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The Concept of Al-Tawaqquf in the Ijtihad of the Muhammadiyah Tarjih Council: A Comparative Study with the Four Sunni Schools of Thought

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Abstract. The proliferation of deepfake technology, characterized by sophisticated artificial intelligence-generated manipulation of digital content, poses significant legal challenges, particularly concerning misuse on social media platforms. This study aims to analyze the legal implications associated with deepfake misuse, examining existing regulatory frameworks and evaluating their effectiveness in addressing issues of defamation, identity fraud, and privacy violations. Employing a normative legal research methodology, this study analyzes secondary data from legal texts, statutes, judicial decisions, and academic literature. Findings reveal substantial gaps in current laws and regulations, highlighting that traditional legal instruments inadequately address the rapidly evolving capabilities and consequences of deepfake technology. Moreover, existing mechanisms struggle to provide timely and effective responses to victims, exacerbating the negative impact of deepfakes on individual rights and social stability. The study emphasizes the urgency for comprehensive legislative reforms, clearer definitions, and stronger enforcement mechanisms to mitigate harm and ensure accountability. Practically, this research provides essential insights for policymakers, legal practitioners, and social media platforms, urging collaborative efforts in developing robust and adaptive regulatory measures. Future studies should explore cross-jurisdictional comparisons and technological solutions to further enhance the effectiveness of legal interventions against deepfake misuse.

1. INTRODUCTION

In Islamic legal theory, ijtihad has long been a vital mechanism for interpreting divine law (Sharia) and applying it to the diverse and evolving realities of human life. Rooted in both revelation and reason, ijtihad represents a dynamic interaction with the foundational texts of Islam—the Qur'an and Hadith—alongside other legal sources such as consensus (ijma) and analogical reasoning (qiyas). As the complexities of contemporary issues continue to grow, the methods of legal reasoning must also evolve. Reformist movements, such as Muhammadiyah in Indonesia, have engaged with traditional legal tools in innovative ways to address these novel challenges.[1]

Founded in 1912, Muhammadiyah is one of the most influential Islamic reformist organizations worldwide. Its legal body, the Majelis Tarjih dan Tajdid (Council for Legal Reasoning and Renewal), produces fatwas and guidelines for religious and social practices. A distinctive feature of Muhammadiyah's approach to ijtihad is its use of al-tawaqquf, the deliberate suspension of judgment when clear evidence or consensus is lacking. Although rooted in classical Islamic jurisprudence, Muhammadiyah's specific articulation of tawaqquf provides a fresh perspective on epistemic uncertainty and legal decision-making in the modern era.[2]

The importance of al-tawaqquf lies in its recognition of the limitations of legal certainty, particularly in an age of rapid technological, scientific, and social change. This principle allows jurists to suspend judgment in the absence of definitive evidence or scholarly consensus, offering a cautious and humble approach to legal interpretation.[3] By avoiding speculative rulings, tawaqquf preserves the integrity of Islamic law in areas such as bioethics, new financial instruments, and complex socio-technological phenomena.[4] However, despite its significance, the scholarly literature on al-tawaqquf—especially its systematic application in contemporary reformist contexts like Muhammadiyah—remains underexplored.[5]

This research aims to address this gap by investigating how al-tawaqquf is conceptualized and operationalized within the Majelis Tarjih Muhammadiyah's ijtihad framework. Additionally, it seeks to compare Muhammadiyah's approach with similar concepts of legal suspension found in the four major Sunni schools of law: Hanafi, Maliki, Shafi'i, and Hanbali. Classical Islamic jurisprudence has long dealt with uncertainty through principles such as legal deferral, cautious generalization, or withholding

[1] Azwar Azwar, Abur Hamdi Usman, and Mohd Farid Ravi Abdullah, "Islamic Economics Education in Indonesia: Quranic View and Epistemological Problems Analysis," *Al-Irsyad Journal of Islamic and Contemporary Issues*, 2022, https://doi.org/10.53840/alirsyad.v7i2.350; Aslati et al., "Utilizing Science and Maqāṣid Al-Sharī'ah in Resolving Contemporary Issues of Islamic Family Law," *Al-Manahij Jurnal Kajian Hukum Islam*, 2024, https://doi.org/10.24090/mnh.v18i1.10571.

[2] Zuly Qodir, Haedar Nashir, and Robert W. Hefner, "Muhammadiyah Making Indonesia's Islamic Moderation Based on Maqāṣid Sharī`ah," *Ijtihad Jurnal Wacana Hukum Islam Dan Kemanusiaan*, 2023, https://doi.org/10.18326/ijtihad.v23i1.77-92.

[3] Mohd Solleh bin Ab Razak and Roshimah binti Shamsudin, "The Concept and Implementation of Al-Tawaqquf in Mukhtalif Al-Hadith," *European Proceedings of Social and Behavioural Sciences* Innovation and Transformation in Humanities for a Sustainable Tomorrow (December 10, 2020), https://doi.org/10.15405/epsbs.2020.10.02.74.

[4] Qosim Arsadani et al., "The Progressiveness of Sharia Economic Fatwas: Direction of Islamic Legal Thoughts Within NU and Muhammadiyah," *Ahkam Jurnal Ilmu Syariah*, 2024, https://doi.org/10.15408/ajis.v24i1.37775.

[5] Asjmuni Abdurrahman, *Manhaj Tarjih Muhammadiyah: Metodologi Dan Aplikasi* (Yogyakarta: Pustaka Pelajar, 2002).

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judgment until further evidence or consensus emerges[6]. However, Muhammadiyah has formalized tawaqquf as a central methodological tool for addressing modern challenges, particularly in areas such as genetic engineering and capital punishment for apostasy, where traditional texts offer minimal guidance.

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This study is motivated by two interrelated questions: First, how is al-tawaqquf operationalized within Muhammadiyah's ijtihad framework? Second, how does it compare to or diverge from similar practices in the four Sunni madhahib? Classical scholars, such as al-Shatibi, Ibn Qayyim, and al-Ghazali, discussed the suspension of judgment in situations of legal ambiguity. For instance, the Hanafi and Shafi'i schools emphasize deferral until further clarification.[8] The Maliki school, which balances public interest with textual sources, occasionally defers judgment. The Hanbali school, known for its textual literalism, also utilizes tawaqquf in specific cases of uncertainty.[9] Muhammadiyah's approach, however, goes beyond these tendencies, formalizing tawaqquf as a central methodological tool to engage with contemporary challenges.[10]

A notable example of this approach is the Muhammadiyah fatwa on desalinated seawater, where the Tarjih Council refrained from issuing a definitive judgment due to the lack of conclusive scientific and scholarly consensus. In this instance, tawaqquf is not seen as a failure of ijtihad but rather as a responsible acknowledgment of its limitations.

