

THE AUTHORITY OF MAJELIS TAFSIR AL-QUR'AN (MTA) FATWA: Critical Review of the MTA's Sunday Morning Brochure

Muh. Nashirudin, Mudofir

*Sharia Faculty, State Institute on Islamic Studies, (IAIN) Surakarta
Jl. Pandawa, Pucangan, Kartasura, Sukoharjo, Jawa Tengah
Email: muh.nashirudin@iain-surakarta.ac.id, mudhofir1527@gmail.com,*

Abstrak

Tulisan ini membahas tentang otoritas di balik Brosur Ahad Pagi Majelis Tafsir Al-Qur'an (MTA). Brosur Ahad Pagi merupakan materi kajian Ahad Pagi di MTA yang dibagikan ke warga MTA, dan dapat dikatakan sebagai fatwa dan hasil "ijtihad" MTA dalam memahami sumber hukum Islam. Melalui teknik dokumentasi dan wawancara, temuan yang didapatkan dalam penelitian ini adalah bahwa materi Brosur Ahad Pagi MTA disiapkan oleh Tim Ilmu dengan arahan Ahmad Sukina. Brosur hanya disiapkan secara individual oleh Ketua Tim Ilmu, Masduki, yang tidak bisa dikatakan otoritatif dalam *istinbāt* atau ijtihad hukum Islam karena tidak memenuhi kriteria sebagai mujtahid individual dalam penetapan hukum Islam. MTA, walaupun memakai jargon kembali pada al-Qur'an dan Sunnah, akan tetapi tetap memakai *ijmā'* dan *qiyās* sebagai dalil walaupun sangat terbatas. Dalil selain keempat hal tersebut, seperti *istihsān*, *maṣlahah*, *istiṣhāb* dan semisalnya tidak digunakan.

Kata kunci: *MTA, otoritas, istinbāt hukum, brosur, ijtihad*

Abstract

This paper discusses the authority behind the Sunday Morning Brochure by *Majelis Tafsir Al-Qur'an* (MTA). The Sunday Morning Brochure is a study material given on Sunday morning and distributed to MTA members, and they can be regarded as a *fatwa* or the result of the MTA's *ijtihād* in understanding the sources of Islamic law. From the documentations and interviews, this research finds that the study materials on the MTA's Sunday morning brochures have been designed by a team of experts under the supervision of Ahmad Sukina. However, the brochures are, in fact, only prepared individually by the chairman of the team, i.e. Masduki who cannot be said to be authoritative in the *istinbāt* or *ijtihād* of Islamic law because he does not meet the criteria as an individual *mujtahid* in establishing the Islamic law. While using the jargon *back to the Qur'an and Sunnah*, MTA still uses *ijmā'* and *qiyās* as a proposition though in a very limited case. Other sources than those four, such as *istihsān*, *maṣlahah*, and *istiṣhāb* will not be used by the MTA.

Keywords: *MTA, authority, legal reasoning, brochure, ijtihād*

A. Introduction

MTA (Majlis Tafsir Al-Qur'an) is one of the Islamic religious organizations established in Surakarta. The MTA's profile explains that the

Foundation of Majlis Tafsir Al-Qur'an (MTA) in Surakarta is an institution of education and Islamic da'wah located in Surakarta. MTA was founded by the late Ustaz Abdullah Thufail Saputra in

Surakarta on September 19, 1972. The establishment of MTA by Abdullah Thufail Saputra was motivated by his view that Muslims in Indonesia were left behind because they had little understanding of the Qur'an. Therefore, the MTA was established with the purpose of organizing various activities in the social and religious fields, such as providing formal and non-formal education, organizing *pengajian* or religious study groups, and establishing other relevant religious education institutions. The purpose of the foundation is to encourage Muslims to return to the Qur'an with the emphasis on understanding, appreciating, and implementing the Qur'anic values in everyday life.¹ So far, MTA has experienced two terms of leadership, i.e. the leadership of Ustaz Abdullah Thufail Saputra since its establishment in 1972 until 1992, and then the leadership of Ustaz Ahmad Sukina since 1992 until now.²

Among the activities undertaken by MTA is a religious public gathering or *pengajian* held once a week on Sunday morning, or the so-called *Pengajian Umum Ahad Pagi*, with study materials focusing more on things related to daily religious practices. This religious public gathering is held at Gedung MTA Jl. Ronggowarsito No. 111 A Surakarta. The study materials in the *Pengajian Umum Ahad Pagi*, often referred to as *Jihad Pagi* by the MTA members, are usually printed on sheets of paper called *brochures*. The materials contained in the brochures can cover various aspects, such as Islamic law, *muamalah*, morals, and so forth. This weekly brochures are obtained by the MTA members who join *jihad pagi* or morning jihad free of charge, and can also be downloaded through the website managed by MTA. The brochures are also printed in the form of a book, which is a collection of various brochures in

one year or in a particular theme. Beside through brochures, the study materials of *jihad pagi* can also be obtained through radios and TVs owned by MTA, some of which have even been uploaded freely on youtube.

With this frame, the brochures seem to be the most authoritative reference for the MTA members in practicing religious teachings. Not only are the study materials on the brochures discussed in the public gathering on Sunday morning at the MTA headquarter, but also they become the main reference for the study of the members in all branches MTA has. What is interesting to examine in this case is whether the brochures are the result of Ahmad Sukina's personal understanding or *ijtihad* of the texts of Qur'an and Sunnah, or they are a product of collective *ijtihad* by a team of experts while the Sukina's role is only to deliver it. It is interesting to know how authoritative the experts are in performing the *istinbāt al-ḥukm* or legal legislation. It is also interesting to investigate what method in *istinbāt* is used to prepare the brochures. Thus, the issues discussed in this study include how the process of preparing the brochures in MTA is done; who are involved in the preparation of the brochures, how authoritative they are; and how the construct of *Uṣūl al-Fiqh* in MTA to establish the law as in the brochures is made.

