرُّوهُمْ وَتُقْسِطُوا إِلَيْهِمْ إِنَّ اللَّهَ يُحِبُّ الْمُقْسِطِينَ

Translation:

Allah does not forbid you to be kind and just to those who do not fight you in matters of religion and do not expel you from your homes. Verily, Allah loves those who are (Ministry of Law and Human Rights. n.d.).

Al-Anfal (Qs. 8/61):

﴿وَإِنْ جَنَحُوا لِلسَّلَامِ فَاجْنَحْ لَهَا وَتَوَكَّلْ عَلَى اللَّهِ إِنَّهُ هُوَ السَّمِيعُ الْعَلِيمُ

Translation:

Accept it and trust Allah if they are inclined to peace. Indeed, He is All-Hearing, All-Knowing (Ministry of Law and Human Rights. n.d.).

and Luqman (Qs. 31/15). (Tengah, M. & T. P., 2010).

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وَأِنْ جُهِدَاكَ عَلَى أَنْ تُشْرِكَ بِي مَا لَيْسَ لَكَ بِهِ عِلْمٌ فَلَا تُطِعْهُمَا وَصَاحِبُهُمَا فِي الدُّنْيَا مَعْرُوفٌ وَأَتَّبِعْ سَبِيلَ مَنْ أَنَابَ إِلَيَّ ثُمَّ إِلَيَّ مَرْجِعُكُمْ فَأُنَبِّئُكُمْ بِمَا كُنْتُمْ تَعْمَلُونَ

Translation:

Moreover, if they force you to associate with Me something you do not know, then do not obey them, associate with them in the world well, and follow the path of those who return to Me (Ministry of Law and Human Rights. n.d.).

Some Muhammadiyah scholars even allow government officials from the central level, sub-districts and leaders of Islamic organisations, including Muhammadiyah, to attend Christmas ceremonies. This was conveyed by Yusuf Suyono, one of the presenters at the Purwokerto Tarjih Conference. He was allowed to participate in Christmas celebrations as long as his heart remained firm, relying on the fiqh rule (إذا اجتمع الحال) (درء المفسد مقدم على جلب المصالح) emergencies allow things that were previously forbidden). He also added that Indonesia is not an Islamic state, so non-Muslims are not positioned as ahl al-dzimmah. That, according to him, can be an illah to change things that are prohibited from being allowed. So, the dynamics of legal istinbath regarding interfaith and internal religious relations carried out by the Muhammadiyah MTT show the development of a methodology that enables the birth of moderate attitudes in interfaith relations. A firm stance in matters of ubudiyah and creed does not close the door to interreligious cooperation. In the area of muamalah, moderate fiqh has the potential to develop due to Manhaj Tarjih MTT Muhammadiyah, which allows for the development of legal thinking that is not solely textual.

The use of alternative legal arguments, which in ushul fiqh is commonly known as mukhtalaf, such as sadd al-zariah and maslahah shows that the solid textual orientation among the Tarjih Council is experiencing a moderation process so that it accepts nontextual considerations. The increasingly widespread use of fiqh rules in the Tarjih Council shows that analogies and regulations begin to get a place in solving legal problems. This phenomenon indicates the development of legal thinking among Muhammadiyah, which is increasingly open to the tradition of classical Islamic legal thought. The process does not mean eliminating homework for Muhammadiyah citizens to access jurisprudence in the classical Islamic fiqh treasury regarding legal cases that are no longer new.

In the context of interfaith relations, Muhammadiyah must face the fact that its existence has begun to be seen as one of the Islamic standards and barometers for interfaith relations in Indonesia. This position will influence the orientation of legal thinking in Muhammadiyah. Moreover, many Muhammadiyah citizens become state apparatus or academics who must interact with state discourse.

## **Conclusion**

Based on the results of research and discussion that the author has put forward in the previous chapter, the conclusions are:

1. The *Tarjih* Council of Muhammadiyah First prioritised morality, sharia, and religious beliefs while drafting regulations. Every fatwa must follow moral principles like fairness, honesty, and fundamental Islamic teachings.
2. The understanding of religious moderation by the Tarjih Council of Muhammadiyah Central Leadership aims to build a balanced knowledge of religion, strengthen quality Islamic education, and maintain a balance between worship and muamalah.
3. The opinions of the *Tarjih* Council are relevant to measures of religious moderation because they strongly emphasise religious education, tolerance, avoiding extremism, and maintaining balance. The development of Muslims who are accepting, peaceful, and productive members of society depends on each of these metrics.

Majelis *Tarjih* PP Muhammadiyah holds a consistent and pertinent position toward religious moderation. These indicators include tolerance, abstaining from radicalism and intolerance, preserving spiritual balance, and enhancing religious education and awareness.

### **Declaration of conflicting interest**

The authors declare that there is no conflict of interest in this work.

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