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LIMITING RULES IN THE IMPLEMENTATION OF ISLAMIC LAW: AN ANALYSIS OF THE PRINCIPLE OF *RUKHSAH* AND THE HIERARCHY OF OBLIGATIONS IN CONTEMPORARY CONTEXTS

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Abstract

This article examines the role of key Islamic jurisprudential principles as constraints in the application of Islamic law, particularly in situations involving emergencies or conflicting obligations. It focuses on two foundational rules: *al-rukhaṣ lā tunāṭ bi al-maʿāṣī* (legal relief does not apply to immorality) and *al-wājib lā yutraq illā li-wājib* (an obligation may not be abandoned except for the sake of another obligation). Through a library-based research method, the study analyzes the meanings, sources, and practical relevance of these principles by discussing contemporary scenarios such as invoking *rukhṣah* during sinful travel, postponing prayer due to urgent medical duties, and balancing academic commitments with the obligation of Friday prayer. The findings highlight the significance of employing the principles of caution (*iḥtiyāṭ*) and prioritization (*tartīb al-awlawiyyāt*) in legal *istinbāṭ* (derivation). These limiting principles serve to protect the integrity of Sharia from the misuse of emergency concessions while promoting justice, public benefit (*maṣlaḥah*), and alignment between scriptural texts and real-life contexts. The integration of these rules is essential for formulating contextual Islamic legal responses that remain faithful to ethical and evidentiary foundations of Sharia.

Keywords: Principles of Islamic Jurisprudence; Rukhṣah; Legal Obligations; Maṣlaḥah; Sharia Ethics

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INTRODUCTION

Islamic law possesses a complex methodological apparatus to respond to ever-changing social dynamics. One important such apparatus is the rules of Islamic jurisprudence (*fiqh*), a set of general principles formulated by scholars to facilitate the determination of laws for new events not explicitly mentioned in the texts. The rules of Islamic jurisprudence serve as guidelines for establishing statutes, as well as a control tool to prevent the potential misuse of sharia provisions by interested parties (Rialita & Maulana, 2023).

In the context of flexible legal implementation, such as the concept of *rukhshah* (legal leniency), Islamic jurisprudence (*fiqh*) principles play a crucial role in constraining the misinterpretation or overuse of the leniency principle. *Rukhshah* is granted under certain circumstances as a form of ease from Allah to His servants, but must remain within the boundaries established by sharia (Syar'i, 2025). Therefore, scholars have established specific rules governing when and how *rukhshah* can be applied, ensuring that the principle of benefit remains intact while not neglecting the primary objectives of sharia (*maqasid al-shari'ah*) (Muda et al., 2023).

Furthermore, in situations where there is a conflict between obligations, Islamic law provides the principle of the hierarchy of obligations (*tartib al-awlawiyat*). This principle ensures that in emergencies or limited circumstances, legal priorities can be properly upheld, thereby achieving the greater good (Abdurrahman et al., 2025). It means that the principles of *fiqh* serve not only as technical guidelines but also as ethical and philosophical instruments in maintaining a balance between the strictness of the law and the dynamic needs of humankind

The principle of الرخص لا تناط بالمعاصي emphasizes that the leniency granted by sharia does not apply to those in a state of sin. It is to ensure that *Rukhshah* is not used as a justification for sinful acts or violations of the basic principles of Sharia. Meanwhile, the principle of الواجب لا يترك إلا لواجب emphasizes the importance of prioritizing obligations; a person is only permitted to abandon one obligation if they are faced with another obligation that is more urgent or cannot be postponed. These two principles are crucial to understand and apply wisely, especially in the complexity of contemporary life, which gives rise to numerous new issues in worship, social interactions, and public policy (Azhar et al., 2017; M. F. Putra, 2023).

Literature regarding fundamental rules in the application of Islamic law reveals that the dynamics of Sharia application in modern society are significantly influenced by basic principles and convenience, one of which is the principle of rukhshah. Rukhshah is defined as legal relief given by Allah to the *mukallaf* when there is age or difficulty, so that the original law (*azimah*) can be threatened for the sake of benefit and avoid harm (P. A. A. Putra, 2022). In the contemporary context, the application of *rukhshah* becomes particularly relevant, especially in addressing the challenges of complex and pluralistic modern life, such as in cases involving the limitation of marriage age, the performance of worship during emergencies, or the adjustment of family law (Siregar, 2024). In addition, the hierarchy of obligations in Islamic law emphasizes the existence of priorities and levels in the implementation of religious commands, such as *wajib 'ain* and *wajib kifayah*, as well as the distinction between absolute and limited obligations (Hasan, 2019). This hierarchy facilitates the adaptation of law to societal needs without neglecting the fundamental values of Sharia. Overall, the literature confirms that the limitations and adjustments in Islamic law, both through the principle of *rukhshah* and the regulation of the hierarchy of obligations, represent a form of sharia responsiveness to evolving social realities, thus remaining relevant and applicable in modern life (Murjazin, 2018).