This research makes a significant contribution to the field by analyzing how Muhammadiyah applies al-tawaqquf as a formal method in its legal reasoning, contrasting it with the traditional uses of similar principles in the four Sunni madhahib. The novelty of this study lies in its focus on tawaqquf not as an incidental practice of deferral, but as a distinct ijtihadic method. By exploring this concept within the framework of modern Islamic reformism, the study illuminates how contemporary jurists engage with inherited jurisprudential tools to address new ethical and legal questions in an increasingly complex world.[11]

Moreover, this study has important implications for the broader epistemology of Islamic law. By focusing on the intersection of legal methodology and epistemic humility, it suggests that Islamic legal institutions can maintain normative clarity while acknowledging the complexities and uncertainties of modern life. Muhammadiyah's use of tawaqquf represents an innovative approach to reconciling tradition with modernity, offering a model for how Islamic legal thought can respond to contemporary challenges without abandoning its foundational principles.[12]

In summary, this study is designed to achieve three objectives: (1) to delineate the theoretical foundations of al-tawaqquf in both classical and modern Islamic jurisprudence, (2) to analyze the application of tawaqquf in the legal reasoning of Muhammadiyah's Tarjih Council, and (3) to compare this practice with analogous tendencies in the four Sunni legal schools. The novelty of this study lies in its emphasis on tawaqquf as a formal ijtihadic method, rather than as a mere practice of deferral. It contributes to a broader understanding of Islamic legal epistemology and highlights how contemporary Muslim reformists engage with inherited jurisprudential tools to address present-day challenges. Ultimately, the study underscores the significance of al-tawaqquf not as a passive retreat from legal responsibility but as a strategically grounded approach to principled deliberation.

2. METHOD

This research adopts a qualitative, normative-doctrinal approach, focusing on legal texts and jurisprudential analysis. The nature of the research is library-based and conceptual, drawing primarily from classical and contemporary Islamic legal sources to uncover how *al-tawaqquf* is conceptualized and practiced. The doctrinal approach is ideal for analyzing the underlying principles (*usul*) of Islamic jurisprudence as formulated by the four Sunni schools of law—Hanafi, Maliki, Shafi'i, and Hanbali—and as implemented by the Majelis Tarjih Muhammadiyah. This approach emphasizes understanding legal doctrines as coherent intellectual constructs that evolve within specific theological and social milieus.

The research is descriptive-analytic and comparative in nature, aiming to present *al-tawaqquf* both in its classical manifestations and its rearticulation in Muhammadiyah's reformist ijtihad. As a theological-legal inquiry, this methodology allows for the reconstruction of *tawaqquf* as a systematic juristic method rather than a mere procedural hesitation.

The research draws upon two major categories of data sources: Primary sources include: Classical texts from the four Sunni schools such as al-Muwatta' by Imam Malik (Anas, 2013), al-Umm by Imam al-Shafi'i, al-Mudawwanah al-Kubra, al-Mugni by Ibnu Qudamah, and al-Ihkam fi Usul al-Ahkam by Ibn Hazm. Key works in Islamic legal theory like Al-Mustashfa by al-Ghazali, al-Ihkam by al-Amidi, and al-Mahsul by Fakhruddin al-Razi. Documents produced by Majelis Tarjih such as Himpunan Putusan Tarjih (Majelis Tarjih, 1430 H; Pimpinan Pusat Muhammadiyah, Fatwa Tarjih volumes (2013, 2022), and the Risalah Islam Berkemajuan (Pimpinan Pusat Muhammadiyah, 2023). Secondary sources include: Academic interpretations and studies like Al-Tawaqquf 'inda al-Fuqaha by Raisuni, Manhaj Tarjih Muhammadiyah by Anwar (2018), and scholarly papers on the epistemology of Islamic legal methodology (Ab Razak & Shamsudin, 2020; Abdurrahman, 2002). The data were accessed through university libraries, digital repositories, and official Muhammadiyah publications.

This study employs a comparative jurisprudential method (muqaranah fiqhiyyah) to examine similarities and differences between the concept of tawaqquf in the four Sunni schools and in Muhammadiyah's ijtihad. The analysis is conducted through the following stages: Textual analysis: Classical texts are examined for explicit or implicit references to legal hesitation, epistemological caution, and doctrines similar to tawaqquf. Thematic classification: Juridical positions are categorized according to their treatment of ambiguity, legal silence, or conflicting evidence. Contextual interpretation: Muhammadiyah's adoption of

[6] Wahbah al-Zuhaili, *Usul Fiqh Al-Islami*, vol. 2 (Damaskus: Dar al-Fikr li Al-Tiba'ah, wa al-Nasyr wa al-Tauzi', 1986).
[7] al-Zuhaili.
[8] al-Zuhaili.
[9] Qutub al Raisuni, *Al Tawaqquf 'inda Al Fuqaha, Dirasah Ta'siliyyah Tahliliyyah*, 1st ed. (Beirut: Dar Ibnu Hazm, 2007).
[10] Shofiyullah Muzammil, Waryani Fajar Riyanto, and Nur Edi Prabha Susila Yahya, "Indonesian Maqasid Al-Syari'ah: A Study of Yudian Wahyudi's Thought," *Dinika Academic Journal of Islamic Studies*, 2023, https://doi.org/10.22515/dinika.v8i2.6686.
[11] Qosim Arsadani et al., "The Progressiveness of Sharia Economic Fatwas: Direction of Islamic Legal Thoughts Within NU and Muhammadiyah."
[12] al Raisuni, *Al Tawaqquf 'inda Al Fuqaha, Dirasah Ta'siliyyah Tahliliyyah*.

tawaqquf is contextualized within its rationalist and reformist orientation. Cross-case synthesis: Using the comparative framework, doctrinal continuities and methodological divergences are mapped across the schools and Muhammadiyah's framework. The study further integrates historical-contextual analysis to account for the socio-political background influencing fatwa development in Muhammadiyah.[13]

To ensure the validity of the findings, the study applies triangulation of sources and interpretive coherence. Classical texts are compared with modern interpretations to confirm consistency or identify evolution in thought. Further, peer-reviewed fatwas and official decisions of Majelis Tarjih serve as verified institutional outputs.

