



Fiqh Rules About Belief and Doubt

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ABSTRACT

Confidence can be interpreted as a certainty or a strong prejudice against something that is done, and doubts are merely doubts about whether the prejudice is as strong or is there something stronger. Basic Principles about *لَا يُزَالُ بِالشَّكِّ*. As we know, the fiqh rules have different scopes and scopes, from the broad scope and the most coverage to the fiqh rules which have a narrow scope and little coverage. In addition, Allah SWT does not want to make His people feel difficult, even Allah SWT wants convenience. As in the hadith it is said that *الدين يُسْرٌ* means that the religion of Islam is easy, so with this basic rule it has included how Allah sent down Islamic law for all human beings without any burdensome elements in its implementation.

Keywords : *Beliefs And Doubts, Basic Principles and Juridical Foundations Or Sources of Decision Regarding Beliefs and Doubts.*

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INTRODUCTION

With the presence of the rule *لَا يُزَالُ بِالشَّكِّ* will provide reinforcement for Muslims when they experience a doubt in the worship they perform, so that it is not easy to cancel or assume that a worship that has been performed and in the middle of its implementation experiences forgetfulness of one of the conditions or pillars in the worship becomes nullify all worship (Usman, 2002).

In everyday life there are events that people experience regarding doubts in carrying out a matter. For example, when finding a carcass in a well used to purify from hadas. Since the discovery of the carcass, we sometimes doubt whether the purification we have been doing is legal or not. Therefore, by looking at these events, the author feels the need to discuss matters relating to the events of belief and doubts about every action taken.

According to the writer's opinion, what is in accordance with this event is the rule relating to beliefs and doubts, namely "al Yaqinu la yuzalu bi syakk". This rule is very important to learn, because according to Imam As-Suyuthi, this rule covers all discussions on fiqh issues and issues related to them reach 3/4 of the subject matter of fiqh discussion. Imam Al-Qorafi added, in this rule all people have agreed in practicing it and we must always learn it (Musbikin, 2001). Then Imam Daqiq Al-'Id hinted at every Muslim to do something that is certain and throw away doubts, so that it is as if the scholars had agreed on the

existence of this rule, but they did not agree on the procedure for administering this rule. This rule leads to the concept of convenience in order to eliminate what sometimes befalls us, by establishing a legal certainty by rejecting doubts. Because we all know, doubts are burdens and difficulties, so we are ordered to know the law correctly and with certainty so that it is easy and light to carry out Allah's commands and stay away from His prohibitions, including faith and worship.

In this paper, we will discuss the rule of belief that cannot be removed because of doubt. Where each of these rules is very important, because it involves problems in our daily lives. Thus, the author will try to explain how this principle emerged and became a source of argument in fiqhiyah rules (furu' rules). So that it becomes clearer how the ushul scholars and fiqh scholars adopt this rule and make it a strong argument in making legal decisions.

METHODS

In Study this, Type which used is Type Study Descriptive with a qualitative approach method. Types of research Qualitative is something study which aim for describe by systematic and accurate about facts and properties population on area certain. Qualitative research is research on research that is descriptive and tend to use analysis. Process and meaning (subject perspective) more highlighted in study qualitative. Base theory utilized as guide so that focus study in accordance with fact in field. Besides that The theoretical basis is also useful for providing an overview of the setting research and as material for discussion of research results. There is a difference fundamental Among role base theory in study quantitative with qualitative research. In quantitative research, research departs from theory towards the data, and ends in the acceptance or rejection of the theory used; whereas in study qualitative researcher leave from data, utilizing existing theory as explanatory material, and ends with a "theory".

RESULTS AND DISCUSSION

Fiqh Rules About Belief and Doubt

The second rule is **لَا يُزَالُ بِالشَّكِّ** "Faith cannot be lost with doubt" This rule explains about faith and doubt. **الْيَقِينُ** in the meaning of language is the stability of the heart over something, **الْيَقِينُ** (Yaqin) can also be said to be knowledge and there is no doubt in it. Scholars agree in interpreting Al-Yaqin which means knowledge and is the antonym of Asy-Syakk (Djazuli, 2006).

