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## MAQASHID, MUSLIM DEVOTION AND RAMADHAN TRADITION IN PANDEMIC TIMES

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**Abstract:** This article discusses the implementation of Ramadan worship during the Covid-19 pandemic which is then analyzed by *maqashid shari'ah*. Due to the Covid-19 pandemic, the government issued a policy of encouraging worship at home only so that it could minimize the transmission of covid-19. From the results of the study, it is known that there are still mosques that open for Ramadan worship, and there are still many respondents who perform worship at the mosque (obligatory prayers, *tarawih*, *tadarrus*, and Eid prayers). In the perspective of *maqashid shari'ah*, if the respondent chooses to worship outside the home by complying with the regulations according to health protocols, this is by the principles of *hifz al-din* and *hifz al-nafs*. But if they do not heed it, then it is against *hifz al-din* and *hifz al-nafs* in *maqashid shari'ah*.

**Keywords:** *maqashid, muslim devotion, ramadan, covid-19*



## INTRODUCTION

The Covid-19 virus was detected in Wuhan, China at the end of December 2019 (Tu et al., 2020). At first, this virus did not get the world's attention and was only considered a common fever. But, in February 2020, WHO found this virus spread throughout the world and endangered the world community (Shang et al., 2020). Before that, Wuhan has been locked down since January 23, 2020 (Bherwani et al., 2020). On March 2, 2020, President Jokowi officially announced that there were Indonesian patients who were positive for the coronavirus (Ihsanuddin, 2020). Hence, President Joko Widodo declared the covid-19 virus a national disaster (President of the Republic of Indonesia, 2020). Since then the Indonesian government has issued policies related to the COVID-19 pandemic, including policies on working at home, studying at home, and worshipping at home (Purnamasari, 2020).

The policy of worship at home affects religious activities among Muslims. Restrictions on religious activities are contained in Minister of Health Regulation Number 9 of 2020 concerning Guidelines for Large-Scale Social Restrictions (PSBB) in the Context of Accelerating Handling of Covid-19. In Article 13 paragraph 4 it is stated "Restrictions on religious activities as referred to in paragraph (1) letter b are carried out in the form of religious activities carried out at home and attended by limited families, by keeping everyone at a distance" and in Article 13 paragraph 5 it is explained that religious activities other than as referred to in paragraph 4 is carried out by referring to the laws and regulations, and fatwas or views of official religious institutions recognized by the government. One of them is the issue of restrictions on places of worship which reads "All places of worship must be closed to the public". (Minister of Health, 2020)

The Indonesian Ulema Council (MUI) also issued fatwa Number 14 of 2020 concerning the Implementation of Worship in Situations of the Covid-19 Outbreak. In the fatwa, the MUI said Friday prayers could be replaced with *Zuhur* prayers at their respective homes. The MUI also temporarily prohibits the implementation of worship that creates mass

concentration, such as the five daily prayers in congregation, *Tarawih* prayers, Eid prayers or the activities of the *taklim* assembly (Minister of Religion of the Republic of Indonesia, 2020). In addition, other Islamic community organizations also issued fatwas regarding worship during the pandemic, including worship in the month of Ramadan during the pandemic. (Head of Muhammadiyah Center, 2020)

Nevertheless, there are still residents who do not heed the fatwa or government regulations. Many residents still worship in congregations in mosques or prayer rooms because there are still many mosques or prayer rooms that are actively carrying out congregational prayers: obligatory prayers, *tarawih*, and Friday prayers (Fadhilah, 2020). It is interesting to study the obedience of Muslims in carrying out worship in the month of Ramadan in the time of covid-19.

