

CONCEPTUAL ANALYSIS OF MAQĀSHID SYARI'AH ABDUL ATHÎ AND THE IMPLICATIONS IN RESPONDING TO THE SOCIAL PHENOMENON OF TA'ARRUF ONLINE

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Abstract: The purpose of this study is to explore the conceptual Maqāshid Syari'ah developed by an Egyptian fiqh expert Muhammad Abdul Athî Muhammad Ali, and its implications in reconstructing fiqh as an effort to respond to the symptoms of new social phenomena in today's society. Recently, there have been many community social activities labeled as Islam, but at the practical level, they are indicated to be contrary to the principles of Islamic teachings. One of these phenomena is Ta'arruf online, where Ta'arruf has become a new lifestyle for some Muslims, especially those who have just made the hijrah process. However, this phenomenon is alleged to be another method to get a partner to marry quickly, which the Ikhwan (male) uses to trick the Akhwat (women) who vent their lust or lust. The theory developed by Abdul Athî, a senior scholar at Al-Azhar University in Egypt, attempts to reconstruct the thinking paradigm of the millennial generation in viewing online ta'arruf as a symptom of a social phenomenon. The limited understanding of the millennial generation towards religion sometimes triggers and gives birth to new problems. Through a library study of his main work entitled *Al-Maqāshid Al-Syar'iyyah wa Atsāruhā fī Al-Fiqh Al-Islāmī* and several other works as well as data analysis by Miles and Huberman, the results show that in the perspective of Al-Athi's maqāshid Sharia, producing a fiqh law today must be built with the principle of prudence, supported by an in-depth study of the condition of society, so that a clear fiqh rule is born that can solve solutions, not problems.

Keywords: *Ta'aruf online, Maqāshid, shari'ah, Muhammad Abdul Athî Muhammad Ali, Social Phenomenon*

A. Introduction

Lately, in line with the acceleration of technological development and changes in the dynamics of life due to globalization, several phenomena of social deviation have emerged during today's modern society in various parts of the world¹. One of them is religious acts of sexual variation resulting from the mingling of associations that fall freely between men and women². The phenomenon of this deviation seems to encourage intellectual activists to conduct various studies related to this final discourse³. This form of sexual deviation occurs between men and women and between men and men called sodomy and between women and women called lesbians⁴. According to Anna T Pham and team, in her research study, she attempted to explore specific measurement tools for criminal history, took the driving factors for sexual deviance and the risk of sexual recidivism the data from self-report took the driving factors for sexual deviance, and the risk of sexual recidivism the data from self-report information⁵. Even further, Durkin examines and observes the enormous potential arising from the penetration of the internet and technology on the increasing nature of deviant behavior, deviant communities, and where research will lead in this discourse⁶. Various theories have emerged recently, one of which is the theoretical framework presented by Jennifer James that the involvement of attribution theory in social psychology, reaction theory in the sociology of deviance strengthens the alleged phenomenon of sexual deviation everywhere⁷. The existence of these phenomena must be watched out by education practitioners and officials,

1 Ariane Prohaska, "Help Me Get Fat! Feederism as Communal Deviance on the Internet," *Deviant Behavior* 35, no. 4 (2014): 263–274; Severino Machingambi, "The Impact of Globalisation on Higher Education: A Marxist Critique," *Journal of Sociology and Social Anthropology* 5, no. 2 (2014): 207–215; Kalthoum Alkandari and Zaha Alsuwailan, "Pressures Confronting Islamic Studies Curricula in Kuwait: Perspectives of Curricula Planners on Challenges and Confrontations," *Religious Education* 114, no. 2 (2019): 97–109, <https://doi.org/10.1080/00344087.2018.1537055>.

2 George A. Rekers and Shasta Mead, "Female Sex-role Deviance: Early Identification and Developmental Intervention 1," *Journal of Clinical Child Psychology* 9, no. 3 (1980): 199–203; Michael J. Goldstein and Harold Sanford Kant, "Pornography and Sexual Deviance," *Pornography and Sexual Deviance* 40, no. 3 (1976): 1–4; Ashley H. Spada and Elizabeth L. Jeglic, "A Cognitive-Based Indicator of Deviant Sexual Interest: Concurrent Validation of the Stroop Task," *Journal of Sexual Aggression* 22, no. 2 (2016): 246–262.

3 Julien Chopin and Eric Beaugard, "Body Dismemberment in Sexual Homicide Cases: Lust Murder or Rational Decision?," *Psychology, Crime and Law* 0, no. 0 (2020): 1–21; Julia Wilpert, "Self-Reported versus Diagnosed Paraphilias in Outpatient Sexual Offenders," *Journal of Forensic Psychiatry and Psychology* 29, no. 2 (2018): 252–264; Spada and Jeglic, "A Cognitive-Based Indicator of Deviant Sexual Interest: Concurrent Validation of the Stroop Task."

4 Elyse Semerdjian, "Because He Is so Tender and Pretty": Sexual Deviance and Heresy in Eighteenth-Century Aleppo," *Social Identities* 18, no. 2 (2012): 175–199.

5 Anna T. Pham et al., "How Accurately Can Researchers Measure Criminal History, Sexual Deviance, and Risk of Sexual Recidivism from Self-Report Information Alone?," *Journal of Sexual Aggression* 27, no. 1 (2021): 106–119.

6 Keith Durkin, Craig J. Forsyth, and James F. Quinn, "Pathological Internet Communities: A New Direction for Sexual Deviance Research in a Post Modern Era," *Sociological Spectrum* 26, no. 6 (2006): 595–606.

7 Jennifer James, Nanette J. Davis, and Peter Vitaliano, "Female Sexual Deviance: A Theoretical and Empirical Analysis," *Deviant Behavior* 3, no. 2 (1982): 175–195.

what solutions and policies are applied so that religious values can stem the flow of these social deviations.

In Indonesia, the diversity of society goes hand in hand with the strengthening of religious literacy at this time. Religion tries hard to stem deviant practices in the community, especially sexual deviation, where there is an order to carry out the marriage contract. According to Yusuf Al-Qardhawi, a contemporary Muslim scholar, marriage is a process of constructing a building for someone, building a harmonious family where the foundation consists of three essential components; Sakinah, mawaddah, and mercy ⁸. Furthermore, Al-Qardhawi offers three primary efforts in building a unified family; 1) Selective and good selection, 2) Freedom in choosing a partner, 3) Maintaining family continuity, 4) Paying attention to rights and obligations. Adolescence is a time when humans begin to enter a new phase of attraction to the opposite sex. Dating by a handful of people who do not animate the essence of religion is seen as one of the doors in the framework of climbing to the level of marriage. This wrong understanding leads to harmful activities with the potential for crimes related to sex or sex outside of marriage ⁹. According to the 2017 Indonesian Demographic and Health Survey (IDHS), 50% of teenage boys and 30% of girls have had sex outside of marriage, and 4.92% of teens have had active sexual relations ¹⁰. Furthermore, according to the Ministry of Health of the Republic of Indonesia, about 50% of people with HIV are in the 15–29-year age group ¹¹. The rise of these cases then led to the public perception that crimes related to sex are only experienced by those who are dating, so dating is not the right way to find a life partner.

8 Yusuf Al-Qardhawi, *Al-Ushrah Kamâ Yurîdubâ Al-Islâm*, 2004.

9 C Ohee and W Purnomo, "Pengaruh Status Hubungan Berpacaran Terhadap Perilaku Pacaran Berisiko Pada Mahasiswa Perantau Asal Papua Di Kota Surabaya," *The Indonesian Journal of Public Health* 13, no. 2 (2018).

10 Rasid Ansari et al., "Media Komik Sebagai Alternatif Media Promosi Kesehatan Seksualitas Remaja," *Jurnal Ilmiah Kesehatan* 19, no. 1 (2020).

11 D N Sari, A Darmana, and I Muhammad, "Pengaruh Faktor Predisposisi, Pemungkin, Dan Pendorong Terhadap Perilaku Seksual Di SMA Asuhan Daya Medan," *Jurnal Kesehatan Global*, 1, no. 2 (2018).

