

## Sound Horeg In The Perspective of Maqāṣid Al-Sharī'ah: Analysis of The East Java MUI Fatwa Number 1 Of 2025

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**Abstract:** The phenomenon of using sound horeg in East Java society gave birth to social and health polemics, so the East Java Indonesian Ulema Council (MUI) forbade it through Fatwa No. 1 of 2025. This article aims to examine the ijihad method used in the determination of the East Java MUI fatwa No. 1 of 2025 and how from the perspective of maqāṣid al-syarī'ah. The research method uses a qualitative approach based on literature study and content analysis of fatwas, complemented by fiqh rules and shari'i arguments. The results show that the ijihad of MUI East Java is contextual with the following steps *taḥqīq al-manāṭ* through an assessment of the social impact of high-volume sound and *istinbāt al-ahkām* using *qiyyas* coupled with the fiqh rule of *dar'ul mafṣadah muqaddamun 'ala jalbil maṣāliḥ* (preventing harm takes precedence over attracting maslahat), maqashid sharia analysis that sound horeg is only *tabī'iyyah* (entertainment, prestige), while the harm touches *ashliyyah* (protecting the soul, protecting the mind, protecting property, and maintaining order). Therefore, MUI East Java's fatwa No. 1 of 2025 is the result of integrative contemporary ijihad, combining classical sharia texts with modern social reality. This shows a methodological shift in fatwa from merely normative to responsive, by prioritizing the principle of maqāṣid al-syarī'ah as the main instrument to maintain the benefit of the people.

**Keywords:** Sound Horeg, Maqashid Al Shari'ah, Fatwa, Indonesian Ulama' Council.

**Abstrak:** Fenomena penggunaan sound horeg di masyarakat Jawa Timur melahirkan polemik sosial dan kesehatan, sehingga Majelis Ulama Indonesia (MUI) Jawa Timur mengharamkannya melalui Fatwa No. 1 Tahun 2025. Artikel ini bertujuan untuk mengkaji metode ijihad yang digunakan dalam penetapan fatwa MUI Jawa Timur No. 1 Tahun 2025 dan bagaimana perspektif maqāṣid al-syarī'ah. Metode penelitian menggunakan pendekatan kualitatif berdasarkan studi literatur dan analisis isi fatwa, dilengkapi dengan kaidah fikih dan dalil-dalil syar'i. Hasil penelitian menunjukkan bahwa ijihad MUI Jawa Timur bersifat kontekstual dengan langkah *taḥqīq al-manāṭ* melalui pengkajian terhadap dampak sosial dari suara yang bervolume tinggi dan *istinbāt al-ahkām* dengan menggunakan *qiyyas* yang dipadukan dengan kaidah fikih *dar'ul mafṣadah muqaddamun 'ala jalbil maṣāliḥ* (menolak kemudharatan lebih didahulukan daripada menarik maslahat), analisis maqashid syariah bahwa sound horeg hanya bersifat *tabī'iyyah* (hiburan, gengsi), sedangkan mudharatnya menyentuh *ashliyyah* (menjaga jiwa, menjaga akal, menjaga harta, dan menjaga ketertiban). Oleh karena itu, fatwa MUI Jawa Timur No. 1 Tahun 2025 merupakan hasil ijihad kontemporer yang integratif, memadukan teks-teks syariah klasik dengan realitas sosial modern. Hal ini menunjukkan adanya pergeseran metodologis fatwa dari yang semula bersifat normatif menjadi responsif, dengan mengedepankan prinsip maqāṣid al-syarī'ah sebagai instrumen utama untuk menjaga kemaslahatan umat.

**Kata Kunci:** Sound Horeg, Maqashid Al Shari'ah, Fatwa, Majelis Ulama Indonesia.

## 1. Introduction

One type of music that is of interest to the younger generation today is sound horeg. Some time ago, the existence of sound horeg caused various responses in the community, so that the East Java MUI fatwa No. 1 of 2025 was born about the prohibition and permissibility of using sound horeg. Horizontal conflict besides that there is a group of people totaling 828 people in East Java who reject the existence of sound horeg.<sup>1</sup> Initially, the use of sound horeg was a simple musical loudspeaker used to accompany celebrations, weddings, and religious holidays. As time progressed, there were modifications to improve the addition of large subwoofers, stronger amplifiers, audio devices that could produce very low bass and strong booms from the party event to the procession until the peak of the race as happened in Lubuk alung in 2025. With this femonema so that, the East Java MUI fatwa No. 1 of 2025 was born about the use of sound horeg.<sup>2</sup>

This article will examine the relationship between Sound Horeg, *Maqāṣid al-Shārī'ah*, *Ashliyyah*, and *Tabrīyyah* in a systematic and easily understandable manner. The relationship between these concepts is not a parallel relationship, but a hierarchical-corrective (dialectical) relationship. The concept of *maqāṣid al-shārī'ah* departs from the premise that Islamic law is not arbitrarily imposed, but rather has a teleological purpose to bring about benefits and prevent harm (*jalb al-maṣāliḥ wa dar' al-mafāsid*). Al-Ghazālī asserts that all Sharia law boils down to the protection of five primary interests: religion, life, intellect, lineage, and property. This view was later developed systematically by al-Shāṭibī, who emphasized that *maqāṣid* is not merely the wisdom of the law, but the normative foundation for the validity of the law itself.<sup>3</sup>

The term *maqāṣid al-ashliyyah* refers to the legal objectives that are directly attached to the creation of Sharia law and are primary and universal in nature. In usul fiqh literature, this concept intersects with the rule: "the original law is that everything is permissible. Unlike *maqāṣid al-ashliyyah*, which is normative-presumptive in nature, *maqāṣid al-tabrīyyah* is rooted in the natural properties of an object or action and its empirical impact on human life. This concept is widely discussed in contemporary fiqh literature that integrates.<sup>4</sup>