While the meaning according to the term is very much at all, including what is said by the scholars:

1. According to Imam Al-Jurjani Al-Yaqin is "to believe in something that is "This way" by believing that there can be no such thing as "This way" matches the existing reality, without any possibility to eliminate it.
2. According to Imam Abu Al-Baqa' Al-Yaqin is "knowledge that is permanent and certain and justified by the heart by mentioning certain causes and not accepting something that is not certain".
3. As-Suyuthi states Al-Yaqin is "something that is fixed and definite which can be proven through research and includes evidence to support it".
4. Of the three meanings that scholars mention about "sure", all agree that belief is "something that is certain" cannot be changed with a doubt that comes.
5. As for **الشَّكُّ** in language it means doubt, or it can be said with something that brings confusion. Meanwhile, according to the definition of the term are as follows: (Djazuli, 2006)
 - a. According to Imam Al-Maqarri Asy-Syakk is "something that is uncertain (doubtful) whether there is or not"
 - b. According to Imam Al-Jurjani Asy-Syakk is "something that is uncertain (doubtful) between something that is mutually opposite, without being able to win one of them".

The point is that if there is a doubt between two things where you cannot choose and cannot strengthen one of them, but if you can strengthen one of them then that is not called *Asy-Syakk*. The principle of *بِالشَّكِّ الْيَقِينُ لَا يُرَالُ* is the same as the principle of the presumption of innocence in western law, because a Muslim must have a *husnu zhan* (good prejudice) in responding to everything that has two possibilities, before there is convincing evidence that he is not good. As for what is meant by (sure) is:

الْيَقِينُ هُوَ مَا كَانَ ثَابِتًا بِالنَّظَرِ وَالذَّلِيلِ

Meaning: "Something that becomes fixed by sight or by reason"

While what is meant (*syak*) is

الشَّكُّ هُوَ مَا كَانَ مُتَرَدِّدًا بَيْنَ الثُّبُوتِ وَعَدَمِهِ مَعَ تَسَاوِي طَرَفَيْ الصَّوَابِ وَالْخَطَا دُونَ تَرْجِيحِ أَحَدُهُمَا عَلَى الْأُخْرَى

Meaning: "Doubt is a conflict between fixed and not, where the conflict is the same between the limits of truth and error, without being judged one against the other" (Mubarok, 2002)

So the meaning of this rule is: if someone has believed in a matter, then what has been believed cannot be removed by doubts (things that are still in doubt). Regarding this doubt, according to *ash-Syaikh al-Imam Abu Hamid al-Asfirayniy*, there are three kinds, namely:

1. Doubt that comes from something that is forbidden
2. Doubt that comes from something *mubah*
3. Doubt that comes from something doubtful (*halal* and unlawful)

From the description above, a clear understanding can be obtained that something that is permanent and certain cannot be erased by doubt. As further explanation *براءة الأصل* (the original law of something is freeing someone from the burden of responsibility) so that *al-yaqin* is not something that is burdened.

Basic Principles About Belief And Doubt

The rules of belief and doubt are based on several hadiths. Among other things, the hadith narrated by Imam Muslim from Abu Hurairah stated that the Prophet Muhammad SAW. said:

إِذَا وَجَدَ أَحَدُكُمْ فِي بَطْنِهِ شَيْئًا فَأَشْكَلَ عَلَيْهِ أَخْرَجَ مِنْهُ شَيْئًا أَمْ لَا، لَا يَخْرُجَنَّ مِنَ الْمَسْجِدِ حَتَّى يَسْمَعَ صَوْتًا أَوْ يَجِدَ رِيحًا

It means:

If one of you finds something in his stomach and doubts whether it came out of his stomach or not, then do not leave the mosque until he hears its sound or smells it.