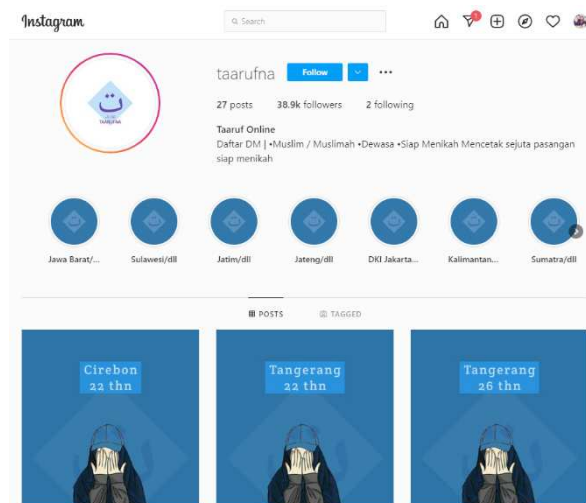


Figure 1 Instagram Taaruf Online **Taarufna**

Ta'aruf is one way to get a partner in the marriage process. Ta'aruf means introducing stars (Islamic law) to get to a legal bond or marriage¹². In its concept, Ta'aruf involves a third party as an intermediary to avoid unwanted events. Parties who wish to conduct taaruf with other people must provide curriculum vitae (CV) data to intermediaries containing complete self-identity without any element of fraud. Later, the CV will be submitted to the intended opposite sex and vice versa. Therefore, the Muslim community believes ta'aruf is the right way to choose a life partner because it follows the Shari'a, avoids sexual crimes, and avoids diseases caused by free sex. The existence of public figures who participate in the flow of Ta'aruf so that Ta'aruf is growing, even becoming a trend to bring ta'aruf to the digital world, which is also called online ta'aruf. Ta'aruf online is a ta'aruf process carried out online through social media by involving social media accounts that provide services or assistance as intermediaries for taaruf, some of which are the Instagram accounts @Taarufna dengan jumlah follower 38.900, @taarufonline.id follower 19.100, @taarufcarijodoh.id follower 11.700. The trend of online ta'aruf continues to develop on social media and the development of the phenomenon of hijrah, which is expected to positively impact the community because it can prevent crimes related to sex. However, it is undeniable that online ta'aruf also has the opportunity to commit sexual offenses. Individuals who come from irresponsible men abuse the online ta'aruf platform by manipulating their identity when doing ta'aruf. This is done by men who pretend to migrate to get good women according to religion. The woman he got was not used as a real wife but was used to satisfy

12 Z. Abidin and M. Irfan, "Perjalanan Cintaku : Sebuah Studi Fenomenologis Tentang Pengalaman Pencarian Jodoh Pada Pria Pengguna Aplikasi Ta'aruf Online Indonesia," *Empati* 8, no. 3 (2020).

his lust until finally the woman was abandoned. This person is the Ikhwan Modus. In the teachings of Islam, the relationship between men and women is very much considered and regulated, including how to get a partner as the first step towards marriage. Some people know Ta'aruf as the syariah way. However, the essence of ta'aruf itself has not been fully understood, so many people are stuck with that term. Islam is here to save people by presenting the rules of life.

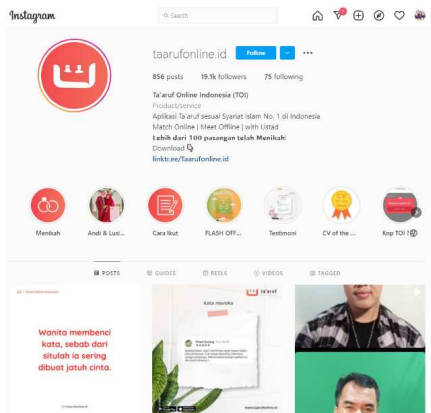


Figure 3 Instagram taarufonline.id

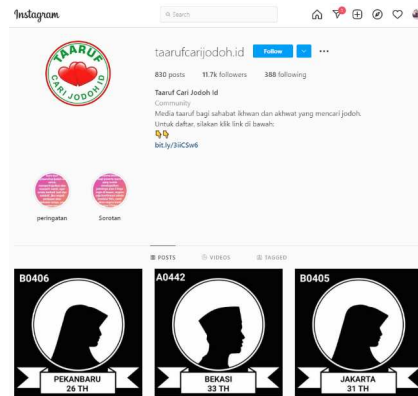


Figure 2 Instagram taarufcarijodoh.id

In Islam, there is what is called Maqāshid Syar'ah, which establishes God's laws for humans to be guided to achieve happiness in life in this world and the hereafter. So that the Muslim community can understand the benefits and harms of a religious rule or shari'ah. Therefore, the presence of Shari'ah is not interpreted at a glance, let alone a trend. From the above background, this research will carry out a study related to the Maqāshid Syari'ah Al-Athî discourse to reconstruct the millennial generation's thinking paradigm to suppress the Ikhwan mode case in the online ta'aruf case. The research explores how the conceptual Maqāshid Shari'ah formulated by Muhammad Abdul Athî Muhammad Ali and its implications in suppressing the Ikhwan mode phenomenon in online ta'aruf. The research method uses a qualitative approach through literature study techniques, where the main source is taken from Al-Athi's work entitled Al-Maqāshid Al-Syar'iyyah wa Atsāruhā fî Al-Fiqh Al-Islāmî, as for secondary sources from several other works such as Mabāhith Ushûliyyah fî Taqṣîmāt Al-Alfādz, At-Taklîf As-Syar'i while the data analysis used the Miles and Huberman theoretical approach based on several steps of data collection procedures, data reduction, data display, and conclusion: drawing/verification.

B. A Conceptual Overview of Maqāshid Sharia in Abdul Athî's Perspective

Maqāshid in linguistic terminology is the plural of maqashid which means the goal that is made, which must be realized with the wasilah bridge. As for the terminology of the term, the Maqāshid sentence is interpreted by ushul fiqh experts with various meanings. One of them, Prof. Ahmad Raysnî defines the goals made by Sharia to be realized for the benefit of the servant¹⁴. The definition formulated by him is at least not much different from other scholars such as sheikh' Ilāl Al-Fāsi, sheikh At-Thāhir bin' Asyūr¹⁵. The definition revealed by Prof. Ahmad Raysuni, at least according to Abdul Athî is a complete definition from various aspects. Abdul Athi sees three essential components of the definition above: 1) Al-Maqāshid Al-Āmmah, namely everything that must be considered by Sharia to be realized in every sharia door in the context of fiqh, such as building the earth, maintaining the rules of interaction with others. , trying to keep the mind and heart, 2) Al-Maqāshid Al-Khassah, namely the goals set by Sharia in a particular specific study such as maqāshid from muamalah law, maqāshid from tabarru' actions, and 3) Al-Maqāshid Al-Juziyyah, namely what is desired by Sharia in every aspect of the law, whether its status as a mandatory law, sunnah, haram, makruh or permissible as the purpose of the marriage contract is to build a family¹⁶. In the Qur'an and Hadith many texts stipulate the legality of Maqāshid sharia, among the verses of the Qur'an that speak of this are:

أَفَحَسِبْتُمْ أَنَّمَا خَلَقْنَاكُمْ عَبَثًا وَأَنَّكُمْ إِلَيْنَا لَا تُرْجَعُونَ (المؤمنون: 511)

وَمَا خَلَقْنَا السَّمَاوَاتِ وَالْأَرْضَ وَمَا بَيْنَهُمَا لَاعِبِينَ (83) مَا خَلَقْنَاهُمَا إِلَّا بِالْحَقِّ

وَلَكِنَّ أَكْثَرَهُمْ لَا يَعْلَمُونَ (93) (الدخان: 83-93)

لَقَدْ أَرْسَلْنَا رُسُلَنَا بِالْبَيِّنَاتِ وَأَنْزَلْنَا مَعَهُمُ الْكِتَابَ وَالْمِيزَانَ لِيَقُومَ النَّاسُ بِالْقِسْطِ ۗ

(الحديد: 52)

14 Ahmad Raisuni, *Nazariyyat Al-Maqashid 'inda Al-Imam As-Syathibi* (Beirut: Al-Muassasah Al-Jami'iyyah Lil Dirasat Wa Al-Nasyr wa Al-Tauzi, 1995).

15 Ilal Al-Fasi, *Maqashid Al-Syari'ah Al-Islamiyah Wa Makarimuba* (Maroko: Mathba'ah Al-Risalah, 1979); Muhammad Thahir bin Asyur, *Maqashid Al-Syari'ah Al-Islamiyyah* (Beirut: Dar Al-Salam, 1999).