## 2. Literatur review

The research on the use of sound horeg is very interesting to be explored further with the fatwa of MUI of East Java about the use of sound horeg in 2025. But research on the use of sound horeg music in general has been done a lot, like Galieh Damayanti<sup>5</sup>, Mohammad Fikri, Elham Wulan Aprilia et al<sup>6</sup>. from some research on sound horeg, what becomes different from the article that the author writes is from the point of view of sound horeg through MUI fatwa no 1 of 2025 about the use of music in Islamic law, there are differences of opinion of scholars,

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<sup>1</sup> Didik suhajadi Mohammad Fikri, "Sound Horeg sebagai wacana kebudayaan populer: kajian kritik budaya atas respon Keagamaan di Jawa Timur Sound Horeg as A Popular Cultural Discourse : A Cultural Criticism Study of Religious Responses in East Java a Sekolah Tinggi Ilmu Syariah Nurul Qarna," *Jurnal Sintaksis*, 2025, 25–41.

<sup>2</sup> Indra Wijaya, "Penegakan Hukum Pembatasan Sound Pressure Level Pada Karnaval Sound System," *Jurnal Panorama Hukum* 7, no. 2 (2022): 192–200, <https://doi.org/10.21067/jph.v7i2.7836>.

<sup>3</sup> Jasser Auda, "Maqasid Al-Shariah As Philosophy Of Islamic Law: A Systems Approach," 2008.

<sup>4</sup> Abdurrahman Kasdi and Dosen Stain Kudus, "Maqasyid Syari' Ah Perspektif Pemikiran Imam Syatibi Dalam Kitab," *Yudisia*, 2014, 63.

<sup>5</sup> Galieh Damayanti, "Sound Horeg Parade: A Cultural Legal Perspective," *International Journal Of Humanities Education and Social Sciences (IJHESS)* 4, no. 5 (2025): 2316–22, <https://doi.org/10.55227/ijhess.v4i5.1498>.

<sup>6</sup> Mohammad Fikri, "SOUND HOREG SEBAGAI WACANA KEBUDAYAAN POPULER : KAJIAN KRITIK BUDAYA ATAS RESPON KEAGAMAAN DI JAWA TIMUR Sound Horeg as A Popular Cultural Discourse : A Cultural Criticism Study of Religious Responses in East Java a Sekolah Tinggi Ilmu Syariah Nurul Qarna."

some allow some forbid.<sup>7</sup> For scholars who forbid music it is based on the prophet's hadith "there will be at the end of time people who consider lawful adultery, liquor, and musical instruments, and they will sink into the earth." on the other hand for scholars who legalize it is also based on the prophet's hadith "Indeed there will be from my Ummah a people who legalize adultery, silk, alcohol, and musical instruments".<sup>8</sup>

This research aims to analyze the fatwa of MUI East Java No. 1 of 2025 on the aspect of maqashid sharia in the prohibition of the use of sound horeg. In order to be more focused on this research in obtaining data, the author formulates two questions: how the ijtihad method of MUI East Java No. 1 of 2025 in deciding the use of sound horeg and how the implementation of maqashid sharia in the fatwa of MUI East Java No. 1 of 2025. Therefore, this article uses theories related to the topic, such as maqashid syariah, ashliyyah, and thabi'iyyah. Among the unique aspects of this article is that it describes and analyzes the use of audio in a mafasadah manner, whereas most studies examine digital audio content, such as TikTok and YouTube, which contain pornographic and indecent content, whereas this article focuses on visuals such as sound horeg, which is synonymous with loudspeakers that produce loud banging sounds.

### 3. Research Methods

This article uses qualitative research by collecting descriptive information from written works, spoken words, or behavioral observations. With the type of library research, as for the approach in this study, using a normative juridical approach with primary data sources fatwa MUI East Java No. 1 of 2025 concerning the use of sound horeg<sup>9</sup>. And secondary data in the form of papers published in the form of journals, books, and books. then data collection techniques using documentation. After the data is collected, the data analysis technique uses descriptive analysis and draws conclusions.<sup>10</sup>

### 4. Results And Discussion

#### A. Ijtihad Method Used In The Determination of MUI East Java Fatwa No. 1 Year 2025

The birth of MUI fatwa No. 1 East Java in 2025 began with the emergence of the phenomenon of the use of sound horeg that disturbed the peace of community activities, and some even harmed the community financially. Based on this phenomenon, MUI East Java received a letter of request from community members on July 3, 2025. then the emergence of pros and cons among the community against the existence of sound horeg, especially in East Java, each even the pros and cons have the potential to lead to horizontal conflict. Besides that, there is a group of people totaling 828 people in East Java who reject the existence of sound horeg.<sup>11</sup>

In its fatwa, MUI East Java examines and studies several verses of the Qur'an and hadith in addressing the use of sound horeg, for example, the verse of the Qur'an about the prohibition

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<sup>7</sup> Pandu Arya Winanda and Syariful Alam, "Behind The Scenes Implementation of Islamic Law and Positive Law in Re- Sponding To ' Sound Horeg ' In Indonesia" 14, no. 3 (2025): 809–19.

<sup>8</sup> Ahmad Ahmad Fauzi, Nasrulloh Nasrulloh, and Annafik Fuad Hilmi, "Pengaruh Sound Horeg Terhadap Lingkungan Sekitar Dalam Perspektif Ayat Al-Qur'an Surat Al-A'raf Ayat 31 Pada Penafsiran Ibnu Katsir," *Journal of International Multidisciplinary Research* 2, no. 11 (2024): 170–76, <https://doi.org/10.62504/jimr973>.

