MANHAJ IJTIHAD AND CHARACTERS OF NONFORMAL EDUCATION STUDENTS IN DEALING WITH INDUSTRIAL ERA CHALLENGES 4.0

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ARTICLE INFO	ABSTRAK
	Artikel ini mengkaji tentang literatur klasik tentang Manhaj Ijtihad dan konsep yang fokus pada upaya membaca prediksi karakter mahasiswa pendidikan nonformal Universitas Muhammadiyah Enrekang dalam menghadapi tantangan era Industri 4.0. Teori yang dikaji yakni urgensitas yang tinggi tentang era industry 4.0 dalam wilayah manhaj ijtihad fiqih kontemporer, karena tabiat dari fiqih kontemporer itu sendiri yang cenderung bersandar kepada kemaslahatan dunia dan akhirat. Prediksi kemaslahatan itulah yang dapat dijadikan sandaran hukum meskipun konsekuensinya akan meninggalkan hukum asal yang terdapat pada nash. Selain *mashlahah* ada beberapa faktor yang mengharuskan konsep yang dikaji yakni *ma'âlât Al-Af'âl* ini diakui di ranah ijtihad, seperti *sad Al-Zarîah, Al-Dharûrah, raf`u Al-Haraj* dan *ta`lil Al-Ahkâm*. Sebagai bahan kajian sementara bahwa diperlukan dalam menyelesaikan problematika kontemporer pada karakter mahasiswa Pendidikan Nonformal Universitas Muhammadiyah Enrekang dalam mengimplementasikan Manhaj Ijtihad sebagai patokannya yakni *maqâshid syarî`ah* yang bermuara pada kemaslahatan dunia dan akhirat dalam menghadai tantangan era Industri 4.0".

Abstract

This article examines the classic literature on Manhaj Ijtihad and concepts that focus on reading the predictions of the character of non-formal education students at the University of Muhammadiyah Enrekang in facing the challenges of the Industrial 4.0 era. The theory studied is the high urgency about the industrial era 4.0 in the area of contemporary jurisprudence ijtihad, because the nature of contemporary fiqh itself

tends to rely on the benefit of the world and the hereafter. Predictions of benefit that can be used as legal support, although the consequences will leave the original law contained in the text. Besides mashlahah, there are several factors that require the concept to be studied, namely Ma'lât Al-Af'âl which is recognized in the realm of ijtihad, such as sad Al-Zarîah, Al-Dharûrah, raf`u Al-Haraj and ta`lil Al-Ahkâm. As a temporary study material that is needed in solving contemporary problems in the character of Non-formal Education students of the University of Muhammadiyah Enrekang in implementing Manhaj Ijtihad as a benchmark, namely maqâshid syarî`ah which leads to the benefit of the world and the hereafter in facing the challenges of the Industrial 4.0 era.

Keyword: manhaj Ijtihad; character; college student

INTRODUCTION

Islamic Sharia is revealed by Allah to give happiness and goodness to the lives of mankind, not only for their earthly lives which are for a moment but also eternal eternal life. Happiness and the goodness of life can be seen on two sides, namely taking all forms of benefit and benefit and rejecting and avoiding all forms of damage and harm. In the term of maqâshid syarî'ah it is called jalb Al-Mashâlih wa Al-Manâfi` wadar'u Al-Mafâsid wa Al-Adhrâr. (This has become a rule that is mu'tabar in the study of maqâshid syarî`ah. This rule means that we must always achieve benefit and benefit, and

must always reject and avoid the occurrence of loss and harm).

Therefore, all forms of law in Islam both ushul (main) and furû` (branch) are contained within the main purpose (mashâlih Al-'Ibâd) which in this frame is human life designed, even for all lines of life without exception; legal, social, political, cultural, economic and various other aspects of life.

In this postulation frame, it must be believed that there are no vain laws and provisions of Allah. So behind all the commands and recommendations there must be goodness and benefit achieved, as behind all prohibitions there must be damage and harms that threaten life in which Allah wants

his servants to avoid these unrighteousness.

This formulation is so easily understood and seen in the main references of Islam itself, namely the Koran and the Sunnah of the prophet, although not all the goals and wisdom of Al-Tasyrî` are contained in the text, some of it is written (manshûsh 'alaih) and some others are there it is known through the efforts of ijtihad and istinbath carried out by Islamic jurisprudents (fuqahâ` and ushûliyyîn). However 'illat is written or not is certain that every time there is a law that is applied in life there is benefit, although sometimes the perpetrator does not know the goodness except in the future.