The study of Covid-19 has become a topic that has been widely discussed by scholars from widely perspectives, including Covid-19 and medical (Rameshrad et al., 2020), covid-19 and the economy (Bareket-Bojmel, Shahar and Margalit, 2020), covid-19, and education (Daniel, 2020) and covid-19 and social (Ding et al., 2020). My study focuses on Covid-19 and Muslim practices by analyzing the choice to pray or obey the health protocols. Using quantitative data and qualitative exploration, this article examines how Muslims in Indonesia obeyed health protocols during Ramadhan. Why are they compelled to obey, or disobey?. And how do they get around the health protocol in Ramadhan?. Quantitative data was conducted by collecting respondents' opinions through Google Forms consisting of several professions, gender, region, and age. Qualitative data were collected from observations on the implementation of *Tarawih* prayers during Ramadan and interviews with Muslims who pray in mosques. Using the *maqashid* concept, this article argues that the practice of worship carried out by Muslims during the pandemic does not consider the consequences of *maslahah*. The practice of worship is carried out based on consideration of compliance with the government, not because of knowledge of Islamic law.

## RAMADAN WORSHIP IN INDONESIA

In Indonesia, the month of Ramadan 1441 H coincides with April 24, 2020. The month of Ramadan is a noble month that Muslims look forward to. The month of Ramadan is noble because the Qur'an was revealed in the month of Ramadan (Alghafli et al., 2019). In this month, Muslims perform fasting (Syaifi, 2019) and other sunnah worship such as *tarawih* prayers, (Ghani, 2016) *itikaf*, and *tadarrus*. This is done to increase their spiritual level (Alghafli et al., 2019). Worship in the month of Ramadan has a double reward compared to worship in months other than Ramadan. In Indonesia to enliven the month of Ramadan, mosques or prayer rooms and even Islamic boarding schools (Najiyya, 2018) enliven this holy month by holding various activities. Besides being busy with religious activities, the month of Ramadan in Indonesia is also enlivened with events related to Ramadan traditions, such as ngabuburit, patrol music at dawn, and special foods during Ramadan. Ramadan also affects the increasing culture of consumerism (Hidayat, 2016).

Ramadan in pandemic times has a different tradition from the previous Ramadhan because the government and various community organizations recommend worshipping at home. The government's policy on worshipping at home is stated in Presidential Decree No. 12 of 2020 concerning the Determination of Non-Natural Disasters Spreading Covid-19 as a National Disaster (President of the Republic of Indonesia, 2020); Regulation of the Minister of Health of the Republic of Indonesia Number 9 of 2020 concerning Guidelines for Large-Scale Social Restrictions in the Context of Accelerating the Handling of Corona Virus Disease 2019 (Covid-19) (Minister of Health of the Republic of Indonesia, 2020); Circular Letter Number 6 of 2020 concerning Guidelines for Ramadan and Eid Al-Fitr Worship amid the Covid-19 Pandemic (Minister of Religion of the Republic of Indonesia, 2020).

In addition to the state regulation, several community organizations issued fatwas like MUI Fatwa Number 14 of 2020 concerning the Organization of Worship in Situations of an Outbreak of COVID-19

(Ulama, 2020); Muhammadiyah Central Leadership Circular Number 02/EDR/I.0/E/2020 Concerning Guidance for Worship in Covid-19 Emergency Conditions (Muhammadiyah Central Leadership, 2020); PBNU Circular Number 3953/CI034/04/2020 which contains recommendations for the implementation of Ramadan and Eid worship (PBNU, 2020). However, some residents did not heed this recommendation because one of the factors was wanting to enliven the month of Ramadan as usual.

## THE DEBATING PRAYERS FROM HOME

Even though the government and MUI issued many regulations and fatwas, it was still found that some mosques were still carrying out their usual activities, although some had closed their activities at the mosque. The residents' responses varied, although the mosque was still active, some residents prioritized obeying the rules by continuing to worship at home, although there were some residents who were increasingly enthusiastic about worshipping in the mosque.

Based on respondent data, it is known that 100% of respondents are aware of the recommendation to worship Ramadan at home. Looking at this data, 64% of them live in places affected by the PSBB regulations, and 53% of them have socialized about the recommendation to worship at home. However, it turns out that there are still many mosques or prayer rooms that hold congregational prayers, which is 82%. The respondents' activeness in worshipping at the mosque is as follows: the majority of obligatory prayers are at home, namely 40%, with 22% being active in the mosque and 38% infrequent. However, 80% of *tarawih* prayers are carried out in mosques, but for *tadarrus*, the majority do it at home, which is 58%. As for the Eid prayer, although there are recommendations to stay at home, it turns out that the majority of respondents do it in the mosque, specifically 57% of respondents.