Reliability is enhanced by using published, authenticated editions of both classical and contemporary sources. Consistency in terminology—particularly the use of *tawaqquf*—is maintained throughout the comparative analysis to ensure interpretive fidelity.

Moreover, the citations are directly drawn from the corpus accepted by academic and religious institutions, including those published by Suara Muhammadiyah and well-known Arab publishers like Dar al-Fikr and Dar al-Kutub al-'Ilmiyyah.

The scope of this study is limited to the four Sunni schools and Muhammadiyah's Tarjih Council. It does not include Shi'a jurisprudence or other contemporary Islamic movements such as Nahdlatul Ulama or Salafi fatwa institutions. Further, the study focuses on epistemological and methodological dimensions of *tawaqquf*, excluding broader political or organizational implications of Muhammadiyah's legal decisions. While the analysis is comprehensive in doctrinal terms, it refrains from examining public reception or implementation of *tawaqquf*-based fatwas.

Additionally, the study does not apply fieldwork or interview-based validation; instead, it relies strictly on doctrinal texts and official publications.

2.1. Conceptualization of Al-Tawaqquf in Classical Islamic Jurisprudence

Al-tawaqquf etymologically comes from the word waqafa- yaqifu- wuqūfan- waqfan, which means to stop. Waqafa can sometimes mean istaqalla (to stand alone), also can mean sakata (to be silent), amsaka (to hold back), al-ta'annī (to be cautious), al-imtina' (to prevent), and al-taṡabbut (to be firm)[14]. Ibn Nujaīm states that the word al-tawaqquf also has equivalent meanings as the word waqafa. Al-Fiyūmī in his book al-Miṣbāḥ al-Munīr mentions that tawaqqafa al-amru means to hold something back. Meanwhile, the word awqafa means to be silent, and if it is said awqafa 'anhu, it means to refrain from speaking and to stay away. If al-tawaqquf 'ala al-Syai' is used, it means to stop and observe, while al-tawaqquf 'alaih means to seek evidence.[15]
The definition of al-tawaqquf terminologically according to Ibn Qudāmah in his book *al-Mughnī* is:
تَرْكُ القَوْلِ فِى المسْأَلَةِ لِتَعَارُضِ الأَدِلَّةِ فِيهَا وَإِشْكَالِ دَلِيْلِهَا[16]

Meaning:
Refraining from giving an opinion on a matter due to the contradiction of the evidences within it and the issues with its evidence.

Imām al-Nawawī defines al-tawaqquf with the following expression, The absence of presenting an opinion on a matter of ijtihad because the mujtahid cannot see the truth of the matter, or it can also be defined as the mujtahid refraining from preferring (strengthening) one of the two opinions or views due to the contradiction of the evidences.[17]

Historically, Muslim jurists viewed the process of deriving rulings (*istinbāṭ al-aḥkām*) from the Qur'an and Sunnah as an act requiring both textual fidelity and intellectual responsibility. Within this paradigm, *tawaqquf* is situated between two poles: the necessity to provide guidance for the ummah and the theological caution of avoiding unauthorized interpretations. As such, *tawaqquf* plays a critical role in preserving the sanctity of divine law (*sharī'ah*) by preventing premature or speculative rulings in areas where divine intent is unclear or contested.

One of the early elaborations of *tawaqquf* can be traced to the discourse on *ta'āruḍ al-adillah* (conflict of evidences). Fakhruddin al-Razi (d. 1209) in *Al-Mahsūl fī 'Ilm al-Uṣūl* explored how jurists should respond when faced with textual contradictions. He distinguished between *tarjīḥ* (preference) and *tawaqquf*, stating that while *tarjīḥ* involves selecting the stronger of two evidences based on supporting arguments, *tawaqquf* becomes necessary when neither side offers a clear superiority in terms of authenticity, relevance, or contextual strength (Al-Razi, n.d.). In such cases, al-Razi advised suspension of judgment until additional clarification could be attained, either through supplementary evidence or through collective scholarly consensus.

Wahbah al-Zuhaili, a contemporary scholar, also situates *tawaqquf* within the framework of *ijtihād*, classifying it as one of several possible outcomes for juristic endeavor. In his seminal work *Usul al-Fiqh al-Islami*, al-Zuhaili asserts that *tawaqquf* is warranted when juristic reasoning reaches an epistemic deadlock—particularly when definitive rulings cannot be extracted without exceeding the boundaries of scriptural fidelity (Zuhaili, 1986). He adds that in some circumstances, *tawaqquf* is not only permissible but obligatory, particularly when premature rulings may lead to injustice, misapplication of law, or theological error.

Theological principles also underscore the importance of *tawaqquf* in early jurisprudence. Imam Ahmad ibn Hanbal (d. 855), for instance, frequently utilized *tawaqquf* in his legal and theological responses. Historical compilations record his repeated usage of the phrase *lā adrī* ("I do not know") when asked to opine on matters where evidence was disputed or absent. Ahmad al-Dumairy's *Al-Masā'il al-Fiqhiyyah allātī Tawaqqafa Fīhā al-Imām Aḥmad* catalogues numerous instances where Imam Ahmad refrained from issuing a verdict due to insufficient textual basis or due to the gravity of the question requiring greater scrutiny.

This restraint also reflected a deeper spiritual ethic known as *wara'*—a cautious piety in the face of divine law. To these scholars, issuing a ruling in the absence of clear guidance was not only intellectually irresponsible but also spiritually hazardous. It was believed that juristic error on uncertain matters could potentially misrepresent the will of Allah, an outcome they sought to avoid at all costs.

The conceptual underpinning of *tawaqquf* also intersects with the usūlī principle of *sukut al-nass*—the silence of the text. When neither the Qur'an nor the Sunnah provides direct reference to a specific issue, scholars debated whether silence implied permission, prohibition, or suspension. The position of *tawaqquf* supports the latter: that silence does not authorize assumption, but rather demands caution and further inquiry. This methodology provided jurists with a theological justification for temporary non-ruling without compromising their intellectual rigor or religious legitimacy.