<sup>9</sup> Yola Ayunda Salsabilah Mia Aulina, "Jurnal Intervensi Sosial ( JINS ) Small-Scale," *Jurnal Intervensi Sosial (JINS)* 2, no. 1 (2023): 45–53, <https://talenta.usu.ac.id/is/article/view/17205/8222>.

<sup>10</sup> Hendri Hendri et al., "Tokoh Falak Minangkabau (Studi Pemikiran Saadoeddin Djambek Dan Tahir Jalaluddin)," *Islam Transformatif: Journal of Islamic Studies* 3, no. 1 (2019): 89, <https://doi.org/10.30983/it.v3i1.1157>.

<sup>11</sup> Dian Permata Puspita, Wandi Adiansah, and Dyana Chusnulitta Jatnika, "URGENSI KEBIJAKAN INKLUSIF DALAM KONFLIK TREN PARADE SOUND HOREG : KAJIAN LITERATURE" 7 (2018).

of bringing oneself to destruction<sup>12</sup>. Surah al-Baqarah verse 195 then the verse of the Qur'an about the prohibition of hurting others as in Surah al-ahzab verse 58, then the verse of the Qur'an about the prohibition of doing damage on the surface of the earth in Surah al-A'raf verse 74 then there is also a verse of the Qur'an about the prohibition of mixing truth with falsehood contained in Surah al-Baqarah verse 42 and the verse of the Qur'an about obeying the commands of Allah SWT in Surah an-Nisa verse.

In the above-mentioned verses contained in the East Java MUI Fatwa No. 1 of 2025, there are prohibitions (*Nahi*) and commands (*Amar*) not to do damage to the earth's surface and prohibitions not to harm others. The use of sound horeg whose purpose is to listen to music at folk parties or celebrations, is a local cultural identity, pride, and prestige, basically the use of sound horeg to show the excitement of a public activity.<sup>13</sup>

Furthermore, in the East Java MUI Fatwa No. 1 of 2025, in addition to the verses of the Koran, also in its consideration there are also hadith, such as the hadith of the Prophet narrated by ibnu majah, ahmad malik, and thabrani about the Hadith of the Prophet *sallahu 'alaihi wa sallam* related to the prohibition of harming oneself and others, then the Hadith of the Prophet *sallahu 'alaihi wa sallam* related to the prohibition of harming and making it difficult for others narrated by Abu Daud. Then the Hadith of the Prophet *sallahu 'alaihi wa sallam* related to the substance of Muslims narrated by HR. Muslim. Then, the Hadith of the Prophet (peace and blessings be upon him) regarding the prohibition of interfering with the path of others, which was narrated by HR. Al-Thabrani. Then the Hadith of the Prophet (peace and blessings be upon him) regarding the prohibition of mixing men with women, which was narrated by HR. Abu Daud. Then the Hadith of the Prophet (peace and blessings be upon him) regarding the prohibition of looking at the awrah, which was narrated by HR. Muslim. Then the Hadith of the Prophet (peace and blessings of Allah be upon him) regarding the command to change the evil, which was narrated by HR. Muslim.<sup>14</sup>

In addition to the verses of the Qur'an and hadith that become references in the determination of MUI East Java fatwa No. 1 of 2025 also refers to fiqh rules, such as the basic principle in *muamalat* is *Al-Ashl fii al-mu'aamalah al-ibaahah hattaa yadulla ad-dalil 'ala tahriimih*.<sup>15</sup> Furthermore, the rule, al-Dhararu Yuzalu. Then the rule of preventing damage (mafsadah) must take precedence over taking benefit. Then the rule of *Idzā ta'araḍat mafsadatāni rū'iya a'zamuhumā ḥararan birtikābi akhaffihimā* is also a fiqh rule about government policies over its people based on benefits such as *taṣarruful imāmi 'alar-ra'iyyati manūṭun bil-maṣlahah*.<sup>16</sup>

Furthermore, in the MUI Fatwa No. 1 of 2025, it also considers the opinions of sheikhs and scholars in classical books such as Sheikh Hasanain Makhluf, a mufti of al-Azhar, stating that any means that can lead to efforts so as not to fall into destruction is shar'i obligatory. He also cited al-Fiqh al-Islami wa Adzillatuh 388/4 in his reasoning, which explains the use of

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<sup>12</sup> Abdillah Adhim, "Sound Horeg Dalam Timbangan Syariat: Analisis Fiqh Sosial Dan Kemasyarakatan," *El-Qisth Jurnal Hukum Keluarga Islam* 8, no. 01 (2025): 26–32, <https://doi.org/10.47759/hextkx47>.

<sup>13</sup> Feny Fathuri Yan Putri, "Analisis Fatwa Majelis Ulama Indonesia Jawa Timur Nomor 1 Tahun 2022 Tentang Hukum Game Higgs Domino Island," *Locus: Jurnal Konsep Ilmu Hukum* 3, no. 3 (2023): 165–75, <https://doi.org/10.56128/jkjh.v3i3.102>.

<sup>14</sup> M U I Jawa Timur, "Dewan Pimpinan," no. 5 (2022): 1–14.

<sup>15</sup> Hendri Dahyul Daipon, "Bisnis Aplikasi Vtube Dalam Perspektif Hukum Ekonomi Syariah Vtube Application Business in the Perspective of Sharia Economic Law," *Jurnal Hukum Islam* 19, no. 1 (2021): 113–32.