16 Muhammad Abdul Athî, *Al-Maqāshid Al-Syar'iyyah Wa Atsaruhā Fī Al-Fiqh Al-Islamī* (Kairo: Dār Al-Hadīst, 2007).

The mufasssirins such as Imam Ibn Kats, Imam Ibn Jar-r At-Tabarî view that in QS. Al-Mukminun verse 115 Allah SWT firmly denounces groups who allege that the creation of the Semester and all creatures in it were created without a purpose¹⁷. From the verses above, most scholars conclude that if it is explored and studied, all Sharia stipulated by religion at least have specific aims and objectives¹⁸. For example, if we relate to the verses above, we will find the maqâshid framework, for instance, QS. Al-Hadid verse 25, where the purpose of the revelation of the Prophets and Apostles is none other than to establish rules for humans. Likewise, in creating the Universe by Allah SWT, it was not made without a purpose as alleged by the disbelievers; the goal is for humanity to worship and only worship Allah.

Muslim scholars in the classical and contemporary eras categorize the levels of maqâshid; most of them have the same consensus in their distribution¹⁹. Likewise, in Abdul Ath's concept, maqâshid Sharia is divided into three broad categories: 1) Al-Maqâshid Ad-Daruriyyah, 2) Al-Maqâshid Al-Hâjiyyah, and 3) Al-Maqâshid At-Tahsîniyyah²⁰.

1. Al-Maqâshid Ad-Darûriyyah

In language, the sentence *Ad-Daruriyyah* means something urgent that needs him; if not, there can be dangerous. As for the definition in terms of terminology, according to Imam As-Syathîbi, Darurah is everything that must exist to build benefit both in the world and in the hereafter, where if it is lost, it will cause loss of use and cause harm in the world and can damage the ecosystem of human life²¹. This definition is not much different from the definition formulated by other scholars. Al-Maqâshid Ad-Darûriyyah in Abdul Ath's view is divided into five types, 1) Hifdzu Ad-Dîn (maintaining religion), 2) Hifdzu An-Nafs (guarding the soul), 3) Hifdzu Al-Nasl (keeping offspring), 4) Hifdzu Al-Mâl (guarding wealth), and 5) Hifdzu Al-Aql (guarding reason). The division of the types of Al-Maqâshid Ad-Darûriyyah is in line with and in understanding with other scholars such as Imam Al-Haramain, Imam Al-Ghazâli, Imam Al-Râzî. However, there are differences of opinion regarding the

17 Muhammad bin Jarîr Ath-Thabari, *Tafsîr Ath-Thabari Jâmi'* Al-Bayân An Ta'wîl Ay Al-Qurân (Beirut: Muassasah Ar-Risalah, 1994); Abu Al-Fidâ Ismâil bin Umar bin Katsîr, *Tafsîr Al-Qurân Al-Adzîm* (Riyadh: Dar Thayyibah, 1999).

18 Jâsir 'Audah, *Maqâshid Al-Syarî'ah Kafalsafah Li Tasyrî'i Al-Islâmî* (USA: Al-Ma'had Al-'Âlamî Lil Fikr Al-Islâmî, 2012).

19 Ahmad bin Muhammad bin As-Shâdiq An-Najjâr, *Maqâshid Al-Syarî'ah 'Ala I'Tiqad Aimmah As-Salaf* (Madinah: Dâr An-Nashihah, 2015); Yûsuf Ahmad Muhammad Al-Badawi, *Maqâshid Al-Syarî'ah 'Inda Ibnu Taimiyyah* (Jordania: Dâr An-Nafâis, 2000); Hisyâm bin Sa'îd Azhar, *Maqâshid Al-Syarî'ah 'Inda Imâm Al-Haramain Wa Atsarubâ Fî At-Tasharrufât Al-Mâlîyyah* (Riyâd: Maktabah Ar-Rusyid, 2010); Muhammad Syahîd, *Maqâshid Al-Syarî'ah Fî Isykâliyyati At-Ta'rîf* (Sudan: Muassasah Mu'minûn, 2015).

20 Athî, *Al-Maqâshid Al-Syarî'iyah Wa Atsarubâ Fî Al-Fiqh Al-Islamî*.

21 Abû Ishâq As-Syâthîbi, *Al-Muwâfaqât Fî Ushûli Al-Syarî'ah* (Beirut: Dar Al-Kutub Al-'Ilmiyyah, 2004).

order of priority of these types; according to Imam Al-Amidî and Imam Al-Ghazâlî, the most appropriate order is 1) Ad-Dn, 2) An-Nafs, 3) Al-Aql, 4) Al- Nasl and 5) Al-Mâl. The majority of the scholars agree and support the sequence set out by the two great scholars above.

2. Al-Maqâshid Al-Hâjiyyah

Everything is needed by humans where the purpose is to lift difficulties and remove burdens; if this is not there, it will not have a significant impact on life, unlike the blood aspect (primary), which can result in disaster. From the above definition, the essential components are focused on three main elements: 1) eliminating difficulties, 2) reducing burdens, and 3) easing the mukallaf. The primary difference between Al-Maqâshid Ad-Darûriyyah and Al-Maqâshid Al-Hâjiyyah according to Imam Ash-SyAthîbi, is the point of “difficulty.” In Ash-SyAthbi’s view, if the blood aspect is lost, it can cause disaster not only for a few people but for society in general. Meanwhile, if there is no hajjiyyah, it will not significantly impact people’s lives, even if only some are affected. A concrete example of the above concept is that religion stipulates rukhsah for a servant who experiences difficulties and heavy burdens such as traveling people and sick people.

According to Abdul Ath, Al-Maqâshid Al-Hâjiyyah, at the practical level, can enter into the areas of Worship, custom, and muamalah. First, in the aspect of this type of Worship, it can be seen from the permissibility of breaking the fast in the month of Ramadan specifically for people who are sick, people who are traveling, people who are elderly, mothers who are breastfeeding, this is indicated in the Qur’an QS Al-Baqarah (2) verse 184. Another example is the permissibility of praying not facing the Qiblah. Suppose there is a strong reason for this, such as a hazardous situation. In that case, it is obligatory not to fast in Ramadan for menstruating people and parturition; then, it is also permissible to pray those who are sick or weak when sitting or lying down. Second, in the aspect of adat, religion allows good things such as food, drink, clothing, shelter, vehicles as long as these do not pose a danger. Third, in the aspect of muamalah, it is permissible for certain contract activities even though sometimes they do not comply with the procedures for general rules because of the community’s urgent need to them, as stated in the as-salam activities.

3. Al-Maqāshid At-Tahsīniyyah

Imam Fakhruddin Ar-Razi defines this type with everything that has been determined and decided by humans in the context of commendable morals and good things²³. According to Abdul Athī, this type includes several aspects from the above definition, namely 1) commendable morals, 2) good traditional traditions, 3) anything considered reasonable by the community. This type of maqāshid enters areas that are almost the same as before, such as Worship, customs, and muamalah. According to Abdul Athī, the examples at the practical level are that it is prescribed to clean clothes as in the QS. Al-Mudatsir verse 4 then defined body hygiene as in the QS. Al-Maidah verse 5, is named to cover the genitals as in the QS. Al-A'raf verse 31, then taqarub to Allah SWT with nafilah worship such as prayer, fasting, and sunnah shadaqah.

Furthermore, along with the development of community traditions lately, a problem arose which was debated by scholars regarding how it is legal if someone does something contrary to the maqāshid Sharia. In Abdul Athī's view, which is in line with the opinion of Imam As-Syathībi, then his status is invalid and cannot be accepted. The argumentative reasons include:

- a. A mukallaf, if he intends to do an act but is not in line with the maqāshid Sharia, he is considered to have been negligent and has a bad attitude towards Sharia.