This research uses multiple sources of data, i.e. interviews, observations, documentations, and audio-visual information.³ Data collection technique in this study uses two ways, namely: 1) depth interview and 2) documentation. Both techniques can complement each other and enrich the data collection technique, so as to achieve a profound and extensive result.

The interview conducted is a qualitative interview, that is, a *face-to-*

face interview with one of the MTA leaders named Prof. Drs. Mugijatna, M. Si, Ph.D. as the general chairman of MTA Foundation and with Ustaz Masduki as the coordinator of MTA's team of experts who may be said to represent the MTA's thoughts. This interview is guided by semi-structured questions, that is, by preparing several guides or questions which are then developed during the live interview. Later, the documentation is done by collecting qualitative documents or public documents, such as the MTA's brochures and audio and visual materials, i.e. some video recordings of the MTA's *Morning Jihad* which are related to the theme under study.⁴

Majlis Tafsir al-Qur'an or public gathering for the study of Qur'an is now becoming one of the interesting objects of study and research due to its social, political, and religious influence. It is, therefore, not surprising that many researches make MTA as object of their study, such as in Sunarwoto's work entitled *Antara Tafsir dan Ideologi; Telaah Awal atas Tafsir Al-Qur'an MTA (Majelis Tafsir Al-Qur'an (Between Tafsir and Ideology: Preliminary Review of the Qur'anic Exegesis by MTA))*.⁵ In his writing, Sunarwoto describes the method of Qur'anic interpretation used by MTA, i.e. to what extent MTA interprets the Qur'an, how the interpretation made by the MTA's *tafsir* indicates its development in understanding the Qur'an, and to what extent the interpretation also shows its ideological tendencies. His writing concludes, among others, that the interpretation by the MTA applies the principle of Qur'an-with-Qur'an interpretation. The MTA's interpretation of the Quran also undergoes a shift concerning the frequency to refer to other works. This indicates how strong the MTA's ideology is as a puritanical movement that tries to return to the

Qur'an and Sunnah completely. Though Sunarwoto's writing makes the *tafsir* by MTA as object of his study and makes the method of *tafsir* as the focus of his study, the writing does not discuss the issue of *fiqh* or *uṣūl al-fiqh*.

Another work is a book written by Nur Hidayat Muhammad titled *Meluruskan Doktrin MTA; Kritik atas Dakwah Majelis Tafsir al-Qur'an di Solo (Straightening the MTA Doctrines: Criticism on the Da'wah by Majelis Tafsir al-Qur'an in Solo)*.⁶ This book highlights many things about MTA, including the MTA leaders' and preachers' attitude towards other religious organizations, the MTA's thoughts about the Qur'an and hadith, *aqidah*, *fiqh*, and traditions prevailing in society, such *yasinan*, *tahlilan*, *shalawatan*, etc., and criticism of the MTA's brochures. This book, indeed, talks about *fiqh* matters. However, since the book talks more about rebuttals of the MTA's or Ahmad Sukina's thoughts in the matter of *fiqh*, it does not explain how the legal legislation or *istinbāṭ ḥukm* by MTA on its legal products and *uṣūl al-fiqh* constructs is made. This book also does not provide data that can be traced their main source, especially related to the individuals who are designed as the object of interview, place, and time, so that academically the information contained in the book still needs more clarifications dealing with the research data and resources.

Mustolehuddin, a researcher from Balitbang Agama Semarang, conducts a research on MTA and publishes the findings under the title of *Pandangan Ideologis-Teologis Muhammadiyah dan Majelis Tafsir Al-Qur'an (Studi Gerakan Purifikasi Islam di Surakarta) (The Ideological-Theological View of Muhammadiyah and Majelis Tafsir Al-Qur'an: A Study of Islamic Purification Movement in Surakarta)*.⁷ This work aims to

determine the relationship between the religious movement of Muhammadiyah and MTA; to what extent MTA and Muhammadiyah are related, how Muhammadiyah and MTA cooperates and competes, and what factors influencing the relationship between Muhammadiyah and MTA in shaping religious harmony in Surakarta. This work, however, does not discuss the brochures produced by MTA and its legal legislation or *istinbāt al-hukm*.

Another researcher from Balitbang Agama Semarang who also studies MTA is Moh. Hasim under the title of *Interaksi Penganut Majelis Tafsir al-Qur'an di Kampung Tegalsari Semarang (The Interaction of MTA's followers in Kampung Tegalsari Semarang)*.⁸ In his research, Hasim writes that the research was motivated by the rise of people's rejection of MTA in some areas in Central Java. In a case study held in Tegalsari, Semarang, it was found that there was a religious conflict between MTA followers and Tegalsari residents; one of the sources of the conflict was concerned with different understanding of Islamic law or *fiqh*. In addition, according to Hasim, another source of conflict is the *truth claims* and inappropriate way of *dakwah*. This study, although revealing the different understanding of Islamic law or *fiqh* as one of the sources of conflict, does not discuss the legal basis of the *fiqh* problems claimed to be the source of the conflict. In fact, what is meant by Hasim with the issue of *fiqh* is a matter of *tahlilan*, *selamatan*, and death ceremony viewed as *bid'ah* or heresy by MTA.

Another article about MTA is *Islam dan Globalisasi: Studi atas Gerakan Ideologis Agama Majelis Tafsir Al-Qur'an di Yogyakarta (Islam and Globalization: Study on the Religious Ideology Movement of Majelis Tafsir Al-Qur'an in Yogyakarta)* by Yusdani and Imam Machali.⁹ This paper

aims to describe the religious ideology and expressions developed by the MTA, the MTA's strategy for fighting for its religious ideology and expressions, and the socio-religious impacts that arise in society as a result of those religious ideology and expressions. The findings of this research stated that the religious expressions developed MTA are exclusive, a puritanical ideology identical with salafi. Meanwhile, the MTA's strategy in promoting its religious ideology and expressions is done in three ways: the *first* is by strengthening the relationship, communication, networks, and support within the group, or followers of the same ideology; the *second* is by dominating the *majlis taklim* or public religious gatherings; and the *last* is by controlling the management of mosques.