<sup>16</sup> Ismail et al., "The Contribution of 'Urf To the Reform of Islamic Inheritance Law in Indonesia," *Al-Risalah: Forum Kajian Hukum Dan Sosial Kemasyarakatan* 22, no. 2 (2022): 165–78, <https://doi.org/10.30631/alrisalah.v22i2.1243>.

rights in accordance with sharee'ah.<sup>17</sup> He also cites Qalaid al-Kharaid II/356, which states that it is obligatory to prevent and eliminate that which harms others.

Furthermore, also in the book Al-Bujairami 'ala al-Manhaj 272/10 explained about activities that are not in accordance with custom. then in the book in al-Fiqh al-Islami wa Adzillatuh 394/4 explained about the use of rights that harm others. and also in consideration of quoting income in Tuhfah al-Muhtaj 173/25, explained about compensation for the use of rights that exceed reasonableness. And also got Wahbah Zuhaili in the book in al-Fiqh al-Islami wa Adzillatuh 559-563/7 explained about the obligation of responsibility of the actions that cause damage. Furthermore, it also cites the opinion in Kifayah al-Akhyar, 930, which explained the obligation to cover the aurat absolutely<sup>18</sup>. Kifayatul Akhyar is a Shafi'i fiqh book authored by Al-Imam Taqiyuddin Abu Bakr bin Muhammad Al-Husaini Ad-Dimasyqi, better known as Ibn Al-Husaini. This book is a syarah (explanation) of the book Al-Mukhtashar by Imam Abu Ishaq Al-Sirazi. Kifayatul Akhyar is considered one of the important references in the Shafi'i school of thought because it presents a complete, systematic, and easy-to-understand discussion, making it very useful for fiqh scholars.

Furthermore, it also cites the opinion in the book of Is'ad al-Rafiq 67/2 that there is a prohibition on the mixing of men and women who are not mahrams in a gathering place.<sup>19</sup> The book of Is'adur Rofiq is an important work in the field of Sufism, written by Shaykh Muhammad ibn Salim ibn Sa'id Babashil as-Shafi'i.<sup>20</sup> As a Shafi'i school of fiqh and Sufism, Shaykh Babashil was known for his ability to expound profound spiritual teachings. The book is a commentary on Habib Abdullah bin Husain bin Thohir's Sulamut Taufiq, which is also one of the classics of Sufism.

Furthermore, it also quotes the book In Is'ad al-Rafiq 67/2, which explained about the scope of sin. Then also quoted the opinion of Imam al-Ghazali, in al-Mustasfa 438/1 states that benefit is protection (protection) against the objectives of shara' while the objectives of shara' for humans are five; namely the protection of religion, soul, mind, offspring, and property / then also quoted the opinion in Qawa'id al-Ahkam fi Mashalih al-Anam 122/2 mentioned that the ruler and his representatives must take the best policy for the people, in order to reject danger and damage and can bring benefits and goodness. From several references, both in the texts of the Koran and hadith and the opinions of scholars referred to in classical fiqh books, it can be illustrated in the table below.<sup>21</sup>

Table 1. Basic Reference In The Fatwa of MUI East Java No. 1 Year 2025

No	Reference Source	Name Of The Letter And Verse	About
1.	Al Qur'an	QS. Al-Baqarah [2]:195)	Prohibition Of Falling Into Perdition.
		QS. Al-Ahzab [33]: 58)	Prohibition Of Harming Others
		(QS. Al A'raf [7]: 74).	Prohibition Of Corruption On Earth
		QS. Al-Hasyr' [59]: 7)	The Command To Do What The Prophet Came To Do And To Leave What He Forbade.
		QS. Al-Baqarah [2]: 42)	The Command To Do What The Prophet Came To Do And To Leave What He Forbade
		QS. An-Nisa' [4]: 59	The Command To Obey Allah, The Messenger, And The Authority.

<sup>17</sup> Wahbah Az-Zuhaili, "Fiqh Islam Wa Adillatuhu Dan Terjemahannya Jilid 4," Jakarta : Gema Insani, 2011, [www.tedisobandi.blogspot.com](http://www.tedisobandi.blogspot.com).

<sup>18</sup> Taqiyuddin, "Kifayatul Akhyar.Pdf," *Kitab Kifayatul Akhyar*, n.d.

<sup>19</sup> Syaikh Muhammad bin Salim bin Sa'id Babashil as-Syafi'i, "Is'adur Rofiq Wa Bughyatus Sidhiq Jilid 2," 1931, 67.

<sup>20</sup> شیعی غلامحسین، Syaikh Muhammad Bin Salim Bin Sa'id Babashil as-Syafi'i, vol. 17, 1385.

<sup>21</sup> Ismail et al., "The Contribution of 'Urf To the Reform of Islamic Inheritance Law in Indonesia."

2.	Hadist	Hadits Nabi shallahu 'alaihi wa sallam	Prohibition Of Harming Oneself And Others:
			Prohibition Of Harming And Making Things Difficult For Others:
			Muslim Substance
			Prohibition Of Interfering With Other People's Path:
			Prohibition Of Mixing Of Men With Women
			Prohibition Of Looking At The 'Awrah:
			Command To Change The Evil.
3.	Kaidah Fiqh	Kitab Kitab Fikih	Al-Aşlu Fil-Mu'Āmalāti Al-Ibāḥatu Ḥattā Yadulla Ad-Dalīlu 'Alā Taḥrīmihā."
			Al-Dararu Yuzāl
			"Dar'ul Mafsadid Muqaddamun 'Alā Ja'bīl Maşālih."
			Idzā Ta'Āradat Mafsadatāni Rū'lya A'Zamuhumā Dararan Birtikābi Akhaffihimā."
			Idzā Ta'Āradat Mafsadatāni Rū'lya A'Zamuhumā Dararan Birtikābi Akhaffihimā
			Aşarruful Imāmi 'Alar-Ra'iyati Manūtun Bil- Maşlaḥah."