The verses of the Qur'an confirm the rejection of the act, as Allah Almighty says:

“And whoever opposes the Messenger (Muhammad) after the truth is clear to him, and follows a path that is not the path of the believers, we let him go astray for what he has done, and We will put him into the Hellfire, and that is the worst place to return. (Surah An-Nisa (4) verse 115)

2. The verse above shows that taking something that the Prophet does not take in the context of Maqāshid, which aims to provide benefits and keep away from harm, then, of course, this is against religion. Contemporary scholar Prof. Wahbah Al-Zuhaili in his book of commentaries sees the correlation of the above verse that salvation both in this world and in the hereafter must follow the path that has been exemplified by the Prophet Muhammad²⁴. The firmness of this prohibition is implied in a hadith, where the Messenger of Allah (saw)

23 Fakhruddin Ar-Rāzī, *Tafsīr Al-Fakhr Ar-Rāzī Majātibul Ghaib* (Beirut: Dār Al-Fikr, 1981).

24 Wahbah bin Musthafā Az-Zuhaili, *At-Tafsīr Al-Munīr Fī Al-Aqā'idah Wa As-Syari'ah Wa Al-Manhaj* (Beirut: Dar Al-Fikr Al-Mu'ashir, 1997).

said, “Whoever invents in our (religion) affairs that are not from him, then the practice is rejected.” Hadith Muslim history from Siti Aisyah ra.

3. Logically, it is not permissible for a mukallaf to do an act contrary to the Maqāshid Sharia because, in an analogy, he has done a show that was not ordered and left something requested. This, of course, cannot be accepted by our minds.
4. He is considered to have made fun of the verses of the Qur’an and the commandments of Allah in the Qur’an QS. Al-Baqarah verse 231 Allah says, “Do not make the laws of Allah a game.” According to Ash-Syathibi, the meaning of the interpretation of the verse above is the prohibition of a servant intending to do an act but is not ordered by religion. Al-Istihja’ (make fun/play) in As-Syathbi’s view is defined as an act contrary to the wisdom of its dzahir purpose, as is the tradition of hypocrites who often play with the verses of the Quran with specific interests. Sheikh As-Sa’di in his commentary, emphasizes that one of the indicators of mocking the Qur’an is the reluctance to follow the commands that Allah has set in the Qur’an ²⁶.

In the scientific tradition of the scholars, the dynamics of maqāshid Sharia cannot be separated from its benefits; therefore, tracing the specific definition of maslahat and knowing its characteristics is very important for a mujtahid. According to Abdul Ath, maslahat in language means benefit or goodness. This opinion is in line with the idea of scholars such as Ibn Arabi in his work *Lisān Al-Arab*, then Sheikh Muhammad Ar-Rāzī in his book *Mukhtār As-Shihāh*. Meanwhile, in the perspective of the term maslahat religion as according to Imam Al-Ghazali, it is an expression basically of the benefits and loss of harm. This definition has similarities with others and is even supported by many scholars such as Sheikh Al-Khawārizmī, Sheikh Najmuddīn At-Thufī, Sheikh Izzudīn Abdussalām, Sheikh Shafiyuddīn Al-Hindī, and Sheikh Ibn Taimiyyah. The characteristics of maslahat in Abdul Ath’s opinion must refer to several things: 1) The source of reference is guilty of syar’i texts, 2) Both maslahat and madharat must be viewed from the worldly and hereafter side, 3) The aspect of maslahat is not limited only to the material side. Only, and 4) The benefit of religion is the pillar of the use of the hereafter.

²⁶ Abdurrahmān bin Nāshīr bin Abdullah As-Sa’dī, *Taysīr Al-Karīm Ar-Rahmān Fī Tafsīr Kalām Al-Mannān* (Beirut: Muassah Ar-Risalah, 2000).

C. Method of Tracking Maqāshid Sharia for Mujtahids in Al-Athī's Perspective

In the context of Sharia, understanding Maqāshid can be used as the primary reference in taking legal status for the creation of benefits. In Al-Athī's view, a mukallaf can be categorized as either a muqallid or a mujtahid in this discourse. First, a muqallid is allowed to practice Sharia without knowing the Maqāshid contained in it. In Al-Athī's perspective, the muqallid is not required to understand these competencies because he is not an expert in studying the area. Imam As-Syathībi, in his work *Al-I'tishām*, strengthens the above statement by analogizing a patient who is not allowed to be treated by someone who is not a doctor. Second, a mujtahid whose role is needed to produce solutions in Sharia, istinbath from normative texts by using religious, scientific tools. Al-Athī added that there are five types of efforts for a mujtahid: 1) Understanding the lafadz instructions contained in the Qur'an and Sunnah in the perspective of linguistic studies, 2) Tracing the arguments related to the discourse to perfect the study material, 3) Applying the Qiyas method to problems whose legal status is unknown in the context of Sharia, 4) Establishing certain legal statuses that cannot be contained in the texts or dead ends of Qiyas, and 5) Staying away from the area of ijtihad when they feel they are unable to examine.

The scholars in offering the Maqāshid Sharia tracking method have different methods and procedures from each other. In general, there are three groups of opinion among the scholars regarding their stance on the Maqāshid Sharia tradition: First, the Dzahiriyyah group where they try to limit the meaning of Sharia only within the context of the dzahir approach from the texts. This group emphasizes that Maqāshid must be reviewed from the side of clear lafadz that have been contained in the syar'i texts. Second, the Bathīniyyah group is the opposite of the first group, where they view that Maqāshid Sharia will only be seen in terms of the meaning of the bathīn texts both from the Qur'an and Sunnah in all aspects of religious Sharia. Third, the moderate ulama group combines the two approaches above, namely the dzahir and bathīn approaches. This group photographed that there was no contradictory space between one proposition and another. However, this moderate group puts dawabith or limitations that mujtahids and scholars must consider in their attitude towards the dynamics of Maqāshid Sharia.

According to Abdul Athī, at least there are several ways that scholars can use to track Maqāshid sharia in the texts:

1. Stick to the lafadz *Amar and Nahy Al-Ibtidai Al-Tashrihi*

The word command, usually in the view of ushul scholars, contains an element of knowledge. The existence of an act committed by a Muslim is due to an order, so the scholars view this as one of the purposes of Sharia. Likewise, with an-nahy prohibition implies a prohibition of doing something. Imam Syathîbi agreed upon the above formula in his opinion; even the existence of reasons and benefits is the initial basis for the establishment of Sharia. Entering the axis of this formulation, there must be an element of al-ibtidā, which means that the words command and prohibition must appear at the beginning of the text. For example, Allah (swt) said:

يَا أَيُّهَا الَّذِينَ آمَنُوا إِذَا نُودِيَ لِلصَّلَاةِ مِنْ يَوْمِ الْجُمُعَةِ فَاسْعَوْا إِلَىٰ ذِكْرِ اللَّهِ وَذَرُوا
الْبَيْعَ (الجمعة: 9)

Meaning: «O you who believe! If you are called to pray on Friday, then immediately remember Allah and leave buying and selling.» QS. Al-Friday: 9

If we examine the verse further, the prohibition on buying and selling in the above context does not contain an initial prohibition but is only limited to affirming the imperative to hurry. So, from here, buying and selling is not something that is prohibited, as is the prohibition of adultery, usury, murder, or others. Some scholars see the above prohibition as a correlation in strengthening rushing in busyness to perform Friday prayers. Unlike the command to hurry to remember Allah (perform Friday prayers), this command is included in the al-ibtidai control, the initial control, which is free from other elements. The above interpretation is at least in line with one of the fiqh rules “Mā lā Yutimmu Al-Wājib Illā bihî Fahuwa Wājib” everything that requires something to perfect what is obligatory, then it is mandatory. Mufassir Abu Bakr Al-Jazairi commented that it is highly recommended for Muslims to immediately perform Friday prayers when the call to prayer has sounded; this is more important ²⁸.

2. Finding illat from lafadz Al-Amr and An-Nahy

Definitively, the word command (amr) and the word prohibition (nahy) indicate the intention of Sharia; however, trying to explore the reasons or illat it will be more important and more visible. The research question is, “Why does this deed order us?” “Why are we forbidden to do this?”. Then what is the procedure for finding

²⁸ Abû Bakar Jâbir Al-Jazâirî, *Aysaru At-Tafâsîr Li Kalâm Al-Alli Al-Kabîr* (Jeddah: Racem, 1990).

illat which is very clear in one place, but sometimes it is not known in one case in another?