Furthermore, *tawaqquf* is discussed in relation to *ijtihād al-ta'līqī*—a form of conditional ijtihad where the jurist states that a

[13] Pimpinan Pusat Muhammadiyah, *Risalah Islam Berkemajuan: Keputusan Muktamar Ke 48 Muhammadiyah Tahun 2022*, 1st ed. (Yogyakarta: Gramasurya, 2023).
[14] Muhammad bin Mukrim bin 'Ali Ibnu Manzur, *Lisan al 'Arab*, Cet: III, vol. Juz VIII (Beirut: Dar Ihya' al Turas al 'Arabiy, 1993).
[15] Ab Razak and Shamsudin, "The Concept and Implementation of Al-Tawaqquf in Mukhtalif Al-Hadith."
[16] Abu Muhammad Abdullah bin Ahmad Ibnu Qudamah, *Al Mugni*, Cet I (Beirut: Dar al Fikr, 1982).
[17] Abu Zakariya Muhyiddin Yahya bin Syaraf al Nawawi, *Al Majmu' Syarhu al Muhazzab*, Cet: I, vol. Juz. II (Damaskus: Dar al Fikr, 1996).

ruling would be issued contingent upon further clarification. This anticipatory framework mirrors the philosophical roots of *tawaqquf* in the idea that not all legal questions are immediately resolvable, and that Islamic jurisprudence must retain room for intellectual growth and contextual adaptation.

In the Maliki tradition, Imam Malik (d. 796) is well known for expressing the phrase *lā adrī* and often refrained from ruling on novel issues presented to him. His cautious stance—especially in the absence of widespread practice (*'amal*) or prophetic precedent—reflected a high regard for epistemic certainty. His silence was not seen as ignorance but rather as an act of scholarly discipline and fidelity to the Prophet's model.

Likewise, Imam al-Shafi'i (d. 820), while pioneering legal methodology (*usūl al-fiqh*), acknowledged the importance of refraining from opinion when texts conflicted or lacked corroboration. His position affirmed the value of *tawaqquf* in maintaining the integrity of legal discourse and ensuring that rulings remain grounded in divine source material.

In conclusion, the classical conceptualization of *al-tawaqquf* in Islamic jurisprudence offers a profound example of scholarly restraint in the face of uncertainty. It serves not as an escape from responsibility but as a commitment to accuracy, ethical deliberation, and intellectual humility. By refusing to issue verdicts when clarity is absent, classical jurists demonstrated that the sanctity of divine law is best preserved not by presumption but by principled patience. As such, *tawaqquf* remains a vital legacy in Islamic legal methodology—offering a model of how scholars may responsibly navigate complex, uncertain, or novel issues within a sacred legal tradition.

2.2. The Application of Al-Tawaqquf in the Four Madhhabs

The concept of al-tawaqquf (the deliberate suspension of judgment) in classical Islamic jurisprudence plays a pivotal role in addressing legal uncertainties and guiding jurists in situations where conclusive evidence is absent. In essence, tawaqquf represents an epistemic stance that emphasizes humility, caution, and intellectual integrity in the face of divine revelation and human limitations. Far from being a form of indifference or inaction, tawaqquf reflects a jurist's recognition that certain matters may not be immediately resolvable or sufficiently supported by evidence. It is not a failure to provide a ruling but a deliberate and methodologically sound choice to withhold judgment, awaiting further clarification or consensus.

In classical Islamic jurisprudence, the process of deriving legal rulings (istinbāṭ al-aḥkām) is seen as both an intellectual and spiritual act. Jurists are tasked with interpreting the Qur'an and Sunnah while ensuring fidelity to the divine texts and avoiding misinterpretation. Tawaqquf, in this context, arises when jurists encounter ambiguity or contradiction within the available evidence. It serves as a protective measure to preserve the sanctity of sharī'ah by preventing speculative or premature rulings.

2.3. Historical Development and Early Elaboration

The concept of al-tawaqquf emerged clearly in the works of early jurists when they were confronted with conflicting or unclear evidences. One of the earliest elaborations of tawaqquf can be found in the writings of Fakhruddin al-Razi, particularly in his treatise *Al-Mahsūl fī 'Ilm al-Uṣūl*.[18] In discussing the conflict of evidences (ta'āruḍ al-adillah), al-Razi differentiated between tarjīḥ (preference) and tawaqquf. While tarjīḥ involves selecting the stronger of two conflicting evidences, tawaqquf becomes necessary when neither evidence can be conclusively preferred over the other due to issues of authenticity, relevance, or contextual application. In such cases, al-Razi advised jurists to suspend judgment until further clarification is obtained, either through additional evidence or through scholarly consensus. This framework allows for a cautious approach to legal decision-making, ensuring that no hasty judgments are made without clear and compelling justification.

Wahbah al-Zuhaili, a modern scholar, situates tawaqquf within the broader framework of ijtihād. He defines tawaqquf as a necessary outcome of ijtihad when a jurist reaches an epistemic impasse, unable to derive a definitive ruling from the available sources. Al-Zuhaili[19] argues that tawaqquf is especially warranted when issuing a ruling would exceed the boundaries of scriptural fidelity, thereby leading to theological or legal missteps. He further asserts that, in some circumstances, tawaqquf is not merely permissible but obligatory, particularly when the premature issuance of a ruling might lead to **zulm** (injustice) or misapplication of the law.

Imam Abu Hanifah (80–150 AH / 700–767 CE), the founder of the Hanafi school, was known for his rationalist approach in Islamic jurisprudence. He was a leading figure in the ahlu al-ra'yi (people of opinion), who emphasized qiyas (analogical reasoning) as the primary tool for deriving legal rulings in the absence of explicit textual evidence from the Qur'an and Hadith. Imam Abu Hanifah believed that if a legal case could not be resolved directly from the Qur'an, Hadith, or the practices of the Sahabah (companions of the Prophet), the jurist should apply qiyas to analogize from similar cases that have clear legal foundations.

Despite his preference for ijtihad and qiyas, Imam Abu Hanifah was not averse to tawaqquf. There were certain cases where he abstained from giving a legal ruling due to the lack of sufficient evidence or conflicting narrations. One example is the issue of su'ru al-ḥimār (the saliva of donkeys). There was a conflict in the evidence regarding the permissibility of consuming donkey meat, which directly affected the status of its saliva, as it was considered to be derived from its flesh.

ثَمَانٍ تَوَقَّفَ فِيهَا الإِمَامُ، وَقَدْ عَدَّ ذَلِكَ دَيْنًا مُبِينًا: أَوَانُ الخِتَانِ، وَسُؤْرُ الحِمَارِ، وَفَضْلُ المَلاَئِكَةِ، وَالمُرْسَلِينَا، وَالدَّهْرُ، وَالخِنْثَى، وَالجَلاَّلَةُ، وَالكَلْبُ، وَالطِّفْلُ مِنَ المُشْرِكِينَ[20]

Translation: Imam Abu Hanifah refrained from issuing a legal ruling on eight issues, and this abstention is considered part of a clear principle of caution. The eight issues included the time for circumcision, the saliva of a donkey, the superiority of angels, the status of messengers, the concept of time, and the ruling on intersex individuals (khunṣa), as well as animals fed on impure food (jallalah), dogs, and children from polytheists.