In addition, in the consideration of Fatwa MUI East Java No. 1 also refers to several classical books, as in the table below:

Table 2. Reference Consideration of East Java MUI Fatwa No. 1 of 2025

No	Reference Source (Book Name)	Author	Opinion
1.	Penafsiran Al-Quran surat al Baqarah ayat 195	Syekh Hasanain Makhluf	Stating That Any Means That Can Lead To The Endeavor Not To Fall Into Destruction Is Shar'i Obligatory.
2	<i>Kitab al-Fiqh al-Islami wa Adzillatuh</i> 388/4	Dr. Wahbah Az-Zuhaily	The Use Of Rights In Accordance With Shari'ah.
3	<i>al-Bujairami 'ala al-Manhaj</i> 272/10	Sulaiman bin Umar bin Muhammad Al-Bujairimi,	Unconventional Activities
4	<i>al-Fiqh al-Islami wa Adzillatuh</i> 394/4	Dr. Wahbah Az-Zuhaily	Use Of Rights To The Detriment Of Others
5	<i>Hasyiah al-Syarwani</i> 57/2	Syekh Abdul Hamid Al-Syarwani	Raising One's Voice During Prayer That Disturbs Others
6	<i>Qala'id al-Kharaid</i> II/356	Imam Shihabuddin Ahmad bin Muhammad bin Muhammad bin Ali bin Hajar al-Haitami al-Sa'di al-Ansari al-Syafi'i.	Regarding Compensation For Unreasonable Exercise Of Rights.
7	<i>al-Fiqh al-Islami wa Adzillatuh</i> 559-563/7	Dr. Wahbah Az-Zuhaily	Regarding The Obligation Of Responsibility For Actions That
8	<i>Kifayah al-Akhyar</i>	Al-Imam Taqiyuddin Abu Bakr bin Muhammad Al Husaini Ad-Dimasyqi,	Regarding The Absolute Obligation To Cover The 'Awrah

9	<i>Is'ad al-Rafiq</i> 67/2	Muhammad bin salim babashil	Mixing Of Non-Mahram Men And Women In A Place Of Association
10	<i>Is'ad al-Rafiq</i> 67/2	Muhammad bin salim babashil	Scope Of Immorality
11	<i>al-Mustasfa</i> 438/1	Imam al-Ghazali	The Benefit Is Protection (Protection) Against The Objectives Of Shara', While The Objectives Of Shara' For Humans Are Five; Namely The Protection Of Religion, Soul, Mind, Offspring, And Property.
12	<i>Qawa'id al-Ahkam fi Mashalih al-Anam</i> 122/2		That The Ruler And His Representatives Should Adopt The Best Policy For The People, In Order To Ward Off Harm And Damage And To Bring About Benefit And Good.

In the fatwa of MUI East Java No. 1 of 2025, if seen from the flow in determining this fatwa, the reference to determine the fatwa is by looking at several verses of the Koran, then referring to the hadith, as well as fiqh rules and quoting the opinions of classical scholars about the negative impact (*mafsadah*) of the use of sound horeg.

## B. Analysis of the Ijtihad Method In East Java MUI Fatwa No. 1 Of 2025 Maqashid Sharia Perspective

The Quran and Hadith, as the main sources of Islamic law, have a limited number, but the things that arise in this life are complex and unlimited<sup>22</sup>. To deal with more complicated and novel issues, sometimes there is no specific law in the Quran and Hadith, so ijtihad is needed for this situation. One of the reasons for the establishment of the Indonesian Ulema Council (MUI) is to respond and answer the many problems that arise in society.<sup>23</sup> As an institution that houses the Islamic community with the authority to issue fatwas, MUI must have a method in conducting ijtihad. Ijtihad and fatwa basically have something in common, which is to prioritize the realization of the objectives of the Shari'ah, namely maintaining the benefit of humans and rejecting harm from them. Among the ulama, fatwa and ijtihad are complementary unity, because the fatwa itself is one of the results of ijtihad carried out by the ulama.<sup>24</sup>

In the formulation of fatwas carried out by scholars, the creation and determination of methods in issuing fatwas as a way to solve a problem aims to make the system in the process of issuing fatwas more systematic and directed.<sup>25</sup> Some of the methods used in the formulation of fatwas have their own style and purpose, which makes the characteristics of each fatwa issued have a distinctive value because of the method used. In fact, by using different methods and approaches, it can make a law that is determined to be different from one another.<sup>26</sup>

<sup>22</sup> Fuad Mustafid, Khoiruddin Nasution, and Ali Sodiqin, "Positivization of the Council of Indonesian Ulema's Halal Fatwa: Policy and Position in Indonesian Legislation," *Juris: Jurnal Ilmiah Syariah* 23, no. 1 (2024): 155–66, <https://doi.org/10.31958/juris.v23i1.10859>.

<sup>23</sup> Danil Putra Arisandy, Asmuni, and Muhammad Syukri Albani Nasution, "The Majelis Ulama's Fatwa on Freedom of Expression On Social Media: The Perspective of Maqashid Sharia," *Al-Istinbath: Jurnal Hukum Islam* 7, no. 2 (2022): 467–86, <https://doi.org/10.29240/jhi.v7i2.5235>.

<sup>24</sup> Mhd Rasidin et al., "Analysing the Pesantren Tradition of Arranged Marriages from the 'Kupi Fatwa Trilogy' Perspective," *Al-Istinbath: Jurnal Hukum Islam* 9, no. 1 (2024): 285–308, <https://doi.org/10.29240/jhi.v9i1.8436>.