In Abdul Athi's view, this can be solved in two ways: first, if the illat is known, then our position is to follow it. For example, marriage has a beneficial purpose in maintaining offspring, then buying and selling that is beneficial to benefit consumers. In this first case, illat is known for trying to use the ushul fiqh approach. For more details, let us look at examples from the Qur'an and As-Sunnah:

The first is related to jihad,

Allah Swt berfirman:

وَأَعِدُّوا لَهُمْ مَا اسْتَطَعْتُمْ مِنْ قُوَّةٍ وَمِنْ رِبَاطِ الْخَيْلِ تُرْهِبُونَ بِهِ عَدُوَّ اللَّهِ وَعَدُوَّكُمْ

Meaning: And prepare to face them whatever strength you can and from horses tethered for battle (with that preparation) you frighten the enemy of Allah and your enemy (Surah Al-Anfal: 60)

The above verse shows that Allah Almighty ordered the believers to get ready for the battlefield to thrill the enemies of the unbelievers. As for the benefits of jihad, namely protecting religion and protecting the Muslim territory from various enemy attacks²⁹.

Kedua, related to maintaining eyesight

Allah Swt berfirman:

قُلْ لِلْمُؤْمِنِينَ يَغُضُّوا مِنْ أَبْصَارِهِمْ وَيَحْفَظُوا فُرُوجَهُمْ ذَلِكَ أَزْكَى لَهُمْ إِنَّ اللَّهَ خَبِيرٌ
بِمَا يَصْنَعُونَ

Meaning: Say to men who believe that they should guard their eyes and guard their private parts; that way, it is purer for them (QS. An-Nur: 30)

The text above proves that the illat is so that the hearts of Muslims are cleaner and purer from all sins. Keeping the view is categorized as obedience to Allah SWT because it tries to close the door of evil and damage. In line with the above, Imam Abu Bakr Al-Jazairi provides a solution to reduce lust by increasing positive activities from sunnah amaliyah³⁰. In harmony with Al-Jazairi, Imam Al-Qurtubi commented

29 Muhammad Ali As-Shabūnī, *Sofwatul At-Tafsīr* (Beirut: Dār Al-Qurān Al-Karīm, 1981); Abū Hayyān Al-Andalusī, *Tafsīr Al-Bahr Al-Mubīth* (Beirut: Dār Ihyā At-Turāts Al-Arabī, 1981); Muhammad Sayyid Thanthāwī, *Tafsīr Al-Wasīth Lil Qurān Al-Karīm* (Kairo: Ar-Risalah, 1987).

30 Al-Jazāiri, *Aysaru At-Tafsīr Li Kalām Al-ʿAlī Al-Kabīr*.

that sight is the main gate to the heart, a person's negligence in keeping his gaze can be dangerous³¹.

Ketiga, drinking khamr

Allah Swt berfirman:

يَا أَيُّهَا الَّذِينَ آمَنُوا إِنَّمَا الْخَمْرُ وَالْمَيْسِرُ وَالْأَنْصَابُ وَالْأَزْلَامُ رِجْسٌ مِنْ عَمَلِ الشَّيْطَانِ فَاجْتَنِبُوهُ لَعَلَّكُمْ تُفْلِحُونَ (09) إِنَّمَا يُرِيدُ الشَّيْطَانُ أَنْ يُوقِعَ بَيْنَكُمْ الْعَدَاوَةَ وَالْبَغْضَاءَ فِي الْخَمْرِ وَالْمَيْسِرِ وَيُصَدِّكُمْ عَنْ ذِكْرِ اللَّهِ وَعَنِ الصَّلَاةِ فَهَلْ أَنْتُمْ مُنْتَهُونَ (19)

Meaning: «O you who believe, verily (drinking) khamr, gambling, (sacrificing for) idols, drawing fate with arrows, are among the actions of the devil. So, stay away from these actions so that you will get good luck. Indeed, the devil intends to cause enmity and hatred among you because of (drinking) alcohol and gambling, preventing you from remembering Allah and praying, then stop you (from doing that work). (Surat al-Maidah: 90-91)

From the verse above, Allah SWT forbids a believer to drink khamr drinks because of several things, including the potential for danger both in terms of worldly and hereafter³². Furthermore, in another verse QS. Al-Baqarah verse 219 emphasizes that the harm or damage caused is greater than the benefits obtained³³. Sheikh Wahbah Al-Zuhaili in his commentary, explains the stages of the prohibition of this crime into four: First, QS. An-Nahl (16) verse 67 explains that wine under certain conditions can be intoxicating, Second, QS. Al-Baqarah (2) verse 219 illustrates that the dangers caused by khamr are more significant than the benefits; third, QS. An-Nisa (4) verse 43 related to the prohibition of a person to establish prayer in a drunken state, and fourth, QS. Al-Maidah (5) verse 90 regarding the absolute ban on drinking khamr³⁴.

While in other contexts, sometimes the illat for a mujtahid is not visible or vague. Therefore, Imam As-Syathibi offers one suggestion that it is good to be tawaqquf (choose not to comment anything).

31 Abu Abdullah Syamsuddin Al-Qurthubi, *Al-Jāmi Li Ahkām Al-Qurān* (Kairo: Dar Al-Kutub Al-Mishriyyah, 1964).

32 Muhammad Mutawalli As-Sya'rāwī, *Tafsīr As-Sya'rāwī* (Kairo: Dār Akhbār Al-Yaum, 1991); Muhammad Rasyid Ridhā, *Tafsīr Al-Manār* (Kairo: Al-Haiāh Al-Mishriyyah Al-Ammah Lil Kitab, 1990); Ar-Rāzī, *Tafsīr Al-Fakhr Ar-Rāzī Majātibul Ghaib*.

33 Syihābuddin As-Sayyid Mahmūd Al-Alusi, *Rūb Al-Ma'āni Fī Tafsīr Al-Qurān Al-Adzīm Wa As-Sab'u Al-Matsāni* (Beirut: Dār Ihyā At-Turāts Al-Arabi, 1980); Abdullah bin Umar bin Muhammad As-Syirāzī Al-Baidhāwī, *Amwār At-Tanzīl Wa Asrār At-Ta'wil Tafsīr Al-Baidhāwī* (Beirut: Dār Ihyā At-Turāts Al-Arabi, 1987).

34 Az-Zuhaili, *At-Tafsīr Al-Munir Fī Al-Aqīdah Wa As-Syar'ah Wa Al-Manhaj*.

3. The division of Maqāshid into Ashliyyah (principal) and Tabi'iyah (following)

According to As-Syatibhi and Athî, this method can be used to track the possibility of a specific purpose from a sharia or, in other terms Maqāshid syariah. In general, in one Sharia there must be a primary purpose that can be seen as the main purpose of the command to act by Allah SWT. However, it is also not wrong if there are indications of a second mission to complete the main goals and strengthen them. In this case, Abdul Ath gave the parable of the marriage affair where according to him, the primary purpose of this Sharia is to at-tanāsul (guarding offspring). As for the perfection of marriage, among others, to meet the needs of living, to help each other in goodness, to build a household, a strong indicator that women have a position of status in religion, to meet the needs of their wives, to educate their children, and others. In another example, Worship performed by a servant has the primary purpose of purifying the practice only for Allah SWT without being lured with other goals. The following intentions include getting a high degree in the hereafter, becoming a waliyullah, and cleaning the soul's sanctity and others.

D. Guidelines for Ijtihād Maqāshid Procedures in Abdul Athî's View

When a mujtahid wants to try to validate the law from the texts, it is recommended to involve four essential procedures in carrying out his practice, including:

1. Paying attention to the Maqāshid aspect in the Nash-nash and its Laws

The majority of scholars believe that all shari'a texts must have causes behind the emergence of these verses and hadiths, which can be in the form of benefits that can be beneficial for a Muslim or can take the form of avoiding "damage" mafsadah. Abdul Ath recommended that all mujtahids pay attention to the maqāshid aspects contained therein, not only from the dzāhir side, represented by the lafadz because the procedure certainly has implications for narrowing contextualization and limiting the space of what the text is talking about. Abdul Ath's opinion is confirmed by the statement of the great scholar Abu Zaid Ad-Dābûsî:

"According to our Hanāfiyyn scholars, whoever is obliged to give alms, if he gives alms following what is required by the sharia, then it is permissible."