Bilveer Singh and Zuly Qodir write a book entitled *Gerakan Islam Non Mainstream dan Kebangkitan Islam Politik di Indonesia (The Non-Mainstream Islamic Movement and the Rise of Political Islam in Indonesia)*.¹⁰ This book highlights the Indonesia's mainstream Islamic responses to the MTA, including Muhammadiyah, NU, the State and institutions, and Muslim community in general. However, it does not say much about the content of *fatwas* or the Islamic legal products found in the MTA brochures.

The study whose object of study is concerned with *fiqh* and *uṣūl al-fiqh* used by MTA is a research conducted by Sulhani Hermawan, et. al. titled *Nalar La Madzhabiyyah Majelis Tafsir Al-Qur'an (The Reasoning of La Madzhabiyyah by Majelis Tafsir Al-Qur'an)*. This study that targets the MTA's claim for not following any school of thought or *madzhab* (la madzhabiyyah) summed up two findings: the *first* is the MTA's doctrines encouraging the society to return to the texts of the Qur'an and Sunnah. The *fiqh*

conception developed by MTA is by not following any madzhab of *fiqh*, be Hanafi, Maliki, Shafii, or Hanbali. The pattern or construction of madzhab practiced by MTA is based on a scriptural understanding of religion, i.e. without using method and approach of *ijtihād*. The *second* deals with the implication of *la madzhabiyyah* developed by MTA, that is, to give *fiqh* argumentation without reference to classic works and tend to be emotional, such as the *halal* status of dog meat and other *furu'iyah* matters of *fiqh*.¹¹ Though this study talks about the *fiqh* pattern of *la madzhabiyyah* developed by MTA and its implications, it doesn't discuss how the brochures are produced, who are involved in the production, and what is their scientific authority. The last research by the writer entitled *Pandangan Majelis Tafsir Al-Qur'an (MTA) tentang Makanan Halal dan Haram (Kajian Ushul Fikih) (MTA's (Majlis Tafsir Al-Qur'an) View of Halal and Haram Foods: An Ushul Fiqh Study)* doesn't discuss them either.¹²

This research will focus on things that have not been discussed in the previous studies, namely analysis of *uṣūl al-fiqh* on legal products or *fatwas* as found in the MTA brochures, i.e. the process of brochures production, those who are involved in the brochures, and their authority in the process of *istinbāt al-ḥukm* of legal legislation.

B. *Uṣūl al-Fiqh* and Its Object of Study

In discussing the Islamic legal products of *fatwas* made by MTA as found on its brochures, the method used in producing the brochures, and who are involved in the brochures, the writer will employ a mapping used in *uṣūl al-fiqh* and developed by *ulama'* or scholars of *uṣūl al-fiqh*, such as Abu Hamid al-Ghazālī in his book *al-Mustaṣfā fī 'Ilm*

al-Uṣūl. Al-Ghazali says that the area of *uṣūl al-fiqh* is the general *syara'* arguments (*kulli*) which discuss the four main things: the first is the fruit or *al-ṣamrah*, the second is the fruit giver or *al-muṣmir*, the third is the method or way of taking the fruit or *ṭuruq al-istiṣmār*, and the fourth is the fruit taker or *al-mustaṣmir*.¹³

What is meant with the fruit or *al-ṣamrah* by al-Ghazali is the product of *istinbāt al-ḥukm* in the form of *taklīfī*, i.e. *wajib* or compulsory, *sunnah* or recommended, *mubāḥ* or permissible, *makrūh* or reprehensible but not forbidden, and *ḥaram* or forbidden, as well as *waḍ'ī*, i.e. *ṣaḥ* or legitimate, *fasād* or illegitimate, *'adā'*, *qaḍā'* and so forth. Meanwhile, the fruit giver or *al-muṣmir* is the proposition that includes al-Qur'an, hadith and *ijmā'*. All three are often referred to as the legal sources. Next, the method or way of taking the fruit or *ṭuruq al-istiṣmār* meant by al-Ghazali is the method of taking *ḥukm* or legal status through the linguistic and semantic method. The linguistic method or *dalālah* by al-Ghazali is divided into four, namely *manzūm*, *mafḥūm*, *ḍarūrah* and *iqṭidā'*. Finally, the fruit maker or *al-mustaṣmir* is the *mujtahid* who performs *ijtihād* in taking the *ḥukm* or legal status from its sources, including the discussion of the criteria of those eligible to be called *mujtahid*.¹⁴

There are also *ulamas* who divide the area of *uṣūl al-fiqh* in two major categories, namely the arguments of *syara'* or *al-adillah al-syar'iyah* and the method of taking the legal status from the arguments or *kaifiyyah istifādah al-aḥkām minhā*.¹⁵ The arguments of *syara'* are the arguments that become the reference in determining the laws (*istibāt*), both *qaṭ'ī* and *ẓannī*. These *syara'* arguments, therefore, are classified into two broad categories; they are the agreed arguments or *al-adillah al-muttafaq alaiḥā* and the disputed

arguments or *al-mukhtalaf fihā*. The agreed arguments are al-Qur'an, hadith or sunnah, *ijma'*, and *qiyas*, while the disputed arguments are *istihsān*, *maṣlaḥah mursalah*, *istiṣhāb*, *'urf*, *maẓhab ṣaḥābī*, *syar'u man qablanā*, and *sadd al-ẓarā'i'*.¹⁶

Either agreed or disputed arguments can also be classified into two broad categories, namely *adillah aṣliyyah* or principal arguments and *adillah tab'iyyah* or the following arguments. *Adillah aṣliyyah* are the independent arguments that do not need other propositions outside of themselves in establishing the *ḥukm* or legal status, i.e. the Qur'an and Hadith. Meanwhile, *adillah tab'iyyah* is the dependent arguments that require referring to *adillah aṣliyyah* in establishing the *ḥukm* or legal status. *Adillah tab'iyyah* are the arguments other than the Qur'an and Sunnah. In addition, the proposition or arguments can also be categorized as *naqlī* or proposition by means of narration (*naql*), and *'aqlī* or the proposition cultivated from *ijtihād* or rational reasoning.¹⁷