In the case of su'ru al-ḥimār, Imam Abu Hanifah abstained because there was no clear evidence on whether the saliva of a donkey was considered impure. The conflicting narrations on whether donkey meat was permissible or forbidden led to uncertainty about its by-products, such as the saliva. Thus, Imam Abu Hanifah's use of tawaqquf in this issue reflects his rational approach to legal reasoning, prioritizing caution and ensuring that rulings were not made without sufficient clarity from the texts.

2.4. Tawaqquf of Imam Malik

Imam Malik bin Anas (93–179 AH / 713–795 CE) is the founder of the Maliki school and was known for his emphasis on the

[18] Fakhruddin al Razi, *Al Mahsul Fi Ilmi al Ushul*, n.d.
[19] al-Zuhaili, *Usul Fiqh Al-Islami*.
[20] Abu al-Baqa' Ayyub bin Musa al-Husaini al-Kufawi, *Al-Kulliyyat*, 2nd ed. (Beirut: Muassasah al-Risalah, 1998), h. 304.

practice of the people of Madinah (‘amal ahl al-Madinah) as a primary source of law, in addition to the Qur’an, Hadith, and ijma’ (consensus). Imam Malik often refrained from issuing rulings when there was uncertainty or when the textual evidence was unclear or conflicting. He was known for his cautious approach, and his use of tawaqquf was prominent in various legal matters.

A key example of Imam Malik’s tawaqquf is in the case of khinzīr al-baḥr (sea pig). The legal status of eating a sea pig was disputed, as it is considered biologically similar to the land pig (khinzīr al-‘ard) and the Qur’an explicitly forbids pig meat. However, there was no direct textual evidence in the Qur’an or Hadith regarding the permissibility of consuming sea pigs, and this led to conflicting views among scholars.

وَقَدْ سُئِلَ مَالِكٌ عَنْ خِنْزِيرِ الْبَحْرِ فَتَوَقَّفَ فِيهِ[21]

Translation: Imam Malik abstained when asked about the status of sea pigs.

Imam Malik’s tawaqquf on this issue reflects his cautious approach when confronted with conflicting evidence. He refrained from issuing a definitive ruling because the issue involved both the general prohibition on pig meat in the Qur’an and the allowance of sea animals in Surah Al-Mā’idah (5:96), which led to ambiguity regarding the status of sea pigs. Imam Malik chose not to make a definitive ruling in the absence of clear evidence, reflecting the principle of tawaqquf in situations of legal uncertainty.

2.5. Tawaqquf of Imam Shafi‘i

Imam Muhammad ibn Idris al-Shafi‘i (150–204 AH / 767–820 CE) is the founder of the Shafi‘i school and was known for formalizing the principles of usul al-fiqh (jurisprudential methodology), including the use of the Qur’an, Hadith, ijma’, and qiyas as primary sources of law. Imam Shafi‘i generally followed a systematic approach to legal reasoning and rarely adopted tawaqquf, preferring to choose one opinion when presented with conflicting evidence.

However, there are certain instances where Imam Shafi‘i did not decide between two conflicting opinions, and this has been interpreted by some scholars as tawaqquf. Imam Shafi‘i, who often provided responses and rulings for every issue presented to him, stated "there are two opinions" on certain matters, and this statement has been interpreted by some scholars of his school, such as al-Baiḍāwī and others, as an indication of tawaqquf on the part of the Imam.[22] This is reinforced by Ibn Ḥamdān, who stated that Imam Shafi‘i did not always provide a fatwa or answer for every issue asked of him, but instead exercised caution and carefully considered whether to offer an answer or remain silent on a particular matter.

2.6. Tawaqquf of Imam Ahmad bin Hanbal

Imam Ahmad bin Hanbal (164–241 AH / 780–855 CE) is the founder of the Hanbali school and is known for his strict adherence to hadith and his cautious approach to legal reasoning. Imam Ahmad was often reluctant to make definitive rulings without clear evidence, and tawaqquf was a characteristic feature of his jurisprudence.

One notable example of Imam Ahmad’s tawaqquf is in the case of divorce pronounced under the influence of alcohol. There were conflicting views among the Companions regarding the validity of divorce pronounced by someone who was intoxicated. Imam Ahmad refrained from giving a definitive ruling, as there was no clear consensus among the early scholars.

عَنْ أَبِي عَبْدِ اللهِ فِي طَلَاقِ السَّكْرَانِ رِوَايَاتٌ: رِوَايَةٌ يَقَعُ الطَّلَاقُ، وَرِوَايَةٌ لَا يَقَعُ، وَرِوَايَةٌ يَتَوَقَّفُ عَنِ الْجَوَابِ وَيَقُولُ: اخْتَلَفَ فِيهِ أَصْحَابُ رَسُولِ اللهِ[23]

Translation: From Abu Abdullah regarding the divorce of a drunk person, there are several narrations: one narration says the divorce occurs, another says it does not occur, and a third narration says it is suspended from answering, and he says: the companions of the Messenger of Allah disagreed about it

2.7. Theological and Ethical Implications

Tawaqquf in classical jurisprudence is also deeply intertwined with theological principles, particularly the idea of wara‘, or cautious piety. Classical jurists believed that issuing a legal ruling in the absence of clear evidence was not only intellectually irresponsible but also spiritually dangerous. Juristic error on uncertain matters could misrepresent the will of Allah, which could lead to divine displeasure. Thus, tawaqquf was not merely a legal technique but a reflection of the jurist's ethical commitment to divine law.

The principle of sukut al-nass (the silence of the text) further underscores the role of tawaqquf. When the Qur'an or Sunnah remains silent on a particular issue, classical scholars debated whether this silence indicated permission, prohibition, or suspension. The tawaqquf methodology aligns with the latter view, advocating for caution and further investigation rather than presumption. This position reinforces the idea that legal certainty must be based on clear and unequivocal evidence from divine texts, and in their absence, jurists must exercise restraint.