Ad-Dābûsî's statement implies that giving charity does not have to be in a specific form as stipulated by the texts but may be replaced with other items as long as it is still equal to the text's command. In other cases, according to the Hanāfiyyn

scholars, zakat, which should be done in the form of Dirhams, may be replaced with the same size, because in the view of their scholars, the goal of the texts globally is to close the door to poverty and poverty, to provide for their needs, if these two objectives are fulfilled. This is allowed . However, the opinion of the Hanāfiyyn scholars is inversely proportional to what was taken by Imam Shafi'i ra, who expressly forbids this act.

The implications of this view can undoubtedly develop in matters related to assets such as zakat fitrah, kafarat, and nadzar, where the conditions are fulfilled by fair behavior, there is no element of danger the rights of others. The same study was carried out by the classical scholar Ibn Qayyim Al-Jauziyyah, where there were several applications of his ijtiḥad that were in line with the procedures of the Hanāfiyyn scholars, one example being zakat fitrah. Although in the hadith narration of the Prophet Muhammad obliging zakat fitrah of 1 sha' tamr or others, Ibn Qayyim argues that when studied in a historical context, indeed when in Medina, things that Muslims needed at that time mostly led to the signs of the Prophet. Along with the development of the times, of course, the conditions of the people in an area are different from one another. Therefore, Ibn Qayyim adheres to the Maqāshid concept, where zakat fitrah aims to meet the needs of the dhu'afā and fuqara.

The debate about the application of Maqāshid in the context of the texts has been going on for a long time. Two groups are somewhat intertwined in applying this problem, where the first group of the Hanafiyyin school is more inclined to take an attitude of prioritizing maqāshid principles. In contrast, the second group of the Shafi'iyyah schools prefers to adhere to the textual narrative because it is seen as obedience and submission to religious orders. The majority of scholars, including Abdul Ath and Ibn Qayyim are more inclined to the first group because it is in harmony and closer to the goals of Sharia itself which can be beneficial for Muslims.

2. **Compromising the rules** *Al-Kuliyāt Al-Āmmah dengan Al-Adillah Al-Khāssah*

In Abdul Athi's view, *Al-Kuliyāt Al-Āmmah* is divided into two, firstly *Al-Kuliyāt An-Nashiyyah* (generality derived from the Nash Syar'i narration) reflects on the texts originating from the Qur'an and Hadith as in QS. An-Nisa (4) verse 58, QS. Al-Maidah (5) verse 1, QS. Fāthir Verse 18, as well as several hadiths such as "Lā

Dharara wa Lā Dhirāra” where the meaning is that there should be no dangerous and mutually harmful things, then secondly, Al-Kuliyyāt Al-Istiqrāiyyah (generality derived from observations and observations) such as keeping things -primary, secondary and tertiary matters and all Maqāshid sharia and fiqh principles. As for Al-Adillah Al-Khāssah in Abdul Ath’s perspective, there are juziyyah arguments relating to specific problems such as verses relating to certain things, or it could be hadith relating to someone specifically mentioned.

This procedure is stricter according to Imam As-Syāhibî in his work Al-Muwāfaqāt, namely that a mujtahid must always adhere to khusûs al-juziyyāt (specific affairs in certain sections) while still paying attention to the general context of the text. He further commented on the potential for conflicts arising from misunderstandings, namely if there is a conflict that occurs between Al-Kuliyyāt Al-Istiqrāiyyah (generality derived from observations and observations) with juziyyah arguments, then the solution is to compromise between the two. According to him, a contradiction between the existing texts cannot occur⁴⁰.

A prominent example of the use of this procedure is the view of the mujtahids on the benefits of honey. According to As-Syāhibî, from a religious perspective, honey can be used as healing medicine for sick people, and this has been proven by research studies conducted by doctors on the principle of its usefulness. However, honey also has a harmful side, especially for people with diabetes. Then how to respond to two things that seem contradictory to each other? On the one hand, sharia stipulates this, but in reality, it seems that this is contradictory and dangerous? The question was then answered by As-Syāhibî firmly that in general honey is beneficial for a person and can be a healer, but its legal status is limited only to certain people who are not affected by diabetes. So for people affected by diabetes, honey will be dangerous and prohibited from a religious point of view. According to As-Syāhibî, this is not a contradictory thing, and there could be a wrong understanding of the way we understand the two sides. What was conveyed by Imam As-Syāhibî was also agreed by Sheikh Darrāz in his commentary statement on the book Al-Muwafaqat by As-Syāhibî.

What was conveyed by both Sheikh Darrāz and Imam As-Syāhibî further emphasized the strategic position of implementing this procedure at the level of legal istinbath, which must always pivot to the Maqāshid aspect of shari’ah. If this is not done, it is feared that the conclusions generated could be wrong and tend to be wrong, which will be fatal for the Muslim community.

40 As-Syāhibî, *Al-Muwāfaqāt Fî Ushûli Al-Syarīah*.

3. Adhering to the Rules of Fiqh “*Jalbu Al-Mashālih wa Daf’i Al-Mafāsīd*”

Mashlahat is one of the essential components in determining the legal status of specific problems. In Abdul Ath’s view, the existence of the mashlahat component in a case is obligatory to practice it to have the value of the principle of benefit. On the other hand, if there is a danger component in a case, the practice must be abandoned to avoid damage. Although in the texts no text narrative is particular to the above principles, in Abdul Ath’s understanding, one can take other references that have a relationship with him, namely the command from the Qur’an and Hadith to always prioritize the principle of change in a good direction, the principle of benefit and provide good value for others. On the other hand, the Qur’an and Hadith also forbid evil deeds that are destructive. Therefore, the majority of fiqh scholars in the above framework seek to adopt a formula that reads:

درء المفسد أولى من جلب المصالح

The meaning is that avoiding harm is more important than getting benefits. The fiqh rule above was even confirmed by a classical charismatic cleric Imam Ab Hāmid Al-Ghazālī where he stated that the interpretation of mashlahat in the context of efforts to protect the purposes of Sharia then this can be included in qath’i matters that can be used as a proof. Al-Ghazālī’s statement above shows that a mujtahid will be considered correct and on track according to Sharia when his interpretation is in line with sharia maqāshid. However, no text says this The same opinion came from Imam Ash-Syathībi ra, he even gave examples of specific cases related to this procedure with the parable of the Istihsān and Mashālih Mursalah rules, both of which pay special attention to the mashlahat aspect. Another case study where it is permissible to distribute aid to the community if the Baitul Mal does not have the competence to function as a Maslahat Aid Distribution Institution. Imam As-Syathībi in the above case is guided and adheres to the rules of Mashlahah Mursalah.

However, Imam As-Syathībi provides a specific rule in applying the above case, the case where the function of the Baitul Mal is no longer able to assist the soldiers either in the form of providing a living or funding their equipment, then given to people in need with several conditions: 1) Needs must be explicitly specified, 2) Distribution of assistance is carried out fairly, 3) Oriented to needs, 4) Needs are needed at a particular time.

E. Implications of Al-Athî's Maqāshid Sharia in the Construction of Ijtihad Responses to Social Phenomena, Especially *Ta'arruf Online*

The case of the Ikhwan mode social phenomenon in the online ta'arruf frame which is rife at the end of the day, and experiencing a significant increasing trend, has become one of the homework for Muslim intellectuals and scholars, what kind of prevention should be done so that the outbreak of irregularities does not spread. Hansen in his research study, concluded that the problem of sexual behavior in adolescents is caused by process of reciprocal interaction between individual characteristics and the social and ecological systems in which they grow and develop⁴². Bradford even proposed an effort to rehabilitate teenagers exposed to sexual deviations with pharmacological methods that are considered successful in minimizing the disease⁴³. In Indonesia itself, the current form of the phenomenon of social deviation, one of which is the case of the Ikhwan mode which is in the online ta'arruf circle. Then what are the implications of Abdul Athi's maqashid shari'ah theory to respond to the phenomenon of the Ikhwan mode in online ta'arruf circles? Before the author describes the framework, at least we must first understand the priority levels in maqashid Sharia, especially ad-daruriyyah, al-hajjiyyah, and at-tahsiniyyah. So that by knowing and understanding well which one should take precedence, we can bring the formula into the case of the Ikhwan mode phenomenon within the framework of maqashid Sharia.