Later, discussion of the method of cultivating the law from the proposition or arguments (*kaifiyyah istifādah al-aḥkām minhā*) is covered in the discussion of principles and limitations (*qawā'id wa ḍawābiṭ*), also known as *dalālah al-alfāz wa ṭuruq al-istinbāṭ* or *qawā'id lughawiyyah wa tasyrī'iyyah*.¹⁸ The discussion of principles and limitations (*qawā'id wa ḍawābiṭ*) in this case is about *ḥaqīqah*, *majaz*, *naṣṣ*, *ẓāhir*, *ta'wīl*, *mujmal*, *bayān*, *amr*, *nahy*, *'ām*, *khāṣṣ*, *manṭūq*, *mafḥūm*, *dalālah*, *iqtidā*, *īmā'*, and *isyārah*. This classification cover neither the discussion of the results of *istinbāṭ al-ḥukm* nor the requirements to do *istinbāṭ al-ḥukm*. The classification includes only two objects mentioned by al-Ghazali, i.e. the fruit giver or al-

muṣmir and the method or way of taking the fruit or *ṭuruq al-istiṣmār*.

When the above-mentioned classification made by al-Ghazali is applied in this research, the brochure examined serves as *samrah* or the result of the understanding and interaction between the parties who process the brochure and who can be categorized as *mujtahid* or *al-mustaṣmir*. The parties involved in the making of this brochure are then assessed if they have sufficient capability of understanding the sources of law (*al-muṣmir*) and if they qualify the criteria as *al-mustatṣmir*. In addition, this study will also look at the method of *istinbāṭ al-ḥukm* or *ṭuruq al-istiṣmār* used by the parties involved in the making and publishing the brochures as they are used by the MTA followers as a basis in implementing the contents of the sources of law. This research will be focusing more on two themes, namely *al-mustaṣmir* or the parties involved in the publication of the brochures and *ṭuruq al-istiṣmār* or the method used by the parties in performing *istinbāṭ al-ḥukm* from its sources as so the brochures appear in the religious public gathering of Sunday morning of Majelis Tafsir Al-Qur'an.

Therefore, the discussion in this chapter will only cover two main themes related to the focus of this research, i.e. what the *mujtahid* is and how the Islamic law is legislated. The discussion of what the *mujtahid* is will be used to provide an analysis in the discussion of the first issue, whereas the discussion of how Islamic law is legislated will be used as an analysis to answer to the third issue.

C. The Process of Sunday Morning Brochure and Those Involved

The term *brochure* in Indonesian means leaflet; prints containing information and distributed to the public; written information (printed) provided to the public (Prima Pena, n.d., p.157).¹⁹

The Sunday Morning Brochure is a leaflet containing the MTA's Sunday morning study materials presented to the community present at the Sunday Morning *Pengajian*, religious public gathering.

In an interview with Prof. Drs. Mugijatna, Ph. D, chairman of the MTA at the MTA Headquarter on Thursday, September 7, 2017, he said that the Sunday morning brochures were published based on a determined theme by or with the direction of Ustaz Ahmad Sukina. After the theme was determined, the theme was then discussed by *Tim Ilmu* or the team of experts which consists of several senior figures of the MTA. The team initially consisted only of several figures, such as Ustaz Masduki, Ustaz Naryanto, and Ustaz Ahmadi. Ustaz Masduki who was known as an expert in the field of hadith became the head of the team handling the materials presented in the brochures on Sunday morning, assisted by Ustaz Naryanto who also had a specification of the field of hadith and by Ustaz Ahmadi who was an expert in the field of *tafsir*.

The three figures do not have formal education up to the level of higher education, yet they learn the hadith or *tafsir* autodidactly. Ustaz Masduki, for example, autodidactly studies the hadith with knowledge learned during his study years at Pondok Pesantren al-Islam. Ustaz Masduki who is the chairman of the team of experts and one of the founders and lead speakers of the Sunday Morning Brochure, in an interview with him at the MTA Headquarter on Saturday, September 16, 2017, said that he gained knowledge of *tafsir* from the founder of MTA, i.e. Ustaz Abdullah Thufail. The man, who was born in Solo, December 14, 1955, studied *nahwu* and *şaraf* from Ustaz Yusuf of Ceper, and studied other Islamic knowledge from Ustaz Salim Basmul.²⁰

Currently, the team of experts contains many new figures as a form of regeneration. However, the chairman of the team remains in the hands of Ustaz Masduki. The organizational structure of the Central MTA's Team of Experts is as follows:

Supervisor:

Ustaz Drs. Ahmad Sukina

Chairman:

Ustaz Masduki

Secretary:

Ustaz Nur Kholid Saifullah, Lc.,
M.Hum.

Treasurer:

Ustaz Suminto, S. Pd

Members :

1. Ustaz Ahmadi
2. Ustaz Naryanto
3. Ustaz Burhan Shodiq, BA
4. Ustaz Suprpto, S.Th.I, M.PI
5. Ustaz Muhammad Ghozali, S.Pd.I.
6. Ustaz Nur Kholis Majid, S.Fil.I
7. Ustaz Juni Jauhari, S.H.I
8. Ustaz Muhammad Hasan
9. Ustaz Mahmud Yunus, S.Th.I
10. Ustaz Arif Hartono, S.Th.I, M.Pd.I
11. Ustaz Sahirul Alim, S.Th.I
12. Ustaz Eko Suryawan
13. Ustaz Nasruddin, S. Ag
14. Ustaz Arif Setiawan, S.Ud
15. Ustaz Abdul Hamid, S.Pd.I
16. Ustaz Abdurrohman Al Hafidz
17. Ustaz Harvian Prasiswanto Al Hafidz
18. Ustaz Marjono, S.Th.I
19. Ustaz Arifin