The implementation of the Health Protocol in worshipping Ramadan is as follows: The application of social distancing when worshipping Ramadan during the pandemic, as many as 85% of respondents have used

masks, 65% have kept a distance, brought 37% hand sanitiser, wore 9% gloves, however, there are still 6 % who do not pay attention to health protocols. As for when they want to enter the house, the health protocols that are mostly carried out are washing hands 84%, washing feet 48%, changing clothes 34%, bathing 21%, and 9% of those who do not heed health protocols.

Several reasons make respondents worship outside their homes, namely the location of worship is close to their homes, 62% are still in the green zone, 33%, there is no socialization of worship at home, only 12% and 4% are carrying out their duties as priests or preachers. While the reasons for choosing to worship at home are the majority because 59% support government programs, 26% of residences are included in the red zone, 26% of places of worship are closed, and 8% of locations are far from home.

#### *Maqashid shari'ah on Prayers*

*Maqashid shari'ah* consists of two words, namely *maqashid* and *shari'ah*. The term *maqashid* comes from Arabic which is the plural form of the word *maqad*, which means intent, goal, principle, intention, goal, the ultimate goal. The *shari'ah* means the road to the water source, it can also be said as the road to the main source of life (Syafei, 2017). Based on this, *maqashid shari'ah* is the goal for human benefit. (Nasution, 2013, 105). In general, it is often formulated that the purpose of Islamic law is the happiness of life in this world and the hereafter, by taking everything beneficial and preventing or rejecting the harmful, namely those that are not useful for life and life (Abdul Wahid, 2009).

The purpose of Islamic law can be seen from two aspects, first is the makers of Islamic law are Allah and His Messenger. In this case, the objectives of Islamic law are to fulfil the primary, secondary, and tertiary needs of human life, which in the Islamic law literature are called *daruriyyat*, *hajiyyat*, and *tahsiniyyat* respectively. Second, the purpose of Islamic law is to be obeyed and implemented by humans in their daily lives. Third, to be obeyed and implemented properly and correctly, humans are obliged to increase their ability to understand Islamic law by studying *fiqh*

proposals (Abdul Wahid, 2009).

According to Juhaya S Praja in his book *Philosophy of Islamic Law*, the objectives of Islamic law from the perspective of lawmakers are threefold; first, the law in the form of having to do any act or not to do it; choose between doing an act or not doing it, and the law doing or not doing an activity because there is or isn't something that requires the existence of the law (Praja, 2002). Second, the law is intended so that the making of the law can be understood by the *mukallaf*. Third, to make Islamic law the burden and legal responsibility of the *mukallaf* (Praja, 2002).

From the perspective of the perpetrators of Islamic law, namely humans, the goal of Islamic law is to achieve a happy and prosperous life. The trick is to take what is useful, prevent or reject harm to life (Abdul Wahid, 2009). *Maqashid shari'ah* is classified in various ways, based on several dimensions. Here are some of those dimensions:

*The degrees of inevitability, which is the traditional classification.*

Islamic law is prescribed to achieve benefit in this world and the hereafter. These benefits include: the benefits of *daruriyyat*, *hajiyyat*, and *tahsiniyyat* (Faizal, Aziz and Mohamad, 2013).

#### a. *Daruriyyat's Needs*

*Daruriyyat* needs are divided into religious protection or *if al-din*, body and soul protection (*hifd al-nafs*), property protection (*hifd al-mal*), intellectual protection (*hifd al-aql*), and offspring protection (*hifd al-nasl*). Some *fiqh* experts add protection of honour (*hifd al-'ird*) in addition to the five very well-known necessities above (Auda, 2015). The protection of these five things is referred to as *al-kuliyyat al-khams* or *al-dharuriyyat al-khams* (five things core) (Jauhar, 2013).