2.8. Muhammadiyah’s Institutionalization of Al-Tawaqquf

In the Manhaj Tarjih Muhammadiyah (methodology of legal reasoning), it is stated that when ta‘āruḍ al-adillah (the conflict of evidences) occurs, the resolution follows a specific order of methods:

a. al-Jam‘u wa al-Taufīq (reconciliation of textual and contextual evidence): This involves accepting and reconciling all evidence, even when they appear to contradict each other. In practice, this method allows flexibility for choosing among the reconciled evidences (takhyīr).

b. al-Tarjīḥ (preference of evidence): This method involves selecting the stronger evidence to be implemented and disregarding the weaker evidence. The preference for certain evidence is based on various aspects: the quality and quantity of the narrators (sanad), as well as the type and nature of the narrations. In terms of the text (matan), a narration using a sigat nahyu (prohibition) is considered stronger than one using a sigat amr (command), while a narration using sigat khāṣ (specific) is stronger than one using sigat ‘ām (general). The final consideration is the external legal context of the evidence.

c. al-Naskh (abrogation): This method involves giving priority to the later revelation when evidence conflicts.

d. al-Tawaqquf (abstaining): This method entails halting the analysis of the current evidence and seeking new, more

[21] Abu Abdillah Muhammad Al-Maziri, *Al Muallim bi Fawaid Muslim*, 2nd ed. (Beirut: Dar al-Gharbi Al-Islami, 1992), h. 203.
[22] Abu Abdillah Ahmad bin Hamdan bin Syabib Ibnu Hamdan Al-Hanbali, *Sifatu Al-Fatwa Wa Al-Mufti Wa Al-Mustafti*, 3rd ed. (Beirut: Al-Maktabu al-Islamiy, 1397).
[23] Ibnu Qudamah, *Al Mugni*, h. 256.

definitive evidence.[24]

From this discussion, it is clear that tawaqquf, as a principle of caution (al-iḥtiyāṭ) in Islamic law (istinbāṭ al-aḥkām), is conceptualized by Majelis Tarjih Muhammadiyah within a systematic methodological framework. In the hierarchy of resolving ta'āruḍ al-adillah, tawaqquf occupies the fourth position as the final mechanism, following al-jam'u wa al-taufīq (reconciliation), al-tarjīḥ (preference), and al-nasakh (abrogation).

This hierarchical placement reflects tawaqquf's strategic role as an epistemic solution when previous methods fail to provide legal certainty due to the ambiguity of evidence (ẓannī al-dalālah) or the complexity of conflicting arguments (ta'āruḍ al-adillah) encountered by the participants in deliberations held by Majelis Tarjih dan Tajdid. Therefore, it can be understood that tawaqquf in Manhaj Tarjih Muhammadiyah is not positioned by the Majelis Tarjih dan Tajdid Muhammadiyah as a passive step, but as a measured methodological response to prevent subjectivity in collective ijtihad within the Majelis Tarjih Muhammadiyah and, at the same time, to preserve the integrity of the legal decision-making process, which is oriented towards ḥujjiyyah (validity) and socio-religious relevance.

Upon further examination, it becomes apparent that Muhammadiyah has developed or institutionalized three key legal products within its manhaj tarjih: Putusan Tarjih (Final Legal Decisions), Fatwa Tarjih (Fatwas), and Wacana Tarjih (Discourse). Therefore, from the perspective of tarjih products, the tawaqquf decisions made by Majelis Tarjih Muhammadiyah can be categorized as part of Fatwa Tarjih. This means that the process of legal decision-making, which culminates in a tawaqquf ruling, falls within the institutionalized framework produced by Majelis Tarjih Muhammadiyah. This is because the issues that are subject to tawaqquf by the Majelis Tarjih do not reach the level of the highest legal product, which is the Putusan Tarjih Muhammadiyah, as compiled in the HPT (Himpunan Putusan Tarjih). They also do not fall within Wacana Tarjih, as the issues that eventually end in tawaqquf have already been discussed thoroughly in several sessions and deliberations. After careful discussion, the outcome is the decision to tawaqquf the matter at hand, thus classifying the issue within the second level of tarjih products, specifically as a Fatwa Tarjih.

Qunut Witir is one of the issues that has been subjected to al-tawaqquf (suspension of judgment) by Majelis Tarjih Muhammadiyah. The discussions regarding the legal ruling on qunut, including qunut subuh, qunut nazilah, and qunut witir, have been prolonged among the scholars (fukaha'). At least three factors contribute to the prolonged debate on this issue. First, the number of hadiths regarding qunut is numerous, with varying messages, and contradictions have even occurred between one narration and another. Second, it is recorded that the Prophet Muhammad performed qunut but did not mandate it, and later, he ceased doing it (did not perform it again). However, no sahih or even hasan narrations are found to prohibit it. There are hadiths narrated by Ibnu 'Umar and Ibnu Abbas claiming that qunut is bid'ah (innovation in worship), and a narration from Ummu Salamah claiming that the Prophet Muhammad forbade the act of qunut. However, according to Ibn Hajar al-Asqalani in his work *al-Dirayah fi Takhrīji Aḥādīṡ al-Hidāyah*, all of these narrations are weak (ḍa'īf). The third factor is a narration by Ibnu Abi Syaibah, which is deemed sahih by Ibn al-Turkamanī in his book *Jauhar al-Naqiyy*, stating that Ali bin Abi Ṭālib performed qunut subuh merely to ask for Allah's assistance against the enemies.

لَمَّا قَنَتَ عَلِيٌّ فِي صَلَاةِ الصُّبْحِ، أَنْكَرَ النَّاسُ ذَلِكَ. فَقَالَ (عَلِيٌّ): إِنَّمَا اسْتَنْصَرْنَا عَلَى عَدُوِّنَا[25]

Translation: When Ali bin Abi Thalib (may Allah be pleased with him) performed qunut during Fajr prayer, people rejected it. Then Ali said: "We only sought help from Allah against our enemy" (Narrated by Ibnu Abi Syaibah).

With Ibn al-Turkamanī's commentary on the authenticity of this hadith, it is reasonable to suspect that the practice of qunut after rising from ruku' was re-established after the conflicts and battles between Ali bin Abi Ṭālib's group and Mu'awiyah bin Abi Sufyan. Therefore, the issue of qunut became contentious, and eventually, the Imam Mazhab differed in their legal opinions regarding the practice of qunut. Imam Abu Hanifah opined that qunut subuh is bid'ah, but qunut witir is sunnah. On the other hand, Imam Malik held that qunut subuh is sunnah, but qunut witir is not encouraged. Imam Shafi'i believed that both qunut subuh and qunut witir are sunnah starting from the middle of Ramadan. Meanwhile, Imam Ahmad bin Hanbal and Ishaq bin Rawahaih believed that qunut witir is sunnah from the middle of Ramadan, and qunut is not recommended in the obligatory five daily prayers unless there is an oppression against the Muslim community.[26]

In addressing this complex issue, Majelis Tarjih dan Tajdid Muhammadiyah applies a hadith research methodology according to the scholarly standards set by ulama al-hadith. The first step taken by the Majelis Tarjih team is to gather all hadith narrations related to the subject of study, in this case, the legal status of qunut. All identified hadith texts are then examined through the verification process of sanad credibility, applying standard sahih criteria, or in other words, testing the validity of the sanad by established methods of authentication. This process includes analyzing the integrity of the narrators, the continuity of transmission, and the absence of hidden defects (illat) in both the text (matan) and the chain of narrators (sanad). Only after thorough sanad validation does the team proceed to further analyze the content of the matan of the hadiths regarding qunut.