Although currently there are 22 people in the team of experts, the Sunday Morning Brochure is not prepared by the entire team. Ustaz Masduki is the one who prepared the brochure materials after getting instruction from Ustaz Ahmad Sukina. He reads and reviews various *hadith* books about the issues discussed. Ustaz Masduki, for example, says that he

examines the books of the explanation of hadith, such as *Syarḥ Ṣaḥīḥ al-Bukhārī*, i.e. *Fath al-Bārī*, *Irsyād al-Syārī* or *Syarḥ Ṣaḥīḥ Muslim*, i.e. *Tuḥfah al-Ahwazī*, *'Aun al-Ma'būd*, *Nail al-Autār* and so forth which, he says, already cover all the things to be discussed in the theme of the Sunday morning brochures. Ustaz Masduki says that MTA does not bring new teachings and doctrines, except what are contained in the books of hadith or *tafsir*. The model of materials delivery in the Sunday morning brochures, according to Masduki, follows the model and pattern in the books of hadith explanation. Very rarely or never will the Sunday morning brochures use the *fiqh* books as a reference. Other members of the team will be involved only if there is a crucial problem that Ustaz Masduki can not solve.

After the materials are ready, the team of experts will consult on Ustaz Ahmad Sukina, and after getting the approval, the Sunday morning brochures are ready to be printed and delivered to the MTA members.

In addition to preparing the materials in the Sunday morning brochures, the team of experts also accompanies Ustaz Ahmad Sukina during the Sunday morning public gathering or *pengajian*, as the team prepares the answers to the questions submitted at the forum on Sunday morning *pengajian*. Questions submitted in a written form by the *jamā'ah* or audiences to Ustaz Ahmad Sukina will be examined and then discussed by the team, and the answer to the questions is submitted to Ustaz Ahmad Sukina to be delivered and explained in more detail to the *jamā'ah*. Thus, it can be said that the materials on the Sunday morning *pengajian* and the answers to the questions are prepared by the team of experts, and Ustaz Ahmad Sukina only

conveys, processes, and explains it to the *jamā'ah*.

If looking at the scientific and academic background of the MTA's team of experts and how they work, we will see some findings:

Firstly, the team of experts should be a team; however, in reality, it is only run by one person, i.e. Ustaz Masduki. He writes and presents the materials of the Sunday morning brochures. Indeed, should Ustaz Ahmad Sukina be involved in the preparation, his role is limited to directing, examining, and conveying the materials to the *jamā'ah* or audience. The involvement of other team members is also very minimal, so as a product of *ijtihad*, the Sunday morning brochures are more precisely said as the result of an individual than collective *ijtihad*.

Secondly, as the Sunday morning brochures seem to be an individual *ijtihad* product, the requirements of a *mujtahid*, especially dealing with *ta'hīliyyah asāsiyyah*, become an absolute element to be fulfilled. If so, it can be said that Ustaz Masduki does not qualify as a *mujtahid*. In fact, even if he only quotes the arguments of *ulamas* to be presented, the arguments are not adequately presented in the Sunday Morning Brochure. This is exactly what the contemporary *ulamas*, like Yusuf al-Qarḍawi and Wahbah al-Zuhaili, try to anticipate by encouraging a collective *ijtihad* as it can be practically used by various mass organizations in Indonesia and in other Muslim worlds.

Thirdly, the lack of standard guidance on how to present the materials and the method of *istinbāt al-ḥukm* used in the Sunday Morning Brochure makes the brochures seem not to have the standard of methodology. The brochures seem to present only the verses of Quran or the hadith along with their translation after giving the title or subtitles, but

without the method of determining the *ḥukm* and the way of understanding the verses of Quran and the hadith.

D. The Construct of *Uṣūl al-Fiqh* in the Sunday Morning Brochure

Until now, so far as the researcher knows, MTA has no guidance in *istinbāṭ al-aḥkām* that can be used as a reference in understanding the source of Islamic laws, either the Qur'an or hadith. The guidance in this *istinbāṭ al-aḥkām* actually, if there is, can be a basis for the team of experts in writing the materials of the Sunday morning brochures and understanding the limits on how to understand the verses of the Qur'an and the hadith of the Prophet. It can also be used as a tool for parties outside MTA, such as reviewers or researchers of MTA, to understand how their legal products can be present in the society. PERSIS, for example, is a mass organization that, according to the researcher, has similar model of understanding concerned with the sources of Islamic laws. Through its *Hisbah* Council that is in charge of observing, researching Islamic laws, and giving *fatwās*, the organization has guidance and steps in responding to issues or problems in Islamic laws. PERSIS has a guidance of how they interact with the Qur'an and hadith and how they do *istinbāṭ al-aḥkām*.²¹ Therefore, it can be said that the team of experts is working to formulate the Sunday morning brochures with no guidance that can be used as the basis, either by the team or by the external parties who want to review the results of MTA's *ijtihād*.

MTA once discussed sources of Islamic law in the Sunday morning brochures. In the Sunday school brochures No. 830/870/AS dated May 26, 1996 with the title *Obligation to Obey Allah and His Messenger the 15th*, the MTA discusses the ways of doing the

laws of the Qur'an. However, the brochures do not explain the position of the Qur'an when associated with Islamic law and the way to understand it when associated with the rules about *lafāz*.

Regarding the Sunnah as the second source of law after the Qur'an, the various types of Sunnah, and the functions of Sunnah when associated with the Qur'an, MTA discusses it in the brochure No. 836/876/AS dated July 7, 1996 on the *Obligation to Obey Allah and His Messenger the 17th*, as well as in the brochure No. 1400/1440/IA dated 25 November 2007 regarding *Sunnah* and *Bid'ah* the 1st. The brochure mentions:

“There is no doubt that *Al-Sunnah* (Hadith) is the second source of Islamic laws. It is the most extensive source of its branches, the most complete source of its composition or laws. The Qur'an contains of general *qā'idahs* or principles and *kullī* (whole) laws. Indeed, the Qur'an is so because it becomes a book of eternal laws. Then, *Al-Sunnah* (Hadith) gives its attention, as it fully explains the content of the Qur'an. Therefore, dealing with the affairs of *istinbāṭ* (taking) the laws of Islam, people suffice the Qur'an alone, with no need for explanation from *Al-Sunnah*...”