<sup>25</sup> Frina Oktalita and Darlin Rizki, "Analysis of MUI Fatwa Number 17 of 2020 Regarding Kaifiat Prayer Guidelines for Health Workers Who Wear Personal Protection Equipment (PPE) When Treating and Handling Covid-19 Patients," *Al-Istinbath: Jurnal Hukum Islam* 6, no. 2 (2021): 247–70, <https://doi.org/10.29240/jhi.v6i2.3332>.

<sup>26</sup> Endri Yenti et al., "A Set of Prayer Outfits as a Mahar? Discrimination against Women in the 'Urf Reality of the Archipelago's Fiqh," *Al-Risalah* 20, no. 1 (2020): 17, <https://doi.org/10.30631/al-risalah.v20i1.567>.

But there is a difference between ijtihad and fatwa, just because fatwa is more specific when compared to an ijtihad. ijtihad is an activity of istinbath law that is carried out whether or not there is a problem/question. While the fatwa itself is carried out because of a problem or event which then a jurist seeks to know and determine its legal status.<sup>27</sup> with the progress and development of the times, MUI continues to provide ijtihad and fatwa to answer the problems of the people, one of which is about the use of sound horeg issued by MUI of east java through Fatwa No. 1 of 2025.

Horeg sound is an audio system that has a high volume potential, usually focusing on low frequencies (bass). The term "horeg" comes from the Javanese language, meaning "to vibrate" or "to move". It literally means "sound that makes vibrate". Decibel (dB) is a unit used to express the intensity of sound. The decibel is also a logarithmic unit to describe a ratio. The ratio can be power, sound pressure, voltage, intensity, or anything else.

The use of sound horeg is generally used with sound intensity exceeding reasonable limits (stated in the consideration) so that it can disturb and endanger health, and or damage public facilities or other people's property, play music accompanied by dancing men and women by revealing aurat and other immoralities, both localized in certain places or carried around residential areas. then, the use of sound horeg with reasonable sound intensity for various positive activities, such as wedding receptions, recitation, shalawatan, and others.<sup>28</sup>

Basically, the use of sound horeg raises a debate between the pros and cons, such as in the aspect of protecting public health and tranquility. In this aspect, the use of sound horeg with loud sounds can disturb the ears, cause stress, sleep disturbances, and other negative effects. Besides that, in the aspect of protecting public health and tranquility, the use of sound horeg can prevent damage to public facilities or property of residents' homes due to vibrations or very loud sounds. Then, in the aspect of maintaining morals and social norms / religious law, the use of sound horeg will prevent the occurrence of elements such as male and female dancers who reveal their aurat, the existence of immorality, and promiscuity, which are considered to be able to appear in sound horeg performances. The fatwa tries to limit this aspect and also prevents the negative impact on the younger generation due to spectacles that are considered not educational.<sup>29</sup>

Furthermore, pro-sound horeg groups such as Ambiguity of "reasonable" limits and criteria for loudness Sound horeg groups may feel that their activities are legal (licensed or operating within norms) but are affected by the overall "haram" label. It is not always clear how high the volume is considered to be "above reasonable limits". This can differ between locations, between one resident and another, depending on distance, environment, and physical conditions. There is the potential for unfairness or inconsistent enforcement: one area can tolerate rather loud sounds, another area is very strict next. Some parties may consider that horeg sounds are part of local culture/folk entertainment and artistic expression.<sup>30</sup>

In addition, bans or strict restrictions can be perceived as stifling local creativity and culture. There is a concern that fatwas, or regulations, can be misused to suppress certain

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<sup>27</sup> Haris Maiza Putra et al., "Reconstruction of the Practice of Siyasa Syar'iyyah During the Islamic Empire's Relevance to the Practice of Sharia Financing CWLS Retail in Indonesia," *Al-Istinbath: Jurnal Hukum Islam* 8, no. 2 (2023): 347–68, <https://doi.org/10.29240/jhi.v8i2.8057>.

<sup>28</sup> Muhammad Hasan, "Construction of Modern Islamic Inheritance Law Based on Ijtihad of the Judges at the Religious Court of Pontianak, West Kalimantan," *Samarah* 7, no. 2 (2023): 650–68, <https://doi.org/10.22373/sjhk.v7i2.8852>.

<sup>29</sup> Khairuddin Hasballah et al., "Identifying 'Illat through Munasabah in Islamic Law: A Perspective of Imam Al-Ghazali," *Samarah* 5, no. 2 (2021): 598–618, <https://doi.org/10.22373/sjhk.v5i2.10914>.

<sup>30</sup> Abd Rauf Muhammad Amin et al., "Between Darūrah and Halal Integrity: MUI Fatwas on Harm-Derived Vaccines and Medicines," *Samarah* 8, no. 2 (2024): 1239–56, <https://doi.org/10.22373/sjhk.v8i2.8938>.

groups, especially in rural or traditional areas, or used in a discriminatory manner.<sup>31</sup> On the complex enforcement/regulatory aspect, even if a fatwa exists, implementing technical arrangements such as decibel thresholds, permits, time controls, and location surveillance requires resources, clear legal instruments, and cross-agency cooperation (police, local government, related agencies). Limited local government capacity or a lack of supporting regulations may make it difficult to consistently implement the fatwa.<sup>32</sup>

Furthermore, the prohibition of the use of sound horeg in public order and other community rights ensures the right of citizens not to be disturbed by noise, environmental damage, or noise that exceeds the limit and the need for regulation so that there is certainty when and how sound horeg is allowed/forbidden. then on a fair approach, the East Java MUI fatwa No. 1 of 2025 Fatwa does not prohibit totally, but provides space for sound horeg that is run reasonably and clean from negative elements.<sup>33</sup> So it encourages improvement, not an absolute prohibition in all conditions. then on the economic aspect of the use of sound horeg, there are some people who depend on sound horeg services, sound rentals, event organizers, performers, and mobile entertainment event workers. Fatwas that forbid most activities can affect their livelihoods. And sound horeg groups may feel that their activities are legal (have permits or run according to norms), but are affected because of the "haram" label given overall.<sup>34</sup>