The maintenance of the five main joints is ordered on a priority scale. That is, the joint that is in the first place (religion) is more important than the second joint (soul), the second joint is more important than the third joint (reason), and so on until the fifth joint (Koto, 2013).

Islam protects rights and freedoms. The first freedom is freedom of belief and worship. Every believer has the right to his religion and school of thought, he must not be forced to leave it for another religion or sect,

nor should he be pressured to convert from his belief to convert to Islam. The basis of this right is by the word of God in QS. Al Baqarah 256 and QS. Jonah (10); 99 (Jauhar, 2013).

To maintain the soul, Allah and His Messenger ordered humans to maintain health, ordered humans to eat halal and good food, and forbade all actions that would damage the soul, such as killing other people or against oneself, and *qisas* law was prescribed for perpetrators of murder, crime treason, and so on (Koto, 2013). The most important right that is considered in Islam is the right to life, a right that is purified and its glory cannot be destroyed. Therefore Allah forbids killing because killing means destroying nature and uprooting the human spirit. It is Allah who gives life, and He alone who kills it (Jauhar, 2013).

To maintain reason, Allah and His messenger oblige Muslims to seek knowledge and prohibit drinking *khamr*, smoking marijuana, drugs, and so on (Koto, 2013). Intellect is a source of wisdom (knowledge), the light of guidance, the light of the eyes of the heart, and a medium for human happiness in the world and the hereafter. With reason, a letter of command from Allah is delivered, with it, humans also become perfect, noble, and different from other creatures. QS. Al-Isra' (17): 70. Therefore, Allah commands humans to guard their minds, prevent all forms of persecution that are directed at them, or which can cause damage and loss of reason to honour and glorify them, and to realize all the general benefits that are the foundation of human life, namely guarding religion, soul, intellect, lineage, and guarding property. To fight sin and prevent crime, then among the rights of *syara'* over reason is to give sanctions for violations of causes or protective factors. Therefore, Islamic law imposes sanctions on *khamr* drinkers and users of illegal drugs, regardless of type, from and with any name and characteristics (Jauhar, 2013).

To maintain offspring, Allah and His messenger ordered people to marry and forbade adultery and *qazaf* (Koto, 2013). To maintain the property, Allah and His messenger ordered Muslims to spread across the earth to seek lawful sustenance, prohibit stealing, gambling, being wasteful and extravagant, consumptive behaviour, hedonism, and so on

(Koto, 2013). Wealth is one of the core needs in life, where humans cannot be separated from it (QS 18:46). The way to produce this property is by working and inheriting, so one cannot eat other people's property in a vanity way. QS. Al-Baqarah (2): 188. Allah also forbids humans from eating the results of usury, as mentioned in QS (2): 275-276.

b. *Hajjiyyat's Needs*

The needs of *hajjiyyat* are everything that is very desired by humans to eliminate difficulties and reject all obstacles. That is, the absence of this aspect of *hajjiyyat* does not threaten the existence of human life to be damaged, but only causes difficulties and difficulties. Such as buying and selling through a *salam* contract, or the practice of leasing (*ijarah*) (Dusuki and Abdullah, 2007). In Islamic criminal law, it is stipulated that the obligation to pay fines (*diyat*) – not *qisas* – for people who commit murder accidentally, offers the right to pardon for parents of murder victims for those who killed their children, and so on (Koto, 2013).

c. *Tahsiniyyat Needs*

The need for *tahsiniyyat* is an action or characteristic that is principally related to noble character, as well as the maintenance of the main actions in the fields of worship, custom, and *muamalat*. It should be emphasized that the three types of human needs above, in achieving the perfection of benefit desired by the *syara'* are difficult to separate from one another. Even though the *daruriyyat* aspects are the most essential needs, for their perfection they need *hajjiyyat* and *tahsiniyyat* aspects. *Hajjiyyat* is a complement to *daruriyyat*, and *tahsiniyyat* is a complement to *hajjiyyat*. However, the *daruriyyat* aspect is the basis of all human benefits (Koto, 2013).