The hadith above shows that there are doubts for those who are praying or waiting (sitting in the mosque) to pray in congregation. Logically, the person is in a holy state (already performing ablution). And the person is unsure whether he has blown wind or not, then he must be considered still in a state of purity. It was because of this situation that had convinced him of his purity from the start, while his doubts only emerged later. Therefore, the person does not need to perform ablution again before getting evidence in the form of sound or smell.

And the words of the Prophet in another place read:

ench It means:

If one of you doubts his prayer, then he does not know how many rak'ahs he has done, three or four, then let the doubter be thrown out and build according to what he is sure of. (HR. Muslim)

The hadith indicates that two calculations are doubtful which one is correct, so that the smallest calculation gives confidence. Because in calculating before getting to the big calculation, you must first go through the smaller calculation, because the small (a little) is what is convincing.

The proposition of 'aqli (reason) for the rules of belief and doubt is that belief is stronger than doubt, because in belief there is a convincing law of *qath'i*. On the basis of that consideration it can be said that belief should not be undermined by doubt.

Muhammad Shidqi Ibn Ahmad al-Burnu explained that the rule of al-yaqin la yazalu bi al-syak was sourced from Abu Hanifah. Zaid al-Dabusi in the book Ta'sis al-Nazhar states that (Mubarok, 2002):

الأصل عند أبي حنيفة أنه متى عرف ثبوت الشيء من طريق إلا حاطة وتيقن لا ي معنى كان فهو على ذلك مالم يتيقن بخلافه.

It means:

According to Abu Hanifah, something that is determined by means of research from all sides and convincing from all sides, the law is determined based on that research before there is strong evidence to deny it.

The following is an advanced rule of the main rule above:

First rule:

الأصلُ بقاء ما كان على ما كان.

Meaning: According to the original principle, the new situation is imposed on the current situation.

Explanation:

Something whose law was established in the past to be allowed or prohibited remains at that stipulation and does not change until there is an argument that changes it.

For example, a person who is sure that he has been purified and doubts about the fate that befalls him, then he is still in a state of purity. A person who is sure that he has hadas, and doubts about the validity of the purification he has done, then he is still hadas. A person who eats suhoor at the end of the night with a feeling of doubt, maybe the time of dawn has arrived. So the person's fast was still valid, because according to the original principle it was applied when it was still night, and not at dawn.

Second rule:

الأصلُ براءة الذمة.

Meaning: Basically, a carefree person.

For example. If two people argue about the price of the item that was damaged, then the person who feels aggrieved wins. Because according to his origin he was not burdened with additional dependents. Defendants who refuse to take the oath cannot be punished. Because according to his origin he is free from dependents and the one who must take the oath is the accuser.

Third Rule:

الأصلُ العدم.

Meaning: The basis of something is non-existence.

For example, someone claims to have owed another person based on his own confession or some authentic evidence. Suddenly the person who owes it admits that he has paid it until he feels free from payment. While the person who owes it denies the acknowledgment. In this dispute according to the rules that have been won by the denial of the debtor. Because according to the origin there has been no payment of the debt and this is a sure thing, while the acknowledgment of paying is still in doubt. A eater of other people's property quarrels with the owner. The treasure eater says that the person who owns it has allowed it. While the owner did not feel he had given permission and even denied it. The owner of the property must win the settlement of this dispute, because according to its origin, consuming other people's property is not justified.

Fourth Rule:

الأصلُ في الأشياء اللَّابِحةُ حتَّى يُدْلَّ الدَّلِيلُ عَلَى التَّحْرِيمِ.

Meaning:

As long as something is allowed, until there is evidence that shows its illegality.

This rule is derived from the words of the Messenger of Allah which means as follows: "Whatever Allah makes lawful is lawful and whatever Allah forbids is forbidden, and whatever is kept silent is forgiven. So accept from God His forgiveness. Truly God does not forget anything." (HR. Al-Bazar and at-Thabrani). The content of this hadith is that everything that has not been shown by a firm argument about its halal and haram, should be returned to its original condition, which is mubah.

For example, all kinds of animals that are difficult to determine their haraam because the characteristics that can be classified as haraam cannot be obtained, so it is halal to eat. Like the Giraffe, it is an animal that is halal to eat, because it does not have the properties or characteristics that prohibit it (fangs and ferocity).