Through this ijtihad process, Majelis Tarjih dan Tajdid Muhammadiyah concluded that qunut subuh is not legally required, as there is no sahih evidence that mandates or confirms it as a sunnah specifically. On the other hand, the status of qunut witir was tawaqquf (suspended) due to the lack of consensus or definitive evidence on the matter. In the HPT (Himpunan Putusan Tarjih), detailed explanations regarding the issue of qunut are as follows:

1. The Majelis Tarjih holds that qunut, meaning prolonged standing for recitation and supplication in prayer, is legitimate.
2. The Majelis Tarjih does not support the view that this standing is specifically called qunut al-Fajr, which has been disputed in its legal status.
3. The Prophet performed qunut nazilah until Allah revealed the verse: "You have no say in the matter" (Q.S. Ali Imran: 3/129).
4. The Majelis Tarjih has suspended judgment on the status of the hadith about qunut witir and its validity as a proof for its implementation.

Based on the Majelis Tarjih's fatwa, their legal stance on qunut differs significantly from the positions of the four Sunni madhhabs. While Imam Abu Hanifah regards qunut subuh as bid'ah but affirms qunut witir as sunnah, and Imam Malik views qunut subuh as sunnah but does not recommend qunut witir, Imam Shafi'i believes both qunut subuh and qunut witir to be sunnah from mid-Ramadan onwards. Imam Ahmad bin Hanbal and Ishaq bin Rawahaih see qunut witir as sunnah from the

[24] Syamsul Anwar, *Manhaj Tarjih Muhammadiyah* (Yogyakarta: Majelis Tarjih dan Tajdid Pimpinan Pusat Muhammadiyah, 2018).

[25] Abu Bakar Abdullah bin Muhammad Ibnu Abi Syaibah, *Al-Musannaf Li Ibni Abi Syaibah*, 1st ed., vol. 3, 25 vols. (Riyadh: Dar Kunuz Isybiliya li Al-Nasyr wa Al-Tauzi', 2015).

[26] Abu Malik Kamal Ibni Al-Sayyid Salim, *Sahih Fiqhi Al-Sunnah Wa Adillatuhu Wa Taudhih Mazahib al-Aimmah*, 15th ed., vol. 1, 4 vols. (Mesir: Al- Maktabah al-Taufiqiyyah, 2016).

middle of Ramadan, while Majelis Tarjih Muhammadiyah holds that qunut subuh is not required, qunut nazilah may be practiced with specific conditions, and qunut witir remains tawaqquf

2.9. Comparative Analysis: Muhammadiyah and the Four Schools

The comparative analysis between Muhammadiyah's institutional implementation of al-tawaqquf and its treatment in the four Sunni legal schools—Hanafi, Maliki, Shafi'i, and Hanbali—reveals both continuities and innovations. While Muhammadiyah inherits much of its theoretical foundation from classical jurisprudence, it has restructured the application of tawaqquf into a collective, formalized, and progressive legal practice. This transformation reflects a shift from personalized juridical discretion to modern institutional governance, which has implications for both theological and social-political structures within Muhammadiyah.

2.10. Foundational Ethos: Epistemic Humility

All four Sunni schools—Hanafi, Maliki, Shafi'i, and Hanbali—share a foundational ethos of epistemic humility, central to the practice of tawaqquf. Imam Ahmad ibn Hanbal's frequent use of the phrase "lā adrī" (I do not know) epitomizes this humility. Similarly, Imam Malik's reluctance to provide a ruling on issues without clear precedent reflected his awareness of human limitations in interpreting divine law. In this vein, tawaqquf in these schools is viewed not as a failure to act, but as an act of intellectual caution and respect for divine law's sanctity.

Muhammadiyah sustains this tradition of humility but adapts it for a modern, collective, and institutional setting. In Muhammadiyah's framework, tawaqquf is not simply an individual jurist's retreat but a publicly accountable strategy that reflects intellectual rigor and societal responsibility. It positions tawaqquf as an institutional, formalized approach rather than the individual hesitation observed in classical jurisprudence. By incorporating tawaqquf into a collective council like Majelis Tarjih dan Tajdid, Muhammadiyah transforms this humble methodology into a guiding principle that ensures that the decisions reflect a broader consensus, taking into account contemporary societal needs and scientific developments.

2.11. Authority: Individual Mujtahid Versus Collective Council

In classical models, tawaqquf was a personal decision made by qualified mujtahids, such as Imam al-Shafi'i or Abu Hanifah, based on their mastery of the Islamic sources—Qur'an, Hadith, and ijma' (consensus). These jurists held individual authority to decide when to suspend judgment. Their rulings were grounded in their scholarly expertise, particularly in usul al-fiqh (the principles of Islamic jurisprudence) and their deep understanding of Hadith and consensus. In this tradition, tawaqquf was the individual mujtahid's discretion when faced with conflicting or ambiguous evidence.

In contrast, Muhammadiyah's model locates the authority of tawaqquf within a collective body—the Majelis Tarjih dan Tajdid—which makes decisions through ijma' jamā'ī (collective consensus). This shift from individual to collective decision-making broadens the scope of authority and integrates diverse scholarly disciplines, including non-theological sciences, into the legal decision-making process. The collective nature of Majelis Tarjih's deliberations allows for a more holistic approach, encompassing not only theological considerations but also social, ethical, and empirical dimensions, such as in bioethics, environmental law, and financial practices.

2.12. Methodology: Text-Centric versus Contextual Ijtihad

The four classical Sunni schools shared a text-centric approach to Islamic law, with varying methodologies for addressing textual ambiguity:

1. Hanafi scholars commonly employed qiyas (analogy) to bridge gaps when direct textual evidence was lacking.
2. Maliki scholars emphasized 'amal ahl al-Madinah (the practice of the people of Madinah), viewing it as a valid source of law.
3. Shafi'i scholars preferred strict adherence to nas (texts), and Hanbali scholars were particularly focused on Hadith, even when rational inferences were not available.