*The reach of legal goals to reach maqashid*

To improve the range of laws covered by *maqashid*, contemporary classification divides *maqashid* into three levels. First, general *maqashid* (*al-maqashid al-ammah*). This *maqashid* can be studied in all parts of Islamic law, such as the necessity and necessity mentioned above, plus new *maqashid* proposals such as justice and convenience. Protection from crimes in criminal law; and protection from monopoly in economic law.

Second, partial *maqashid* (*al-maqashid al-juz'iyah*). This *maqashid* is the intentions behind a certain text or law, such as the purpose of revealing the truth, in requiring a certain number of witnesses in certain legal cases; the intention of alleviating hardship, in allowing the sick not to fast; and the intention of feeding the poor, in prohibiting Muslims from hoarding meat during Eid al-Adha. Third, specific *maqashid* (*al-maqashid al-Khassah*). This *maqashid* can be observed throughout the contents of certain chapters of Islamic law, such as child welfare in the law outside the protection from crime in criminal law; and protection from monopoly in economic law.

#### *Reach of people covered by maqashid*

To correct the shortcomings of the classical *maqashid* theory regarding the range of people involved (i.e. individuals), the idea of *maqashid*, by modern and contemporary Muslim scholars, is extended to cover a wider range of people, namely society, nation, and even mankind. Ibn Asyur, for example, gave priority to *maqashid* related to the interests of the nation or people over *maqashid* regarding individual interests.

#### *The range of maqashid induction sources and the general level of maqashid.*

In the end, contemporary scholars introduced a new general *maqashid* theory which was directly extracted from the texts, given that the classical theory was extracted from the *fiqh* literature. This approach significantly allows *maqashid* to go beyond the historicity of *fiqh* decisions and represent the general values and principles of the texts. Thus, detailed laws (*al-ahkam a-tafsiliyyah*) can be extracted from these comprehensive principles (*kulliyat*) (Auda, 2015).

One of the important parts of the division of law is the willingness to acknowledge that the benefits possessed by humans in this world and the hereafter are understood as relative, not absolute. In other words, benefits will not be obtained without the slightest sacrifice. For example, all benefits regulated by law relating to life such as food, clothing, and housing require sacrifices within reasonable limits. The purpose of the law is to protect and promote actions that are dangerous and require undue sacrifice. The benefits to be solved are those that have the following

conditions the problem must be real or based on strong predictions and not fantasy.

*Sharia* in creating sharia is not arbitrary, without direction, but aims to realize the general benefit, provide benefits and avoid harm to mankind. Knowing the general purpose of creating legislation is very important to be able to draw the law of an event that already has a text correctly and correctly and then be able to determine the law for events that do not have a text (Nasution, 2013).

### LOOK AT THE REGULATION, NOT THE *FIQH*

Shariah in Islam is a guideline in living life as a Muslim including faith, worship, and morals. It regulates the life of a Muslim as an individual and as a social being (Dusuki and Abdullah, 2007). In carrying out the worship of Ramadan during this pandemic, when viewed from the *maqashid shari'ah*, the purpose of worship is to continue to carry out the commands of Allah and His Messenger while maintaining the benefits and refusing harm. In its implementation, there are benefits related to *hifz al-din* and *hifz al-nafs*.

Fasting in Ramadan is an obligatory act of worship for every Muslim except under certain conditions. Fasting in the perspective of *maqashid shari'ah* includes *daruriyyat* and is part of *hifz al-din* (maintaining religion), as Allah says in QS. al-Baqarah 183. However, if due to certain conditions a Muslim is allowed not to fast, i.e. sick or on a trip, then he gets *rukhsah* not fasting but making up for it on another day or by paying *fidyah* instead. If during this pandemic, a Muslim is sick, then it becomes *daruriy* for him not to fast because maintaining health is part of maintaining the benefit of protecting the soul (*hifz al-nafs*). During this pandemic, the coronavirus is very vulnerable to attack physically weak people or people who have congenital diseases.