The Fifth Rule:

الأصلُ في كُلِّ حَادِثٍ تُكْدِرُهُ بِأَقْرَبِ رَمْنِهِ

Meaning: The origin of an event is determined closer to the event.

For example, someone takes ablution water for prayer from a well. A few days later he found out that there was a carcass of a rat in the well, causing him to have doubts about the ablutions and prayers that had been done a few days ago. In such a problem, he is not obliged to perform the prayer he has already done. The closest time since the discovery of the rat carcass was used as the starting point to determine the impurity of the water which resulted in the invalidity of the prayer and the necessity of performing the prayer. Unless he is sure that the corpse had been in the well for a long time before he prayed because of convincing evidence. If that is the case, the water used for ablution is impure water, until the prayer he has performed must be qadha.

Sixth Rule:

مَنْ شَكَ أَفْعَلَ شَيْئًا أَمْ لَا فَأَلَا صَلَّ أَنْهُ لَمْ يَفْعَلْهُ

Meaning: People who doubt whether he has done something or not, basically he has not done it.

For example, a person is unsure while praying whether he is doing *i'tidal* or not, so he has to repeat it. Because he is considered as if he did not do it.

The Seventh Rule:

This rule is similar to the sixth rule.

مَنْ تَيَقَّنَ الْفِعْلَ وَشَكَ فِي الْقَلِيلِ أَوِ الْكَثِيرِ حُمِلَ عَلَى الْقَلِيلِ

Meaning: Whoever is convinced to do and doubts about a lot or a little, then he will bring it to the little.

For example, a debtor who is obliged to make repayments that have been agreed with the creditor feels doubtful whether the installments that have been made are 4 times or 5 times, then they are considered to have only made 4 installments. Because that little is what is believed.

The Eighth Rule:

الأصلُ في الكلامِ الحَقِيقَةُ

Meaning : According to the original basis in the conversation is the essentials.

This rule stipulates that if there is a dispute in interpreting or interpreting a series of sentences that allow it to be interpreted according to the meaning of the essence and majaz, then what is used as a guide is the interpretation according to the meaning of the essence of the lafazh itself.

For example, someone swears not to sell or buy something. Then he delegates to other people to sell or buy something. Such an act cannot be said to have violated an oath, because it does not conflict with the true meaning of the word itself.

Juridical Basis or Source of Collection Faith And Doubt

a. Al-Qur'an

The foundation for the establishment of this rule is the word of Allah SWT. In QS. Jonah verse 36 which reads:

gesticulate Follow most of them Except Assuming that guess no sings From right something that Allah knowledgeable ُbema they do

The translation :

And most of them don't follow except guess. Indeed, the assumption is not useful at all to reach the truth. Indeed, Allah knows best what they do.

This verse initially highlights the character of polytheists who often hold on to prejudices that cannot be proven true. They still tend to imagine inanimate objects which, in their perception, can guarantee safety and survival. With this verse, Allah SWT gives confirmation of things that must be used as a basis for thinking and acting, namely clearly being able to show the truth, not something that is still in doubt. Because after all, things that are still in doubt or are still a question mark cannot be equated with belief. From this assertion it will emerge the necessity that if there are doubts that have the potential to affect things that have been previously believed, of course they cannot affect existing beliefs, as long as there are no fundamental elements that can show valid evidence that the belief does not match the reality of *al-yaqinu la yuzalu bi al-syak*.

b. Hadith

Hadith of the Prophet Muhammad saw. The foundations of this rule include:

First, the hadith narrated by Imam Muslim ra:

??? فَلَا يُخْرَجَنَّ مِنَ الْمَسْجِدِ حَتَّى يَسْمَعَ صَوْتًا أَوْ يَجِدَ رِيحًا.