From the flow of the determination of the East Java MUI fatwa No. 1 of 2025, the ijtihad in this fatwa is included in qiyasi ijtihad, not bayani ijtihad or istishlahi. This can be seen from the use of texts, hadiths, and fiqh rules and opinions of scholars in the fatwa.<sup>35</sup> Qiyasi ijtihad is to determine the laws of sharia on problems that are not found in the Al-Qur'an and As-Sunnah by means of qiyas on the sharia'i texts. The determination of the fatwa of MUI East Java No. 1 of 2025 from the analysis of this ijtihad method is included in the contemporary ijtihad method, which includes ijtihad jama'i, because the fatwa issued by the institution is based on the collection and accommodating all the opinions of fiqh experts who have high knowledge. The determination of the fatwa by MUI East Java certainly determines the law firmly and freely, and away from influence and social pressure.<sup>36</sup>

MUI's fatwa, which was born in this contemporary era, certainly also uses the contemporary ijtihad method consisting of two kinds, namely *ijtihad intiqa'i*.<sup>37</sup> where ijtihad *intiqa'i* is a method of choosing one opinion from several strongest opinions contained in the legacy of Islamic fiqh, which is full of fatwas and legal conclusions. In this fatwa, taking a fatwa that is stronger than other opinions by taking an opinion can be in the form of a fatwa, or it can be outside. Then *ijtihad isnya'i* where the method or way of working is to take a new legal

<sup>31</sup> Asfarina Prihandini and Jodii Arlan Kurnia, "Fenomena Sound Horeg Dan Ancaman Tersembunyi: Kajian Hipotetik NIHIL Dan Dampak Pada Fungsi Kognitif" 2, no. 3 (2025): 5679–86.

<sup>32</sup> Dr. Davoud Zandi, "A Comparative Study of the Relationship between the Material Intellect and the Active Intellect from the Perspective of Averroes and Al-Farabi," *Journal of Islamic Studies and Culture* 3, no. 2 (2015): 595–608, <https://doi.org/10.15640/jisc.v3n2a5>.

<sup>33</sup> Misbahul Arifin, Umar Mansur, and Article Info, "ANALISIS FIQIH TENTANG TREN ' SOUND HOREG ' :" xx, no. xx (2025), <https://doi.org/10.33650/joki.v4i2>.

<sup>34</sup> A. Halil Thahir, "Towards the Multidimensional Ushul Al-Fiqh: A Study of the Integration of Science in the Fatwa of Majelis Ulama Indonesia," *Samarah* 8, no. 2 (2024): 687–705, <https://doi.org/10.22373/sjhk.v8i2.19686>.

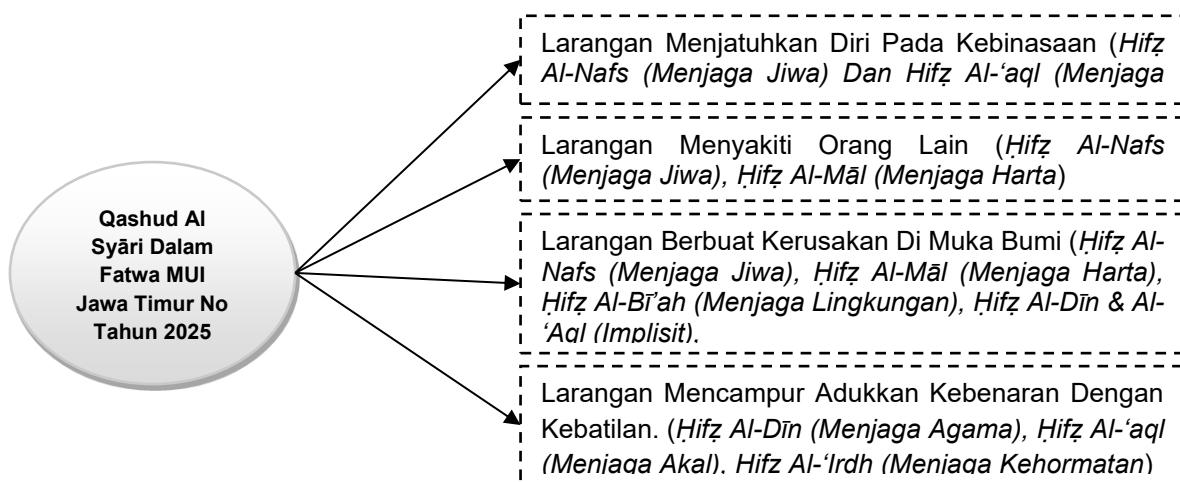
<sup>35</sup> Miles Vince, "Sound Horeg' vs. Jaranan: Local Wisdom Confronting the Challenge of Noise Pollution," 2025, 0–15, <https://doi.org/10.20944/preprints202507.0502.v1>.

<sup>36</sup> Basri Na'ali, "Tipologi Metode Ijtihad Fikih Kontemporer," *Al Hurriyah : Jurnal Hukum Islam* 1, no. 2Na'ali, B. (2016). TIPOLOGI METODE IJTIHAD FIKIH KONTEMPORER. *Al Hurriyah : Jurnal Hukum Islam*, 1(2), 245–262. <https://doi.org/10.30983/ALHURRIYAH.V1I2.492> (2016): 245–62.