In Abdul Athi's perspective, the existing sharia laws, when viewed from the perspective of maqashid shari'ah then, of course, there is a priority scale between one another. it means that in the maqashid perspective, of course, there are stages of implementation, which one should take precedence. Like most scholars, Abdul Athi views that prioritizing maqashid ad-daruriyyah must take precedence over al-hajjiyyah, as well as al-hajjiyyah must be more important than at-tahsiniyyah⁴⁴. The impact of this concept is that maintaining the five principles of ad-daruriyyah must be the initial priority scale. Hierarchically in maqashid ad-daruriyyah Abdul Athi in order of its main priority in the process of implementation and actualization are 1) hifdzu ad-din, 2) hifdzu an-nafs, 3) hifdzu al-aql, 4) hifdzu al-nasl, and 5) hifdzu al-mal. For example, a person is allowed to open his aurat when he is in an emergency and urgent condition such as surgery, why is this allowed, because according to Al-Athî it is related to the safety of his soul, namely hifdzu an-nafs. Covering the genitals

42 Jamie R. Yoder et al., "Effects of School-Based Risk and Protective Factors on Treatment Success Among Youth Adjudicated of a Sexual Crime," *Journal of Child Sexual Abuse* 25, no. 3 (2016): 310–325.

43 John Mc Donald Wilson Bradford, "The Treatment of Sexual Deviation Using a Pharmacological Approach," *Journal of Sex Research* 37, no. 3 (2000): 248–257.

44 Athî, *Al-Maqāshid Al-Syar'iyyah Wa Atsaruhā Fī Al-Fiqh Al-Islamī*.

in the context of maqashid is included in maqashid at-tahsiniyyah, so prioritizing emergency interests related to life must take precedence in the above case.

Taarruf online, is one of the efforts and good bridges to realize the marriage of Sakinah, mawaddah, wa rahmah between male and female candidates. In online taarruf, at least two categories of maqashid play a significant role, namely 1) Hifdzu Ad-Din, and 2) Hifdu An-Nasl. Although the other types have involvement in the above motives, the two categories above are far more significant contributors to the online taaruf circle. Globally, marriage is a goal to be achieved from the popularity of online taaruf, it may be seen as a solution to bridge between prospective male partners and potential female partners who are difficult to find the ideal partner. In the perspective of Abdul Athi's maqashid Sharia, in conclusion the author sees that online taarruf can be said to be something permissible, but still with some notes. If we review online taarruf within the framework of the ijihad maqashidi Al-Athi procedure, at least it is allowed with several arguments: 1) Marriage is one of the main goals in religion, because it is part of hifdzu ad-din, al-nafs, al-nasl, al-aql and al-mal, 2) in terms of mashlahat, online taaruf has major benefits such as bringing together two potential partners, 3) existing cases, the concept of online taarruf does not have to be stopped, it is enough only the elements, as in For example, the prohibition of honey is only for people who have a history of certain diseases such as diabetes.

However, in some cases that occur in the Ikhwan mode, of course there must be efforts made by Together, one of which is by applying dhawabith (limited rules) in online taaruf to minimize deviant actions above, including 1) Maintaining socializing both offline and online, Allah swt says:

وَلَا تَقْرَبُوا الزَّوْجَ إِنَّهُ كَانَ فَاحِشَةً وَسَاءَ سَبِيلًا (الإسراء: 23)

Imam Ibn Kathir in interpreting the above verse argues that this verse strictly forbids a Muslim to fall into the act of adultery even approaching it is prohibited, because the act is a major sin⁴⁵. Sheikh As-Sa'di even reinforces that the prohibition against approaching adultery is firmer and clearer than the prohibition against its actions, because the prohibition covers all aspects of the things that are the driving factors⁴⁶. In the tradition among scholars, keeping one's eyes on is one way to protect the heart from ma'nawi impurities that can interfere with the relationship between him and Allah SWT. The recent increase in divorce cases must be taken seriously, one of which is how to try to educate the public regarding the dangers

45 Katsir, *Tafsir Al-Qur'an Al-Adzim*.

46 As-Sa'di, *Taysir Al-Karim Ar-Rahman Fi Tafsir Kalam Al-Mannan*.

of promiscuity without any restrictions. Keeping the view can be one approach in avoiding unwanted things that lead to immoral practices.

Then the next dhawabith is 2) Not allowing people who are indicated to be deviant to join, 3) Shorten the time of the Ta'arruf process so that it can stay away from bad things, 4) Avoid monetizing from online ta'arruf, 5) Making rules -clear rules before candidates are allowed to register, 6) Be firm against people who have been proven to be doing ikhwan modus, and 7) Intend to seek the pleasure of Allah SWT.

F. Conclusion

The trend of globalization, technological developments, and the recent presence of the Covid-19 pandemic have made the condition of the global community even more depressed. This is one of the factors for the emergence of a new social deviation phenomenon in the form of sexual harassment, one of which is the case of the Ikhwan mode in the online taa'ruf frame. Maqāshid shari'ah functions as one of the procedural guidelines in taking ijihad fiqh, which adheres to the fundamental goals for human life from a religious perspective. According to Abdul Athi, in line with the majority of scholars, maqashid shari'ah is divided into three levels: 1) Maqāshid shari'ah ad-darūriyyah, 2) Maqāshid shari'ah al-hājiyyah, 3) Maqāshid shari'ah at-Tahsīniyyah. There are at least five fundamental things in maqashid sharia ad-daruriyyah, namely hifdzu ad-dīn, hifdzu al-nafs, hifdzu al-aql, hifdzu al-nasl, and hifdzu al-māl. In prioritizing the five things, it must be in the order mentioned above. Furthermore, in the guidelines for the Maqashidi Ijtihad procedure according to Al-Athi, three standard guidelines must be held by a mujtahid, namely 1) Paying attention to the Maqāshid aspect in the Nash-nash and its Laws, 2) Compromising the rules of Al-Kuliyāt Al-Āmmah with Al-Immah. Adillah Al-Khāssah, and 3) Adhering to the Fiqh Rules "Jalbu Al-Mashālih wa Daf'i Al-Mafāsīd". The theoretical implications of the Ikhwan mode in online taa'ruf, it can be concluded that with the development of culture and culture, the final ta'arruf process has transformed one of them into a virtual world activities. Taa'ruf is seen as one of the efforts to create a sakinah marriage, mamaddah wa rahmah, where marriage is considered included in the maqashid shari'ah ad-daruriyyah in protecting the aspect of hifdzu an-nasl (descendants). Taa'ruf online is only a tool, that's why although some groups see a negative side, there is also a positive side. Therefore, there must be a dhawābith that functions to minimize the occurrence of the wrong side, among these efforts 1) Maintaining relationships both offline and online, 2) Not allowing people who are indicated to be deviant to join, 3) Ranking

the time of online ta'arruf to minimize things that unwanted, 4) Avoid monetization from online ta'arruf, 5) Make clear rules before candidates are allowed to register, 6) Be firm with people who have been proven to be doing ikhwan modus, and 7) Intend to seek the pleasure of Allah SWT.