Even for the sake of achieving this benefit a Muslim is required to consider the effects that will result from an attitude or law, if an act or implementation of a law will result in the emergence of something that brings misfortune then the act will be prohibited even though textually permissible, otherwise if the act is prohibited by religion but at certain times can be allowed if it will bring benefit. Efforts in predicting what will happen behind the implementation of a law or act and make it as a benchmark in changing the law is what is called the theory of ma'âlât Al-Afʿâl.

Ma'âlât Al-Afʿâl is a theory that is recognized by Islamic jurisprudents (mu`tabar) in the context of the maqâshid syarî`ah, even it is one of the tasyri` methods which will always harmonize between the law both in zahir and in mind, both now and in the future, with the desired goal (maqâshid) being achieved from the establishment of the law itself. It is also this principle that will keep the conflicts or contradictions between the law and the shari'a maqasid when the law is grounded.

This study tries to answer two questions related to the theme of Manhaj ijtihad and the character of non-formal education students in facing industry 4.0 challenges, namely what and how the substance of Manhaj Ijtihad with the theory of Ma'âlât Al-Afʿâl in the perspective of Maqâshid Shari`ah and how the application of theory in answering various contemporary problems of the industrial era 4.0.

DISCUSSION

Ijtihad Tarjihi / Intiqa'i in order to discuss contemporary ijtihad. Ijtihad Tarjihi also iqtihad Intiqa'I the principle is selective, has the opinions of scholars in the past who then compare them (komperati, muqaranah) then take the opinion that is considered the strongest to be applied. Looking at the formula, it seems that there is a similarity between intiqa'i and tarjihi. The answer is this way, therefore iqtihad Intiqa'i can also be called ijtihad tarjihi intiqa'i. Only difference is that the precise location of the proposition's suitability in its implementation in the midst of the community is in accordance with its time.

In the past people understood by emphasizing the doctrinal aspects even though in their understanding they did not give up knowledge. But in modern times the science is developing rapidly, in understanding the doctrinaire it is very necessary to understand the scientific method that is also developing. So now in understanding religion in an integrated manner become Cum Scientific Doctrinair. But in terms of belief based on revelation it will still apply because revelation is knowledge given directly to the Prophet for humans. While humans get knowledge based on their thinking which can be wrong. An example is that religion is a revelation according to the Qur'anic doctrine while western science is a cultural religion. According to the Qur'an, the religion before God is Islam (Ali Imran: 19). Whoever seeks a religion other than Islam, will not be accepted and in the hereafter such people are classified as losers; thus the ta'wil of knowledge (knowledge) that people who are Jews and Christians will go to heaven is true if you believe in the Prophet Muhammad (al-Hujarat: 15), as an Apostle of Allah.

If we still want to take the opinion of Yusuf al-Qardlawi in his book al-Ijtihad, then we are now facing the development of modern science such as in medicine and economics and finance. Even in technology and its relationship with social society.

Actually, in Muhammadiyah circles, what was explained by al-Qardlawi; a scholar from Egypt who was a follower of the Muslim Brotherhood was no stranger. Because his books were conceived in 1983 and translated in 1987. Three years before al Qardlawi's ideas had been felt by the Chairperson of the Tarjih Council, then the Tarjih Council held a Conference, which among others talked about transplantation law. The problem of transplantation at that time was a new medical problem that was sticking out in the midst of the people who needed to get clarity of their laws. i Insha-i. Iqtihad Intiqa'i has been discussed, while in this discussion will be delivered: Ijtihad Ibda-i Insya-i and a combination of ijtihad Intiqa'i and Insya-i.

Ijtihad Ibda-I Insha-i

The purpose of Insya-i (creative) ijtihad is to take a new issue in the determination of the law on an issue which the problem has never been raised by the ulama in the past, whether the problem is something new or the problem has been a long time. So this creative ijtihad can be done on some of the old problems, while in the contemporary era it is raised / put forward again with a new opinion that has never been found from salaf scholars. And this is not an obstacle to do.

In order to do this ijtihad, it can immediately pay attention to the opinions that may conflict with ijtihad which is disputed by the jurists who used to express a third

opinion, and if they disagree in 3 kinds of opinions, it is okay to issue a fourth opinion and so on.

Because there are disputes on those issues, it shows that the problem accepts a variety of interpretations and points of view and differences. Whereas the opinions of the rightful ijtihad result must not be frozen or stopped to a certain extent.