Regarding the function of *al-Sunnah* to the Qur'an, the brochure mentions:

“In the book *Al-Risālah*, Imam Al-Syafī'ī elaborately describes the description and position of as-Sunnah against the Qur'an. If taken the conclusion, it is as follows:

1. *Al-Sunnah* becomes *bayān tafṣīl*, i.e. a description that explains the verses that are *mujmal* (compact).
2. *Al-Sunnah* becomes *takhṣīṣ bayān*, i.e. a description that determines something from the general statement.
3. *Al-Sunnah* becomes *bayān ta'yīn*, i.e. a statement that determines what

- is meant by two or three kinds of possible notions.
4. In addition, sometimes *Al-Sunnah* brings a law that is not found in the Qur'an.
 5. With *Al-Sunnah*, the proposition for *nāsikh-mansūkh* can be practiced, i.e. to determine which verses are *nāsikh* (revising) and which verses are *mansūkh* (revised), from verses that appear to be contradictory.”

In an interview with Ustaz Ahmad Sukina at MTA Headquarter on Wednesday, June 1, 2016, he said emphatically that the Messenger of Allah was the most knowledgeable about the interpretation of the Qur'an than any other. He positioned the sunnah in the second place as a source of law, and at a central position in the interpretation of the Qur'an. When asked about the *maḏhab* followed by the MTA, he also replied that the MTA's *maḏhab* is the Qur'an and Sunnah. MTA does not adhere to a particular *maḏhab*.

Furthermore, the MTA discusses the *Sunnah* associated with *bid'ah* or heresy successively in the Sunday morning brochures No. 1400/1440/IA, 1401/1441/IA, 1402/1442/IA, dated 25 November, 2 December and 9 December 2007.

Regarding *ijma'*, in brochure No. 842/882/AS, dated 18 August, 1996, MTA affirms that what can be used as a legal basis is the *ijmā'* of *ṣaḥābāt* or the prophet's companions. The brochure mentions:

“Obviously, that the possibility of *ijmā'* after the time of the Prophet's companions was absent and never happened. Therefore, the *ijmā' mu'tabar*, i.e. *ijmā'* which is not disputed anymore and which can be used as a *ḥujjah* (reasoning) in religion is the *ijmā'* of the *ṣaḥābāt*.”

“... As for things that may be permitted for *ijmā'* are things that are mundane, not those related to worship

because worship must be according to the example ever done by the Prophet SAW, and it has been quite perfect...”

This was also confirmed during an interview with Ahmad Sukina on Wednesday, June 1, 2016, and Masduki on Saturday, September 16, 2017 at MTA Head Office.

However, this study found the MTA's brochures on *Halāl and Ḥaram Foods in Islam* once mentioning a statement “agreed by all *ulamas*”, that is, in the 5th brochure No. 1567/1607/IF on the first page when discussing emergency conditions and exceptions. In the brochure is stated:

“The *ḍarūrāt* that all scholars agree on is *ḍarūrāt* in the matter of food, because of hunger ...”

This means that there is a contradiction between what is mentioned and the reality, as MTA only accepts the *ijmā'* of the Prophet companions as the basis, but on the brochures MTA mentions the agreement of all *ulamas* to reinforce the opinions that exist in other brochures.

MTA makes *qiyās* as one of the foundations in the establishment of Islamic law. In brochure No. 845/885/AS dated September 8, 1996, it is stated:

“So the *qiyās*, as the fourth legal basis in Islam, can be used as *ḥujjah* in religion and can be used only in things related to *'adat* or tradition, *muamalat* and things that are mundane; all things which have no *naṣṣ* in the Qur'an, in the *Sunnah* of the Prophet, and in the *Ijmā' Mu'tabar*.”

In an interview with Ahmad Sukina on the *qiyās* issue, he said that *qiyās* is acceptable as long as of the same kind. *Qiyās* will not be accepted if not of the same kind. He exemplifies this *qiyās* with the problem of dog lick referring to a hadith saying that: if a dog licked the vessel of one of you, then the

Prophet ordered to wash it seven times. The order to wash the vessel seven times, in Ahmad Sukina's opinion, cannot be applied its *qiyās* if the dog licks the human body or other solid objects because the cases are not of the same kind, i.e. liquid versus solid. In addition, he also said that the commandments contained in the Qur'an and Sunnah need not be sought their 'illat or reasoning, but they must be executed as they are.

However, if the Sunday School Brochure is observed, *ijmā'* and *qiyās* are hardly used in the establishment of Islamic law. The Sunday Brochure seems to suffice itself with an explanation in the *tafsīr Qur'ān* and *syarḥ hadīth* to deliver the study materials. If *ijmā'* and *qiyās* explicitly serving as the legal basis are not used in the Sunday Morning Brochure, then other arguments, such as *istiḥsān*, *sadd al-ẓarī'ah*, etc. will never be used.

Among the important things in this regard is the lack of a firm attitude from the MTA when dealing with issues that require a choice of different opinions. When faced with differences of opinion that have a relatively equal legal basis, the MTA does not determine its opinion. MTA only presents the differences without giving a choice of opinions and the basis for that choice. This is likely due to Ustaz Masduki's lack of ability as the person behind the Sunday Morning Brochure to do *tarjīh*, or because the MTA choose not to vote for an opinion by being in *gray* and *floating* position to avoid the risk of the choice. This can be seen from the MTA's attitude in the matter of halal and haram food in Islam.²² Besides, when explaining the practice of *eclipse prayer*, the Sunday Morning Brochure has two versions. The first version explains the procedure of the prayer without giving any information on the differences of opinion, and the second version includes

information of the dissenting opinions. Brochure No. 1159/1199/IF dated January 5, 2003, for example, says:

"Each *raka'at* contains 2 *ruku'* and 2 prostrations as the following way:

1. *Takbīratul iḥrām*, 2. Reciting *du'ā iftitāh*, 3. Reciting *ta'awwuz*, 4. Reciting *Basmalah*, 5. Reciting *Al-Fātiḥah*, 6. Reciting Amin, 7. Reciting *Surah/Ayat* of the Qur'an, 8. *Rukū'* and reciting *tasbīh*, 9. *I'tidāl* (standing upright), 10. Reciting *Surah/Ayat* of the Qur'an (arms crossed as before), 11. *Rukū'* and reciting *tasbīh*, 12. *I'tidāl* (standing upright), 13. *Sujūd* and reciting *tasbīh*, 14. Sitting between two *sujūds*, 15. Second *sujūd*, and then standing for the second *raka'at*. The second *raka'at* is done as the first *raka'at*, (from sequence number 4 and so on), 16, Sitting *al-tahiyāt* by reciting *tasyahhud* and *ṣalawāt*, and 17. *Salām*, followed with sitting to listen to the sermon.