These schools relied heavily on textual evidence but differed in their methods for dealing with uncertainty. In contrast, Muhammadiyah integrates tawaqquf into its approach only when neither textual nor contextual analysis provides a definitive answer. Majelis Tarjih, using manhaj tarjih, weighs the strength of textual evidence alongside maqasid al-shariah (objectives of Islamic law) and empirical reality. In cases where these factors do not yield a clear resolution, tawaqquf is applied. This is evident in fatwas addressing modern issues, such as genetic engineering or financial technologies, where empirical sciences are considered in assessing whether the practices align with shariah objectives.

2.13. Temporality and Dynamism

In classical jurisprudence, tawaqquf was often indefinite, remaining unaddressed until new textual evidence or insights emerged. Unresolved theological issues, such as those regarding divine attributes, could remain suspended for centuries. However, Muhammadiyah treats tawaqquf as a temporary, conditional response that is regularly reassessed. Through forums such as Musyawarah Nasional Tarjih, previous suspensions are revisited in light of new knowledge, ensuring that the legal framework evolves in response to changing societal and technological realities. This procedural dynamism marks a significant departure from classical models, where tawaqquf could remain unchanged for generations.

2.14. Transparency and Public Engagement

Another important difference is in the communication of tawaqquf decisions. In classical Islamic jurisprudence, rulings were typically shared within scholarly circles and often not made accessible to the general public. In contrast, Muhammadiyah publishes its fatwas, including those marked by tawaqquf, in publicly accessible formats such as online platforms and community bulletins. This democratization of legal discourse not only promotes transparency but also helps the public understand the reasoning behind scholarly hesitation, enhancing the legal consciousness of the lay community. By framing tawaqquf as a proactive, responsible decision rather than an evasive one, Muhammadiyah shields itself from accusations of indecision .

2.15. Integration with Maqasid Al-Shariah

A significant innovation in Muhammadiyah's approach is the integration of tawaqquf with maqasid al-shariah (the higher objectives of Islamic law). While classical scholars used tawaqquf primarily in epistemological or theological contexts, Muhammadiyah applies it to ensure that fatwas align with broader goals such as justice, public welfare, and the prevention of harm. By embedding maqasid al-shariah within the practice of tawaqquf, Muhammadiyah reconciles traditional jurisprudence with contemporary challenges, ensuring that legal decisions are both faithful to Islamic principles and responsive to modern-day realities.

Aspect	Classical Sunni Schools	Muhammadiyah's Approach
Foundational Ethos	Epistemic humility central to all four schools. Imam Ahmad ibn Hanbal's "lā adrī" reflects intellectual caution.	Muhammadiyah inherits epistemic humility but adapts it into a modern, collective, institutional setting. Tawaqquf becomes a publicly accountable strategy reflecting intellectual rigor and societal responsibility.
Authority	Individual mujtahids (e.g., Imam al-Shafi'i, Abu Hanifah) make decisions based on personal scholarly discretion and expertise.	Authority is located within the collective body—Majelis Tarjih dan Tajdid—making decisions through ijma' jamāʿī (collective consensus) integrating diverse disciplines, including empirical sciences.
Methodology	Text-centric with varying approaches: Qiyas (Hanafi), 'Amal Ahl al-Madinah (Maliki), strict adherence to Nas (Shafi'i), and focus on Hadith (Hanbali).	Muhammadiyah integrates textual analysis and contextual ijtihad. Tawaqquf is applied when neither textual nor contextual analysis provides clear answers. Manhaj Tarjih is used to weigh evidence, maqasid al-shariah, and empirical reality.
Temporality and Dynamism	Tawaqquf was often indefinite and remained unaddressed until new evidence emerged.	Tawaqquf in Muhammadiyah is seen as temporary and conditional, regularly reassessed in light of new knowledge, ensuring legal evolution with societal and technological changes.
Transparency and Public Engagement	Decisions are often made within scholarly circles and not communicated widely.	Muhammadiyah makes tawaqquf decisions public, through accessible platforms and community bulletins, promoting transparency and enhancing public understanding of legal reasoning.
Integration with Maqasid Al-Shariah	Tawaqquf is used mainly in epistemological or theological contexts.	Muhammadiyah integrates tawaqquf with maqasid al-shariah (higher objectives of Islamic law), ensuring decisions align with justice, public welfare, and the prevention of harm, addressing contemporary challenges.

3. CONCLUSION

The comparative analysis of tawaqquf between Muhammadiyah and the four classical Sunni legal schools underscores a crucial shift in the evolution of Islamic jurisprudence. While the foundational principles of epistemic humility and caution in the face of ambiguity remain integral across all schools, Muhammadiyah's approach innovatively institutionalizes tawaqquf, adapting it to the collective decision-making processes of a modern religious organization. This shift reflects a broader trend in contemporary Islamic legal thought, where ijtihad is not only a personal responsibility but a collective endeavor, involving interdisciplinary insights and social accountability.

The urgency of this discussion lies in the fact that modern issues—ranging from bioethics and technology to financial systems and environmental law—require Islamic legal institutions to rethink their traditional frameworks. Muhammadiyah's integration of tawaqquf with maqasid al-shariah (the higher objectives of Islamic law) ensures that the practice does not remain static or overly rigid, but evolves dynamically in response to contemporary challenges. This model not only enriches the theoretical landscape of ijtihad but also strengthens the relevance of Islamic law in addressing real-world problems in a way that is both faithful to tradition and responsive to modern needs.

The impact of this approach is profound for the future of Islamic law. Muhammadiyah's institutionalization of tawaqquf offers a compelling model for other Islamic legal bodies, enabling them to tackle complex legal and ethical issues with intellectual rigor, legal clarity, and social responsibility. By embracing tawaqquf as a strategic tool, Islamic legal systems can protect the integrity of shariah while actively engaging with the fast-paced developments of the modern world. This not only preserves the relevance of Islamic law but also promotes a more inclusive, transparent, and dynamic legal discourse—an essential foundation for the flourishing of Islamic jurisprudence in the 21st century.

Authors Contribution:

Zainal Abidin is responsible for planning the research, preparing the framework, and collecting data. A. Qadir Gassing, Muhammad Shuhufi Abdullah, and Darmawati H are responsible for processing the data and compiling the initial draft of the manuscript. Fouad Larhzizer, Hamzah Hasan, Misbahuddin, and Abdul Wahid Haddade supervise and adjust the methodology, complete the data, edit, check the references, and perfect the final draft.

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