Based on the results of respondent data, it is known that during this pandemic, there are still several mosques that hold 82% congregational prayers. This is because the place is in the green zone and several mosques

use health protocols even though some do not. In the perspective of *maqashid shari'ah*, the purpose of worship should not conflict with other *masalahah*, namely protecting the soul (*hifz al-nafs*). If the place of the mosque is in the red zone area or the government has implemented PSBB, closing the place of worship is a must. As for places of worship that are still in the green zone, even though there is still leeway to hold worship at the mosque, it becomes a *darury* to implement worship regulations in mosques according to health protocols. If you are not able to implement the health protocol, then it is a threat to the life of the congregation and is against the *maqashid shar'iah*.

During this pandemic period, the majority of respondents still perform *tarawih* prayers in mosques 80%, while for mandatory prayers only 22% are active in mosques and 14% are active in *tadarrus* in mosques. For Eid al-Fitr prayers, although there is a recommendation to stay at home, it turns out that the majority of respondents do it at the mosque, namely 57%. Based on the data above, it is known that the majority of respondents are more active in worshipping at home except for *tarawih* prayers and Eid prayers. Of the several reasons for respondents who worship at the mosque, 62% are close to their homes, the area is still a green zone 33%, there is no socialization of worship at home only 12%, and because they carry out their duties as imam or preacher as much as 4%.

Based on the above, it is known that respondents are still active in worshipping outside the home because of a sense of security about worship by paying attention to health protocols, as many as 85% of respondents have used masks, kept 65% distance, brought 37% hand sanitiser, wearing gloves. 9%, however, there are still 6% who do not pay attention to health protocols. As for when they want to enter the house, the health protocols that are mostly carried out are washing hands 84%, washing feet 48%, changing clothes 34%, bathing 21%, and 9% of those who do not heed health protocols.

In the perspective of *maqashid shari'ah*, if carrying out worship in the mosque or at home is included in *hifz al-din* and if during this pandemic carrying out worship in the mosque with due observance of health

protocols then this does not conflict with *hifz al-nafs* (keeping the soul). However, for 6% of respondents who when leaving the house and 9% of respondents when entering the house did not heed the health protocols, this is against *maqashid shari'ah*, because it endangers their health and the health of others. Nevertheless, it would be better if the worship of Ramadan during this pandemic period was carried out entirely at home, based on the *fiqh* rules of *dar' al-mafasid muqaddam ala jalb al-masalih* (avoiding damage takes precedence over seeking benefit).

Based on this, respondents who only worship at home for various reasons, namely because they support government programs 59%, 26% of their residences are included in the red zone, 26% of places of worship are closed, and 8% of locations far from home are more in line with *maqashid al-shari'ah* in maintaining the soul (*hifz al-nafs*) but still being able to carry out fasting and other Ramadan worship properly, which is part of maintaining religion (*hifs al-din*).

## CONCLUSION

The month of Ramadan is noble, the most awaited by Muslims. This month is the month where fasting is obligatory and the month the holy book al-Qur'an was revealed. Many honours are given in this month, because of that the Muslims are competing for the glory. Therefore, there are many mosques or prayer rooms that prepare places to support and enliven the atmosphere of the month of Ramadan. The month of Ramadan 1441 H is different from the Ramadan worship in previous years. Due to the Covid-19 pandemic, the government has issued a policy of recommending worship at home to minimize the spread of COVID-19. This article is qualitative research by collecting data through respondents. From the results of the study, it is known that there are still mosques that are open for Ramadan worship, and there are still many respondents who carry out worship in mosques (compulsory prayers, *tarawih*, *tadarrus*, and Eid prayers). The majority of them are active in the mosque because the area is still safe from COVID-19, where they live close to the mosque and because they have

assignments. Meanwhile, the majority of those who worship Ramadan at home, because the majority of respondents support government programs, where they live far from the mosque, are included in the red zone area. In the *maqashid shari'ah* perspective, if the respondent chooses to worship outside the home by complying with the regulations according to the health protocol, then this is by the principles of *hifz al-din* and *hifz al-nafs*. But if they do not heed it, then it is contrary to *hifz al-din* and *hifz al-nafs* in *maqashid shari'ah*.

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