Some examples of al-Qardlawi express their opinion on the rent of land zakat, on the obligation of the tenant to issue zakat on plants or fruit produced from the leased land (if it reaches Nisab) by not paying attention to the yield of the land which is worth the cost of land rent. Because money worth the cost of land will be given to the land owner who is considered a debt that is the burden of the tenant. Thus, he only issues zakat from the plants. Whereas the land owner who rents it out must pay the zakat for the rent he receives - if it is reduced by the land tax, both the rent itself or if it is combined with the money held to the limit of nishab.

Thus tenants as well as those who rent out land are both zakat proceeds received respectively from the results of the land. Likewise, if both of them together work the land with zara muzara'ah (paroan) where each must issue zakat from the part of the paroan. This opinion according to al-Qardlawi has never been expressed by previous people. In the classical fiqh it is mentioned, jumhur ulama are of the opinion that the zakat of plants and fruits

from the land that is leased is required of the person renting, whereas according to Abu Hanifah the zakat must be issued to the land owner who rents out his land.

This disagreement, as stated by Ibn Rushd in Bidayatul Mujtahid. The issue is whether one-tenth of zakat is required on the results of crops or land rent, or both. And the opinion that does not yet exist is that zakat is required on plant and land products. Another example put forward by al-Qardlawi in ijtihad ibda-i insha-I is that zakat money can now choose a standard measure that is the talent ratio calculated by the value of gold not by the value of silver. This opinion is not meant to come out of texts and ijma ' If we review the Tarjih Congress Decree in Garut in 1976, it turns out that the Tarjih Council has argued that the size of the ratio is put together at the price of pure gold weighing 85 grams as al Qardlawi's opinion (see al Awwal fil Islam).

Regarding ijtihad, Insya'i generally occurs in new problems that have never been raised by scholars of the past and may not yet exist in their day, or they may already know it but in a small scope it is not yet a problem and has not urged jurists to discuss the solution with an ijtihad. According to the fiqhiyyah qaidah "An Naddir kal'adam", it means that what rarely happens is considered as nothing. Now that need exists and it is pushing toward new discoveries and new problems that can drive the emergence of new ijtihad like the high cost of meat

encouraging the existence of synthetic meat that requires ijtihad how the law consumes it by researching the ingredients used.

E-Commerce of industry challenges 4.0

One of the forms of progress of the times that we feel is very rapid development is the average internet-based financial transactions. One of them is buying and selling in cyberspace which is usually called online trading. Consumers just choose the products offered in accordance with what they want via the internet by following the steps guided by certain links that provide these services. If there is conformity and suitability of the goods and the price there will be a sale and purchase transaction which also takes place online, after which the consumer is just waiting for the arrival of the ordered item after it was previously paid in cash. Basically consumers have a tendency to make buying and selling transactions online because they have several advantages and conveniences including saving time, saving energy and also saving costs. So consumers are spoiled in shopping with a variety of savings while they still get quality goods in accordance with what they want.

If brought into the context of muamalah fiqh then the online sale and purchase transactions can be equated with the sale and purchase of greetings, which is a sale and purchase transaction where the goods are not available at the time of the transaction which legally prohibited by religion, but the sale and purchase of greetings is an exception from the law of origin so that the system of buying and selling greetings is punished legally syar`i because there are benefits that want to be maintained. (M. Husaini: 2014, 119-120)

If the sale of greetings is permitted by religion, online trading is also allowed based on qiyas or legal analogy, but in fact it can be said that fraud or fraud has occurred and is experienced by some consumers such as the absence of ordered items after being paid in cash, or goods who come not in accordance with the order while buying and selling on line as if denying the existence of the right of khiyâr in buying and selling recommended by religion when there is a mismatch between the order with the goods being sent. From this side the concepts and theories of ma'âlât Al-Afʿâl need to be included in answering these problems, so that we can say that online trading is not fully permissible in religion, although legally as long as it is permissible, there are opportunities to Prohibited if it would be able to cause harm to the consumer.

CONCLUSION

the concept of ma'âlât Al-Afʿâl is a theory that focuses on reading the predictions of what will happen from an action taken, then the prediction will be used as a benchmark in establishing the law of the act, so that one action that is punished may be sharply ` I might

become banned if predicted to cause damage to life. Vice versa, one action which is forbidden by religion but may under certain conditions be permissible if predicted to bring benefit, it's just that the application must be carried out in accordance with the criteria and dhawâbith which you`ll readily explain.

This concept is very important to be understood and mastered in the discourse of the problems of the industrial era 4.0 in our lives, because it will contribute many ideas and solutions in dealing with these problems. The function will be evident in various lines of life both in matters of religion and in the issue of interaction between people in the form of social relations, political culture.

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