Explanation:

For number 10, there are 2 opinions:

The first is just to recite *surah/ayat* of the Qur'an.

The second is to recite *Al-Fatihah* and other *surah/ayat* of the Qur'an

This description is only available in this version of brochure (as there are several versions of the ordinance of eclipse prayer) and does not provide a choice of two opinions. When the researcher asked about the unavailability of choice in the brochure, while in reality MTA uses the first opinion, Ustaz Masduki remains on the answer that the MTA only conveys the differences and gives the *ummat* the choice to choose.

The unavailability of different options or opinions is also found in some other issues, such as in marriage guardian (Brochure No. 1578/1618/IA, 20 November 2011), *basmalah* when

slaughtering animals (Brochure No. 1571/1611/IF, 25 September 2011), *ṣalāt tasbīh* (Brochure No. 1527/1567/IF, 10 October, 2010), etc. In an interview with Ustaz Masduki, he said that the MTA only presents the dissenting opinions and lets the reader to choose. However, in the researcher's view, this is only one of the effects of the lack of guidance on the *istinbāt hukm* in the MTA and the absence of choice over the *istinbāt* methods when *ta'āruḍ al-adillah* occurs.

E. Conclusion

From the above discussion, some conclusions can be drawn:

1. The Sunday Morning Brochure is published based on a determined theme or on the direction of Ustaz Ahmad Sukina. After the theme is determined, it is then discussed by *tim ilmu* or the team of experts and consulted to Ustaz Ahmad Sukina. After getting his approval, the Sunday Morning Brochure is printed and delivered to the MTA members.
2. The brochures are compiled by the team of experts originally consisting of three figures, i.e. Ustaz Masduki

as the coordinator or chairman, Ustaz Naryanto, and Ustaz Ahmadi. Ustaz Masduki studied *tafsīr* and Islamic studies from the founder of MTA, i.e. Abdullah Thufail, studied Arabic and its grammar from Ustaz Yusuf of Klaten and Ustaz Salim Basmul. Later, he studied various Islamic matters independently or self-taught. Currently, the team of experts consists of 22 people with different scientific backgrounds with Ustaz Marzuki as the team leader.

3. Methodologically, it can be concluded that although the MTA's jargon is *back to the Qur'an and Sunnah*, in the enactment of Islamic law, MTA does not only use the Qur'an and Sunnah. *Ijmā'* is also used in the enactment of Islamic law although there is a difference between the concept (as MTA uses only the *ijmā'* of *ṣaḥābat*) and its application (as it also uses *ijmā'* of *'ulama*). *Qiyās* is very limited in usage, that is, only used when the *'illat* is mentioned in the *naṣṣ*. The arguments outside the four agreed arguments are not use.

Endnotes:

¹ MTA, *Sekilas Profil*. Retrieved March 29, 2016, from <http://www.mta.or.id/sekilas-profil/>, 2016.

² Bilveer Singh, Zuly Qodir, *Gerakan Islam Non Mainstream dan Kebangkitan Islam Politik di Indonesia*, 1st edition (Yogyakarta: Pustaka Pelajar, 2015).

³ John W. Creswell, *Research Design*, translated by Achmad Fawaid dan Rinayati Kusmini Pancasari (Yogyakarta: Pustaka Pelajar, 2016), p. 248.

⁴ *Ibid.*, pp. 254-255.

⁵ Sunarwoto, "Antara Tafsir dan Ideologi; Telaah Awal atas Tafsir Al-Qur'an MTA (Majelis Tafsir Al-Qur'an)", *Refleksi*, Vol. XII, No. 2, Oktober 2011.

⁶ Nur Hidayat Muhammad, *Meluruskan Doktrin MTA: Kritik atas Dakwah Majelis Tafsir*

Al-Qur'an di Solo (Surabaya: Muara Progresif, 2013).

⁷ Mustolehuddin, "Pandangan Ideologis-Teologis Muhammadiyah dan Majelis Tafsir Al-Qur'an (Studi Gerakan Purifikasi Islam di Surakarta)", *Jurnal Analisa*, vol. 21, No. 01, Juni, 2014, pp. 39-50.

⁸ Mohammad Hasim, "Interaksi Penganut Majelis Tafsir al-Qur'an di Kampung Tegalsari Semarang", *Jurnal Analisa*, vol. 21, No. 02, Desember 2014, pp. 163-172.

⁹ Yusdani dan Imam Machali, "Islam dan Globalisasi: Studi atas Gerakan Ideologisasi Agama Majelis Tafsir Al-Qur'an di Yogyakarta", *Jurnal Akademika*, Vol. 20, No. 01, Januari-Juni, 2015, pp. 149-172.

¹⁰ Bilveer Singh, Zuly Qodir, *Gerakan Islam Non Mainstream*.

¹¹ Sulhani Hermawan, Aminuddin Ihsan, Ahmad Hafidh, *Nalar La Madzhabiyah*

Majelis Tafsir Al-Qur'an, Retrieved March 29, 2016, from <https://sulhanihermawan.wordpress.com>

¹² Muh. Nashirudin, "Pandangan Majelis Tafsir Al-Qur'an (MTA) tentang Makanan Halal dan Haram (Kajian Ushul Fikih)", *Al-Manahij: Jurnal Kajian Hukum Islam*, Vol. X, No. 2, 2016, pp. 235-252.