This study aims to analyze these two limiting principles conceptually and applicatively, by presenting real-life case examples in the context of contemporary Islamic law. Using a qualitative approach based on literature, this study examines the application of these principles in cases such as: traveling for sin and requests for *rukhshah* (traveling for sin), the conflict between medical duties and obligatory prayers, and neglecting the obligation of Friday prayers for academic purposes. This study is crucial as part of strengthening the istinbāṭ system of Islamic law to ensure its continued adaptability and protection from deviation.

METHODS

The researchers employed a qualitative approach, utilizing a library research method (Rijali, 2018). This approach was chosen because the focus of the study is the analysis of Islamic jurisprudence principles as a methodological tool in the implementation of contemporary Islamic law. This study is descriptive-analytical, aiming to describe and analyze the meaning, application, and legal implications of two important principles: legal leniency

does not apply to sin, and obligations may not be abandoned except in cases where other, more significant commitments supersede them.

The data sources for this study were obtained from various classical and contemporary literature, such as *fiqh* books, Islamic law books, journal articles, and official fatwas from religious institutions. The research procedure involved selecting relevant literature, examining the substance of the *fiqh* principles that are the focus of the study, and then linking them to contemporary phenomena through selected case studies.

The data analysis technique employed is content analysis (Sugiyono, 2017), which interprets legal texts within their social context and about the *maqāṣid al-syarī'ah* (objectives of Islamic law). Furthermore, a comparative approach is used to examine the differing views of Islamic scholars on the application of Islamic principles in specific situations. This study also considers normative and ethical aspects in the formulation of Islamic law to obtain conclusions that are not only legally valid but also socially relevant and beneficial according to Islamic law.

RESULTS

The Case of Sinful Travel and *Rukhshah's* Request for Prayer

A man travels out of town with the aim of gambling in an illegal place. During his journey, he intended to pray the plural and qashar prayers, as it is permissible for travelers to do so according to Islamic law.

In Islamic jurisprudence literature, travel is classified into three types: (1) *safar tha'ah* (obedient travel), (2) *safar mubah* (neutral travel), and (3) *safar ma'ṣiyah* (sinful travel) (Nadha, 2020). Scholars differ in their opinions regarding the status of *rukhshah* for those who travel sinfully. The majority of scholars, including the Shafi'i and Hanbali schools, state that *rukhshah* does not apply to those whose travel is intended to sin, based on the principle of الرخص لا تناط بالمعاصي. It is because giving *rukhshah* is considered a form of indirect support for sin (Nastain et al., 2023).

Rukhshah in Islamic law is a manifestation of Allah's love (*rahmah*) towards His servants. This concept demonstrates that Islamic law not only requires rigid obedience but also provides convenience and flexibility in carrying out worship when someone faces difficulties or special circumstances. *Rukhshah* serves as a form of flexibility in Islamic law,

aiming to maintain a balance between religious obligations and the human ability to fulfill them. It aligns with the principle of *maqāṣid al-syari'ah*, which prioritizes benefit and convenience in the application of Islamic law (Amri, 2022).

However, Allah's love, which is manifested in the rukhsah, must not be used as an opening to violate the values of the *Shari'a*. In the context of maqāṣid al-syarī'ah, rukhshah only applies if the difficulties a person faces are truly objective and not caused by unlawful acts (immorality). If problems arise due to actions that violate the *Shari'a*, then the cause underlying the relief becomes invalid, so that the law of rukhshah is invalid. Rukhshah cannot be used as a justification for behavior that contradicts Islamic principles (Al-Qaradawi, 1999).

Therefore, someone who goes on a *safar* (journey) with the aim of immorality does not have the right to pluralize (combine) or make qashar (shorten) the prayers during the trip. The main condition for the validity of a *rukhshah* is that the difficulty is genuine and does not result from a violation of the law. If these conditions are not met, then the legal relief does not apply. This approach emphasizes the importance of maintaining the integrity of worship while consistently upholding Sharia values in every condition (Hallaq, 2009). For this reason, *rukhshah* is not a means to avoid obligations, but rather a form of grace that facilitates Muslims' worship by upholding the principles of justice and benefit.