<sup>37</sup> Repelita Repelita, Nuzul Iskandar, and Mursal Mursal, "Uṣūl Al-Fiqh Literacy for the Local Community: A Study on Shaykh Mukhtar Ambai's Manuscript," *Al-Ahkam* 33, no. 2 (2023): 133–56, <https://doi.org/10.21580/ahkam.2023.33.2.17045>.

conclusion from a problem, where the problem has never been raised by previous scholars, either old problems or new problems. The meaning of contemporary *ijtihad* is to issue a new opinion on a problem that has not been addressed by previous scholars.<sup>38</sup>

Furthermore, the method of *ijtihad* in contemporary times, if seen from the way it works, can combine *ijtihad intiqā'l* and *ijtihad insya'l* by selecting the opinions of previous scholars who are considered more suitable and stronger by adding new *ijtihad*.<sup>39</sup> So that the fatwa of MUI East Java No. 1 of 2025 in its recommendations there are 3 important things first Sound horeg which is used with normal sound intensity for positive events (receptions, recitations, shalawatan, etc.) and sterile from immoral elements is permissible, second Sound horeg whose intensity exceeds reasonable limits so that it disturbs health, damages public facilities, or contains immoral elements (for example mixed dancing, revealing aurat) is forbidden.<sup>40</sup> So this fatwa is regulative in nature, determining when the use of sound horeg is allowed or prohibited based on conditions and intensity. When viewed from *maqashid sharia*, it considers *qashud al-syāri*, which is related to protecting the 5 things (general objectives of sharia), namely *Hifz al-Nafs* (Protecting the Soul), *Hifz al-'Aql*, *Hifz al-Māl*, *Hifz al-Dīn*, *Hifz al-Nasl*.



In *Maqāṣid Sharia*: MUI East Java's Fatwa No. 1 of 2025 weighs the interests of *ashliyyah* (protecting religion & soul) with the interests of *tabi'iyyah* (entertainment/prestige). If the *tabi'iyyah* damages the *ashliyyah*, it is *haraam*. *Ashliyyah* (primary): Preserving the soul (*hifz al-nafs*), namely the health of the ears, body, and peace of mind. Maintaining religion (*hifz al-dīn*), namely the spread of Islam through recitation/shalawatan. Then *Tabi'iyyah* (additional): Entertainment, party style, and social prestige are not basic needs, only complementary. then in the scales of Fatwa MUI East Java No. 1 of 2025, in the Scales of Fatwa May (mubah): if the use of sound horeg simply helps the needs of *ashliyyah* (e.g., religious propagation, facilitate communication in celebration). *Haram*: if it is only for *tabi'iyyah* (excessive entertainment, prestige) but causes *mafsadah* that damages *ashliyyah* (soul, property, honor, religion).<sup>41</sup>

<sup>38</sup> Wahidul Anam and Mubaidi Sulaeman, "Law, Ethics, and Hadith Ahkam: An Analysis of Fatwa MUI in the Perspective of Progressive Interpretation," *Samarah* 8, no. 2 (2024): 1023–53, <https://doi.org/10.22373/sjhk.v8i2.21594>.

<sup>39</sup> Samsudin et al., "Hajj Funds Management Based on *Maqāṣid Al-Shāri‘ah*; A Proposal for Indonesian Context," *Al-Ihkam: Jurnal Hukum Dan Pranata Sosial* 18, no. 2 (2023): 544–67, <https://doi.org/10.19105/al-ihkam.v18i2.7268>.

<sup>40</sup> Akhmadul Faruq, "Al-Pancasila Fi Al-Mandzūri Al-Maqāshidī Al-Syarī'i: Dirāsah Tahlīliyah," *Al-Ihkam: Jurnal Hukum Dan Pranata Sosial* 16, no. 1 (2021): 207–29, <https://doi.org/10.19105/AL-LHKAM.V16I1.5027>.

<sup>41</sup> Timur, "Dewan Pimpinan."

## 5. Conclusion

In this article there are 2 conclusions, first, the method of ijтиhad in MUI Fatwa No. 1 of East Java in 2025 regarding the use of sound horeg, namely by using the contemporary fatwa method, namely the combination of the Qiyasi method by determining the shara'i law on problems that are not found in the texts of the Al-Quran and As-Sunnah by means of qiyas on the shar'i texts. Then the East Java MUI fatwa No. 1 of 2025 is also included in contemporary ijтиhad, which combines intiqā'l ijтиhad and insya'l ijтиhad methods. Then the analysis of the ijтиhad method in MUI Fatwa No. 1 of East Java regarding the use of sound horeg according to maqashid sharia weighs the interests of ashliyyah (protecting religion & soul) with the interests of *tabi'iyyah* (entertainment/prestige). If the *tabi'iyyah* damages ashliyyah, then it is punished as haram. *Ashliyyah* (primary): protecting the soul (hifz al-nafs), namely the health of the ears, body, and peace of mind. Maintaining religion (hifz al-dīn), namely the spread of Islam through recitation/shalawatan. Then *Tabi'iyyah* (additional): Entertainment, party style, and social prestige are not basic needs, only complementary. then in the scales of Fatwa MUI East Java No. 1 of 2025 in the scales of Fatwa Boleh (mubah): if the use of sound horeg simply helps ashliyyah needs (e.g., religious propagation, facilitate communication in celebration). Haram: if it is only for *tabi'iyyah* (excessive entertainment, prestige) but causes mafsadah that damages ashliyyah (soul, property, honor, religion)

This article contributes to Islamic legal scholars by describing fatwas on sound horeg, which use classical istinbat methodology to address contemporary issues, particularly those related to music and its use. In addition, this article uses maqashid sharia as an analysis, thereby adding a new perspective on how maqāṣid is used to assess digital culture and audio media phenomena. It shows that maqāṣid is not only relevant to classical legal products but also an analytical tool for modern digital phenomena.

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