¹³ Abū Ḥāmid al-Ghazālī, *Al-Mustasfā fī 'Ilm al-Uṣūl* (Beirut: Dār al-Kutub al-'Ilmiyyah, 1413H), I/7., 'Abdul Wahhāb Khallāf, *'Ilm Uṣūl al-Fiqh* (Kairo: Dār al-Hadīṣ, 2003).

¹⁴ *Ibid.*

¹⁵ Muhammad bin Husain al-Jīzānī, *Manhajīyyah Uṣūliyyah* (Riyad: Maktabah ar-Rusyd, 2013), p. 10.

¹⁶ 'Abd al-Wahhāb Khallāf, *'Ilm Uṣūl al-Fiqh*, pp. 19-20, Naẓīr Hammādū, *Al-Wajīz fī Adillah at-Tasyrī' al-Islāmī* (Aljir: Mu'assasah Ibn Sina, 2000), pp. 13-14.

¹⁷ Naẓīr Hammādū, *al-Wajīz fī Adillah*, pp. 18-19.

¹⁸ Muhammad bin Husain al-Jīzānī, *Manhajīyyah Uṣūliyyah*, p. 11, 'Abdul Wahhāb Khallāf, *'Ilm Uṣūl al-Fiqh*, p. 11.

¹⁹ Tim Prima Pena, *Kamus Besar Bahasa Indonesia*, (Jakarta: Gita Media Press, t.t.), p. 157.

²⁰ Mutohharun Jinan, "Melacak Akar Ideologi Puritanisme Islam: Survey Biografi atas Tiga Abdullah", *Walisono*, Vol. 22, No. 2, November 2014, pp. 381-410.

²¹ Rafid Abbas, "Ijtihad Dewan Hisbah Persatuan Islam dalam Hukum Islam", *Al-Daulah: Jurnal Hukum dan Perundangan Islam*, Vol. 6, No. 1, April 2016, Imron Rosyadi, "Metode Penetapan Hukum Dewan Hisbah PERSIS", *Suhuf*, Vol. 19, No. 2, Nopember 2007.

²² Muh. Nashirudin, "Pandangan Majelis Tafsir Al-Qur'an (MTA)", pp. 235-252.

BIBLIOGRAPHY

Abbas, R. Ijtihad Dewan Hisbah Persatuan Islam dalam Hukum Islam. *Ad-Daulah: Jurnal Hukum dan Perundangan Islam*, Vol. 6, No. 1, 2016.

Creswell, John W. *Research Design*, terj. Achmad Fawaid dan Rinayati Kusmini Pancasari, 1st

edition. Yogyakarta: Pustaka Pelajar, 2016.

al-Ghazali, Abu Hamid. *Al-Mustasfā fī 'Ilm al-Uṣūl*. Beirut: Dār al-Kutub al-'Ilmiyyah, 1992.

Hammādū, Naẓīr. *Al-Wajīz fī Adillah at-Tasyrī' al-Islāmī*. Aljir: Muassasah Ibn Sina, 2000.

Hasim, Mohammad. "Interaksi Penganut Majelis Tafsir Al-Qur'an di Kampung Tegalsari Semarang". *Jurnal Analisa*, Vol. 21, No. 2, 2014. 163–172.

Hermawan, Sulhani, Aminudin Ihsan, Ahmad Hafid. "Nalar La Madzhabiyah Majelis Tafsir Al-Qur'an. Retrieved March 29, 2016, from <https://sulhanihermawan.wordpress.com>, 2013.

Jinan, Mutohharun. "Melacak Akar Ideologi Puritanisme Islam: Survei Biografi atas Tiga Abdullah". *Walisono*, Vol. 22, No. 2, 2014, 381–412.

al-Jīzānī, Muhammad bin Husein. *Manhajīyyah Uṣūliyyah*. Riyad: Maktabah ar-Rusyd, 2013.

Khallāf, 'Abdul Wahhāb. *'Ilm Uṣūl al-Fiqh*. Kairo: Dār al-Hadīṣ, 2003.

MTA. *Sekilas Profil*. Retrieved March 29, 2016, from <http://www.mta.or.id/sekilas-profil/>

Muhammad, Nur Hidayat. *Meluruskan Doktrin MTA; Kritik atas Dakwah Majelis Tafsir Al-Qur'an di Solo*. Surabaya: Muara Progressif, 2013.

Mustolehuddin. "Pandangan Ideologis-Teologis Muhammadiyah dan MTA". *Jurnal Analisa*, Vol. 21, No. 1, 2014, 39–50.

Nashirudin, Muh. Pandangan Majelis Tafsir Al-Qur'an (MTA) tentang Makanan Halal dan Haram (Kajian Ushul Fikih). *Al-*

- Manahij: Jurnal Kajian Hukum Islam*, Vol. X, No. 2, 2016, 235–252.
- Prima Pena, Tim. *Kamus Besar Bahasa Indonesia*. Jakarta: Gita Media Press, t.t.
- Rosyadi, Imron. “Metode Penetapan Hukum Dewan Hisbah PERSIS”. *Suhuf*, Vol. 19, No. 2, 2007, 127–136.
- Singh, Bilveer, dan Zuly Qodir. *Gerakan Islam Non Mainstream dan Kebangkitan Islam Politik di Indonesia*, 1st edition. Yogyakarta: Pustaka Pelajar, 2015.
- Sunarwoto. “Antara Tafsir dan Ideologi, Telaah Awal atas Tafsir Al-Qur’an MTA (Majelis Tafsir Al-Qur’an)”. *Refleksi*, Vol. 12, No. 2, 2011. 118–130.
- Yusdani, dan Imam Machali. “Islam dan Globalisasi, Ideologisasi Agama, MTA Yogya”. *Jurnal Akademika*, 20, 2015, 149–171. Retrieved from <http://stainmetro.ac.id/e-journal/index.php/akademika/article/view/328>.