The Case of a Female Medical Worker Who Canceled Prayers Due to Emergency Duty

A Muslim doctor was performing the obligatory prayer at the hospital as a form of obedience to her religious obligations while on duty. However, amid her prayer, she received a critical emergency call to treat a female patient in critical condition who needed immediate attention. Realizing the urgency of the situation and the importance of saving lives in Islam, she immediately interrupted her prayer and rushed to provide medical assistance to the patient.

In *fiqh*, leaving fardhu prayers without a syar'i reason is a major sin (Mangunsong, 2024). However, if two obligations cannot be fulfilled simultaneously, then legal priority applies. The principle of الواجب لا يترك إلا لواجب shows that an obligation can only be abandoned if there is another obligation that is equally or more important and cannot be postponed.

According to the concept of *maqāṣid al-syarī'ah*, safeguarding the soul (*ḥifẓ al-nafs*) is one of the primary and highest goals of Islamic law. *Maqāṣid al-syarī'ah* places the protection of the soul as a priority, even preceding some individual religious obligations, because without the survival of the soul, the performance of religious obligations is impossible. It demonstrates that Islamic law highly values the safety and survival of human beings as the primary foundation for spiritual and social life (Kamali, 2008).

In the context of an emergency, such as when a doctor faces a critical situation that threatens a patient's life, temporarily abandoning prayer is permissible to save the patient's life (Lazenby et al., 2014). This principle is based on the Islamic jurisprudence principle that states that an emergency can remove prohibitions and permit actions that are normally prohibited, as long as the goal is to prevent greater harm. Therefore, a doctor on duty who saves a patient's life can postpone their prayer without being considered to have permanently abandoned their obligation (Al-Qaradawi, 1999).

However, the obligation to pray must still be fulfilled by making up for it (qadha) after the emergency is over. The principle of qadha in the law of worship emphasizes that prayers delayed for a justified reason must be performed later so that the obligation remains fulfilled according to Islamic law. The doctor is still obliged to perform the delayed prayers after completing his duties, maintaining a balance between preserving his life and fulfilling the obligation of worship in Islam (Hallaq, 2009).

The Case of a Muslim Student Taking an Exam During Friday Prayer

A male Muslim student faces a dilemma when taking his final exam at a state university, scheduled for Friday from 11:30 a.m. to 1:00 p.m., the same time as the Friday prayer, which is obligatory for Muslim men. In this situation, he feels confused and stressed because he must choose between fulfilling his academic obligations to graduate and fulfilling his religious obligations by attending Friday prayers in congregation at the mosque. This situation raises important questions about priorities and solutions that can be taken to fulfill both obligations without neglecting either, considering that Friday prayers are a form of worship that holds a special place in Islam. The final exam is an important requirement for continuing one's studies. Therefore, the student needs to find alternatives, such as consulting with his lecturer or university officials about the possibility of rescheduling the exam, or finding a place for Friday prayers close to the exam location so that he can optimally perform

both. He also needs to understand the provisions of Islamic jurisprudence regarding *rukhsah* (leniency) in certain situations to avoid feeling unduly burdened.

In the context of Islamic jurisprudence, Friday prayers are an obligatory duty for every male Muslim who meets the requirements for fulfilling a religious obligation. Scholars agree that Friday prayers cannot be omitted except for a valid Islamic excuse, such as serious illness, travel, or a threat to one's safety (Sulong, 2018). In this case, the final exam is not considered a sharia obligation that is on the same level as the Friday prayers. Friday prayers hold a significant and mandatory position in Islamic law, and their importance cannot be overlooked or diminished by other activities that are not of equal religious obligation. Because of this, the commitment to attend Friday prayers remains intact even if there is a scheduling conflict with academic responsibilities such as exams. The final exam, although important for educational progress, does not hold the same religious significance as the Friday congregational prayer (Rohman, 2022).

This understanding is based on the well-known Islamic legal principle of الواجب لا يترك إلا لواجب, which means "an obligatory act is only abandoned for another obligatory act." According to this principle, one cannot neglect a religious duty unless there is a stronger or equal religious duty that justifies doing so. Therefore, students facing such conflicts must prioritize attending Friday prayers. At the same time, they should communicate with their campus administration to request a time dispensation or rescheduling of the exam. This approach allows them to fulfill both their religious obligations and academic requirements without compromising either.