References

- ‘Audah, Jāsir. *Maqāshid Al-Syarī’ah Kafalsafah Li Tasyrī’i Al-Islāmī*. USA: Al-Ma’had Al-‘Ālamī Lil Fikr Al-Islāmī, 2012.
- Abidin, Z, and M Irfan. “Perjalanan Cintaku : Sebuah Studi Fenomenologis Tentang Pengalaman Pencarian Jodoh Pada Pria Pengguna Aplikasi Ta’arruf Online Indonesia.” *Empati* 8, no. 3 (2020).
- Al-Alusī, Syihābuddīn As-Sayyid Mahmūd. *Rūb Al-Ma’āni Fī Tafsīr Al-Qurān Al-Adzīm Wa As-Sab’u Al-Matsānī*. Beirut: Dār Ihyā At-Turāts Al-Arabī, 1980.
- Al-Andalusī, Abū Hayyān. *Tafsīr Al-Babru Al-Mubīth*. Beirut: Dār Ihyā At-Turāts Al-Arabī, 1981.
- Al-Badawī, Yūsuf Ahmad Muhammad. *Maqāshid Al-Syarī’ah ‘Inda Ibnu Taimiyyah*. Jordania: Dār An-Nafāis, 2000.
- Al-Baidhāwī, Abdullah bin Umar bin Muhammad As-Syīrāzī. *Anwār At-Tanzīl Wa Asrār At-Ta’wīl Tafsīr Al-Baidhāwī*. Beirut: Dār Ihyā At-Turāts Al-Arabi, 1987.
- Al-Fasi, Ilal. *Maqashid Al-Syari’ah Al-Islamiyah Wa Makarimuba*. Maroko: Mathba’ah Al-Risalah, 1979.
- Al-Jazāirī, Abū Bakar Jābir. *Aysaru At-Tafsīr Li Kalām Al-Alī Al-Kabīr*. Jeddah: Racem, 1990.
- Al-Qardhawi, Yusuf. *Al-Usrah Kamā Yurīdubā Al-Islām*, 2004.
- Al-Qurthūbī, Abu Abdullah Syamsuddīn. *Al-Jāmi Li Ahkām Al-Qurān*. Kairo: Dar Al-Kutub Al-Mishriyyah, 1964.
- Alkandari, Kalthoum, and Zaha Alsuwailan. “Pressures Confronting Islamic Studies Curricula in Kuwait: Perspectives of Curricula Planners on Challenges and Confrontations.” *Religious Education* 114, no. 2 (2019): 97–109. <https://doi.org/10.1080/00344087.2018.1537055>.
- An-Najjār, Ahmad bin Muhammad bin As-Shādiq. *Maqāshid Al-Syarī’ah ‘Ala I’Tiqad Aimmah As-Salaf*. Madinah: Dār An-Nashīhah, 2015.
- Ansari, Rasid, Linda Suwarni, Selviana, Rochmawati, and Mawardī. “Media Komik Sebagai Alternatif Media Promosi Kesehatan Seksualitas Remaja.” *Jurnal Ilmiah Kesehatan* 19, no. 1 (2020).

- Ar-Rāzî, Fakhruddîn. *Tafsîr Al-Fakhrî Ar-Rāzî Mafâtîbul Ghaib*. Beirut: Dâr Al-Fikr, 1981.
- As-Sa'dî, Abdurrahmân bin Nāshîr bin Abdullah. *Taysîr Al-Karîm Ar-Rahmân Fî Tafsîr Kalâm Al-Mannân*. Beirut: Muassah Ar-Risalah, 2000.
- As-Shabûnî, Muhammad Alî. *Sofwatu At-Tafsîr*. Beirut: Dâr Al-Qurân Al-Karîm, 1981.
- As-Sya'rāwî, Muhammad Mutawallî. *Tafsîr As-Sya'rāwî*. Kairo: Dâr Akhbâr Al-Yaum, 1991.
- As-Syâthibî, Abû Ishâq. *Al-Muwâfaqât Fî Ushûli Al-Syarîah*. Beirut: Dar Al-Kutub Al-'Ilmiyyah, 2004.
- Asyur, Muhammad Thahir bin. *Maqashid Al-Syarî'ah Al-Islamiyyah*. Beirut: Dar Al-Salam, 1999.
- Ath-Thabarî, Muhammad bin Jarîr. *Tafsîr Ath-Thabarî Jâmi' Al-Bayân An Ta'wîl Ay Al-Qurân*. Beirut: Muassasah Ar-Risalah, 1994.
- Athî, Muhammad Abdul. *Al-Maqâshid Al-Syar'iyah Wa Atsaruhâ Fî Al-Fiqh Al-Islamî*. Kairo: Dâr Al-Hadîst, 2007.
- Az-Zuhailî, Wahbah bin Musthafâ. *At-Tafsîr Al-Munîr Fî Al-Aqîdah Wa As-Syarî'ah Wa Al-Manhaj*. Beirut: Dar Al-Fikr Al-Mu'ashir, 1997.
- Azhar, Hisyâm bin Sa'îd. *Maqâshid Al-Syarî'ah 'Inda Imâm Al-Haramain Wa Atsaruhâ Fî At-Tasharrufât Al-Mâlîyyah*. Riyâd: Maktabah Ar-Rusyid, 2010.
- Bradford, John Mc Donald Wilson. "The Treatment of Sexual Deviation Using a Pharmacological Approach." *Journal of Sex Research* 37, no. 3 (2000): 248–257.
- Chopin, Julien, and Eric Beaugard. "Body Dismemberment in Sexual Homicide Cases: Lust Murder or Rational Decision?" *Psychology, Crime and Law* 0, no. 0 (2020): 1–21.
- Durkin, Keith, Craig J. Forsyth, and James F. Quinn. "Pathological Internet Communities: A New Direction for Sexual Deviance Research in a Post Modern Era." *Sociological Spectrum* 26, no. 6 (2006): 595–606.
- Goldstein, Michael J., and Harold Sanford Kant. "Pornography and Sexual Deviance." *Pornography and Sexual Deviance* 40, no. 3 (1976): 1–4.
- James, Jennifer, Nanette J. Davis, and Peter Vitaliano. "Female Sexual Deviance: A Theoretical and Empirical Analysis." *Deviant Behavior* 3, no. 2 (1982): 175–195.
- Katsîr, Abu Al-Fidâ Ismâîl bin Umar bin. *Tafsîr Al-Qurân Al-Adzîm*. Riyadh: Dar Thayyibah, 1999.

- Machingambi, Severino. "The Impact of Globalisation on Higher Education: A Marxist Critique." *Journal of Sociology and Social Anthropology* 5, no. 2 (2014): 207–215.
- Ohee, C, and W Purnomo. "Pengaruh Status Hubungan Berpacaran Terhadap Perilaku Pacaran Berisiko Pada Mahasiswa Perantau Asal Papua Di Kota Surabaya." *The Indonesian Journal of Public Health* 13, no. 2 (2018).
- Pham, Anna T., Kevin L. Nunes, Sacha Maimone, and Chantal A. Hermann. "How Accurately Can Researchers Measure Criminal History, Sexual Deviance, and Risk of Sexual Recidivism from Self-Report Information Alone?" *Journal of Sexual Aggression* 27, no. 1 (2021): 106–119.
- Prohaska, Ariane. "Help Me Get Fat! Feederism as Communal Deviance on the Internet." *Deviant Behavior* 35, no. 4 (2014): 263–274.
- Raisuni, Ahmad. *Nazariyyat Al-Maqashid 'inda Al-Imam As-Syathibi*. Beirut: Al-Muassasah Al-Jami'iyah Lil Dirasat Wa Al-Nasyr wa Al-Tauzi, 1995.
- Rekers, George A., and Shasta Mead. "Female Sex-role Deviance: Early Identification and Developmental Intervention 1 ." *Journal of Clinical Child Psychology* 9, no. 3 (1980): 199–203.
- Ridhā, Muhammad Rasyîd. *Tafsîr Al-Manâr*. Kairo: Al-Haiah Al-Mishriyyah Al-Ammah Lil Kitab, 1990.
- Sari, DN, A Darmana, and I Muhammad. "Pengaruh Faktor Predisposisi, Pemungkin, Dan Pendorong Terhadap Perilaku Seksual Di SMA Asuhan Daya Medan." *Jurnal Kesehatan Global*, 1, no. 2 (2018).
- Semerdjian, Elyse. "Because He Is so Tender and Pretty?: Sexual Deviance and Heresy in Eighteenth-Century Aleppo." *Social Identities* 18, no. 2 (2012): 175–199.
- Spada, Ashley H., and Elizabeth L. Jeglic. "A Cognitive-Based Indicator of Deviant Sexual Interest: Concurrent Validation of the Stroop Task." *Journal of Sexual Aggression* 22, no. 2 (2016): 246–262.
- Syahîd, Muhammad. *Maqâshid Al-Syarî'ah Fî Isykâliyyati At-Ta'rîf*. Sudan: Muassasah Mu'minûn, 2015.
- Thanthâwî, Muhammad Sayyid. *Tafsîr Al-Wasîth Lil Qurân Al-Karîm*. Kairo: Ar-Risalah, 1987.
- Wilpert, Julia. "Self-Reported versus Diagnosed Paraphilias in Outpatient Sexual Offenders." *Journal of Forensic Psychiatry and Psychology* 29, no. 2 (2018): 252–264.

Yoder, Jamie R., Jesse Hansen, Donna Ruch, and Ashleigh Hodge. “Effects of School-Based Risk and Protective Factors on Treatment Success Among Youth Adjudicated of a Sexual Crime.” *Journal of Child Sexual Abuse* 25, no. 3 (2016): 310–325.