It means :

If one of you feels 'something' in his stomach, then he doubts whether something has come out (from his stomach) or not, then he should not leave the mosque (cancel his prayer), until he hears a sound or smells it" (HR Muslim)

According to al-Nawawi, this hadith is one of the basic foundations of Islamic jurisprudence which is then used as a basis for the establishment of fiqh principles. From this hadith, the concept and methodology-analysis regarding the status of objects are also developed, namely by looking at their original legal status which will not change until there is an external element that is valid and capable of influencing its authenticity. Explicitly, this hadith speaks in the context of someone who doubts whether he has felt the wind (farting) or not. In this case, the Prophet emphasized, the doubt that had just arisen could not affect the status of his ablution. Unless you really have heard the sound or smelled the wind. The process of hearing or smelling this smell can be used as a strong indication that the ablution has been cancelled.

Second, Hadith narrated by Bukhari-Muslim ra:

He complained to the Messenger of God, may God bless him and grant him peace

Artinya:

Nabi saw. diberi kabar mengenai seorang yang merasakan angin (yang keluar dari perut) dalam shalatnya. Beliau bersabda "janganlah dia berhenti shalat sampai ia mendengar suara atau mencium bau"

This second hadith is a continuation of the first hadith, as well as an affirmation of the substance contained therein. Namely confirming: *First* , doubts in the form of a feeling of wind coming out cannot change the legal status that has been previously believed, namely the holy condition in prayer. *Second*, an existing belief can only be 'defeated' by another belief, in the form of a certainty that the prayer will be canceled due to the absence of wind which can be ascertained by hearing a sound or smelling it.

Third, the hadith narrated by Muslim ra:

فَلْيَطْرَحِ الشَّكَّ وَلْيُتَيَقَّنْ عَلَى مَا اسْتَيْقَنَ , ثُمَّ يَسْجُدُ سَجْدَتَيْنِ قَبْلَ أَنْ يَسَلَّمَ , فَإِنْ كَانَ صَلَّى خَمْسًا شَفَعَنَ لَهُ صَلَاتُهُ , وَإِنْ كَانَ صَلَّى إِتْمَامًا لِأَرْبَعٍ كَانَتْ تَرْغِيمًا لِلشَّيْطَانِ

Artinya:

If one of you hesitates in his prayer, has he reached three or four rak'ahs? So let him throw away that doubt and stick to his belief, then prostrate twice before salam. If (in fact) he prays up to five rak'ahs, then his prayer will be complete. But if it turns out to be four rak'ahs, then two prostrations will make the devil ashamed

Substantively, this hadith is actually the same as the two previous hadiths, although the object is different. This hadith talks about the doubts that occur in the number of rak'ahs. If in prayer there is doubt about the number of rak'ahs, then what is used as a guideline is the minimum number. Because this number is believed. Because if the selected number is larger, then there is a possibility that the calculation will be wrong. But if the minimum amount is the choice as the basis for continuing the prayer, the possibility of wrong is slim.

Fourth, the hadith narrated by al-Turmuzi ra:

إِذَا سَهَا أَحَدُكُمْ فِي صَلَاتِهِ فَلَمْ يَدْرِ وَاجِدَةً صَلَّى أَمْ اِسْتَنْتَيْتَ فَلْيُبَيِّنْ عَلَى وَاجِدَةٍ. فَإِنْ لَمْ يَبَيِّنْ صَلَّى اِسْتَنْتَيْتَ أَمْ ثَلَاثًا فَلْيُبَيِّنْ عَلَى اِسْتَنْتَيْتَ. فَإِنْ لَمْ يَدْرِ ثَلَاثًا صَلَّى أَمْ اَرْبَعًا فَلْيُبَيِّنْ عَلَى ثَلَاثٍ, وَلْيَسْجُدْ سَجْدَتَيْنِ قَبْلَ أَنْ يُسَلَّمَ.

Artinya :

when one of you forgets in prayer, has he completed one or two rak'ahs? So he should believe as the first rakat. If you are not sure if the prayer is two rak'ahs or three? So you should convince in the second rak'ah. If you do not know whether it is three or four, then you should extend the third rak'ah. And should perform two prostrations (sahwi) before salam

In this hadith, the meaning of *ma istayqana* is emphasized more. If in doubt between one and two, then one is chosen. Likewise, if there is doubt between two and three, then the chosen one is two and so on. This means that, if there is doubt about the number - such as the number of rakaat - then what is used as a rule (*alpmu'tabar*) is the smaller number.