DISCUSSION

In the case of sinful travel and *Rukhsah's* request for prayer, in the modern era, forms of immoral travel are increasingly diverse and covert. Trips that appear ordinary, such as out-of-town work or business visits, are sometimes misused for purposes that are contrary to the *Shari'a*, such as corruption, attending immoral parties (alcohol, adultery, gambling), or even smuggling illegal goods. In *fiqh* literature, immoral travel from the start of the journey—that is, someone traveling with the main intention of committing a haram act—is declared not entitled to relief (*rukhshah*) such as performing the plural and making up the prayer. It is emphasized to prevent the *Shari'a* from becoming a loophole for immoral perpetrators to seek legal justification for their actions (Norcahyono, 2021).

Therefore, scholars and fatwa institutions need to be extremely careful in formulating practical guidelines regarding the laws of travel and *rukhsah*. If not properly controlled, the *rukhshah* law, which is essentially a relief under sharia for mukallaf facing difficulties, can instead be exploited as a moral and legal justification for deviant or criminal behavior. Research in the journal *Fiqh* confirms that *rukhshah* is granted only under conditions and requirements permitted by Sharia, not to commit sin or injustice (Rohim, 2022). Misuse of *rukhshah* not only violates the objectives of sharia but can also lead to broader social damage, so caution and responsibility are needed in its implementation.

In the case of a female medical worker who canceled prayers due to emergency duty, the medical profession demands full preparedness and a high degree of responsibility, including the ability to carry out daily religious duties. In emergencies or situations that prevent medical personnel from performing religious duties on time, Islam provides flexibility (*rukhsah*) through concessions such as combining prayer times or making up missed prayers (Sapai & Ibrahim, 2020). This approach is not solely based on ritual convenience, but also grounded in ethical humanitarian principles and the values of Islamic emergency, which prioritize the safety of life and service to others. Islamic law accommodates the practical needs of medical personnel while upholding religious obligations, striking a balance between individual rights and the public interest.

In a broader social context, this rule teaches Muslims not to be rigid in carrying out their worship, but to understand the priority scale of the *Shari'a* as a whole. The flexibility provided by *rukhsah* also serves as a form of moral education, enabling people to adapt the implementation of worship to the real conditions they face, especially in professions that have a significant impact on people's lives. Research in contemporary *fiqh* journals confirms that the application of *rukhsah* in the medical profession is a manifestation of the principle of *maqashid sharia*, namely maintaining benefit and avoiding harm, so that worship can continue to be carried out without sacrificing vital social duties (Al-Qaradawi, 2014).

In the context of Muslim students facing exams during Friday prayers, this issue often arises in higher education settings that do not specifically regulate academic schedules based on prayer times. It creates a dilemma between academic obligations and religious obligations that must be fulfilled simultaneously. The Islamic jurisprudence principle of priority (*al-awlawiyyat*) remains an important guideline in resolving such conflicts, where individual and irreplaceable religious obligations must be prioritized without neglecting academic

responsibilities. Therefore, educational institutions in Muslim countries need to adopt more flexible and inclusive policies (Şahin & Kesik, 2019), for example, by providing alternative exam schedules or dedicated time for students who pray, so that their religious rights are not compromised and remain protected.

Furthermore, students' understanding of the importance of balancing academic success with religious obligations is crucial. Academic success cannot be achieved at the expense of religious obligations, as both complement each other in shaping a whole and integral personality. Higher education, as a responsible institution, must provide space for students to practice their religious beliefs without hindrance, while simultaneously supporting their optimal academic achievement. Research by Al-Faruqi (2019) confirms that integrating religious values into academic policies can improve students' spiritual and educational well-being, producing graduates who are not only intellectually intelligent but also spiritually strong.

CONCLUSION

The implementation of Islamic law cannot be based solely on normative texts, but rather requires the principles of Islamic jurisprudence as a methodological instrument for assessing conditions, contexts, and inter-legal conflicts proportionally. The two main tenets, الواجب لا يترك إلا لواجب and الرخص لا تناط بالمعاصي, play a crucial role in limiting the implementation of the law by balancing legal leniency (*rukhshah*) with commitment to sharia obligations, while simultaneously protecting sharia from excessive abuse of the principle of emergency. The first principle emphasizes that legal conveniences should not be granted to sinners to maintain the corrective function of Sharia. In contrast, the second principle prioritizes obligations in dealing with legal conflicts based on the value of the greater good. Contemporary case studies such as sinful travel, the cancellation of prayers due to medical duties, and the conflict between exams and Friday prayers demonstrate the relevance and applicability of these two principles in practice. Therefore, the study and dissemination of these principles need to be expanded in Islamic legal education, fatwa practice, and public policy so that Muslims can understand that the conveniences and obligations in religion must be carried out with the principles of caution, balance, and measured good, so that sharia remains relevant, responsive, and protected from the distortions of pragmatism that conflict with Islamic ethics.

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