From all the hadiths above, one essential message can be gleaned that the law of everything must be seen from a convincing original condition. If the original condition is null and void, external factors that arise later will not be able to affect the legal status of the cancellation, so the law remains null and void. Likewise, if the original condition is valid, then the subsequent law remains valid, provided that there is no convincing evidence capable of changing it. From this, the rule "*al-yaqinu la yuzali bi al-syak*" was built.

CONCLUSION

After To do study, so researcher could conclude a number of conclusion for answer problem which lifted in studythis, conclusion which can be pulled that is :

1. Fiqh rules about belief and doubt Belief and doubt are two different things, one might even say they are opposites to each other. It's just that the amount of faith and doubt will vary depending on the strength of the attraction between one and another. The proposition of 'aqli (reason) for the rules of belief and doubt is that belief is stronger than doubt, because in belief there is a convincing law of qath'i. On the basis of that consideration it can be said that belief should not be undermined by doubt.
2. The basic principles of belief and doubt are that according to the original basis, the original condition applies to the existing situation. Basically, people are free from burdens. The basis of something is non-existence. events are determined closer to the events, those who doubt whether he has done something or not, then basically he has

not done it, whoever makes sure to do and doubts about a lot or a little, then he brings it to a little, according to the original basis in the conversation is that essential. This rule stipulates that if there is a dispute in interpreting or interpreting a series of sentences that allow it to be interpreted according to the meaning of the essence and majaz, then what is used as a guide is the interpretation according to the meaning of the essence of the lafazh itself.

3. juridical basis or source of decision belief and doubt is Al-Quran and Hadith

REFERENCE

- Asjmuni A. Rahman, *Principles of Fiqh (Qawai'idul Fiqhiyyah)*, Jakarta: Crescent Star, 1976
- Asyumi A Rahman. *Principles of fiqh*, cet I, Jakarta: Crescent Star, 1976.
- Aziz Abdul, *Qawa'id fiqhiyyah* . Amzah. Jakarta. 2009
- Abdul Haq, Ahmad. *Formulation of Fiqh Reason, Study of Conceptual fiqh rules* . Surabaya Khalista. 2009
- Asyumi A Rahman. *Principles of fiqh*, cet I, Jakarta: Crescent Star, 1976.
- Abdul Haq, Ahmad. *Formulation of Fiqh Reason, Study of Conceptual fiqh rules* . Khalista. Surabaya. 2009
- Djazuli, A. *The Science of Fiqh: Exploration, Development and Application of Islamic Law*. Jakarta: Kencana. 2006.
- Djazuli, A, *Principles of Fiqh: Principles of Islamic Law in Solving Practical Problems*. Jakarta: Kencana 2006.
- Djazuli Ahmad, *FIKIH Rules* , Kencana. Jakarta. 2010
- Hasbi al-Shiddieqi, *Mabahits fi al-Qawa'id al-fiqhiyah*, Yogyakarta _
- Jaih Mubarak, *Rules of Fiqh: History and Basic Principles*, Jakarta: Rajawali Press, 2002.
- Mun'im A. Sirry, *History of Islamic Fiqh: An Introduction*, Surabaya: Risalah Gusti, 1995.
- Mubarak, Jaih. *Principles of Fiqh: history and fundamental principles* Jakarta: PT RajaGrafindo Persada. . 2002
- Musbikin, Imam. *Qawa'id al-fiqhiyah*. 2001. Jakarta: PT RajaGrafindo Persada.
- Muhammad bin Jarir bin Yazid al-Thabary: *Tafsir al-Thabary*, Dar al-Fikr
- Usman, Mukhlis. *Istinbath rules of Islamic law*. 2002. Jakarta: PT RajaGrafindo Persada.

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