



RUKHSAH AND MORAL ACCOUNTABILITY IN ISLAMIC LAW: AN ANALYSIS OF THE MAXIM *AR-RUKHASHU LA TUNATU BIL-MA'ASI*

Sheila Nasywa Razani¹

¹Faculty of Law, Universitas Negeri Semarang, Indonesia

E-mail Corespondent: sheilanasywarazani@gmail.com

Abstract

*This research examines the legal tension between flexibility in the form of rukhsah and its potential abuse to legitimize sinful acts through the Islamic legal maxim *ar-rukhashu la tunātu bil-ma'āṣī*. The study aims to analyze how Sharia provides legal concessions for believers facing hardship while preventing the exploitation of such leniency for disobedience. The research method employed is normative legal research with a library-based approach. The findings reveal that rukhsah is a manifestation of divine mercy that offers legal compensation for objective difficulties such as illness, travel, or compulsion. However, the application of rukhsah is strictly restricted by the maxim *ar-rukhashu la tunātu bil-ma'āṣī*, which asserts that legal concessions cannot be associated with sinful actions. Juridically, an individual traveling for sinful purposes is ineligible for concessions such as shortening prayers (*qasr*) or breaking the fast. This maxim serves as a safeguard for the integrity of Sharia (*sadd al-dhari'ah*), ensuring that divine leniency remains rooted in obedience and moral discipline. In conclusion, the validity of rukhsah depends entirely on the absence of illegal elements, preventing legal dispensations from becoming a justification for wrongdoing.*

Keywords: rukhsah; Islamic law; *ar-rukhashu la tunātu bil-ma'āṣī*; sin; legal maxim; Sharia ethics.

I. INTRODUCTION

In Islamic legal thought, the principle of *taysīr* (ease and facilitation) represents a fundamental manifestation of Allah's mercy toward humankind. Islam, as a religion characterized by compassion and universal benefit (*rahmatan lil-ālamīn*), establishes a legal system that seeks equilibrium between divine commands and human capacity. Sharia is not intended to impose unbearable hardship, but rather to guide believers toward moral and spiritual excellence within the realistic limits of human ability. This orientation reflects the theological premise that divine legislation is inherently just, humane, and purposive, aiming to secure welfare (*maṣlahah*) and prevent harm (*mafsadah*) in both worldly and spiritual dimensions. Within this framework, the principle of ease becomes an essential interpretative lens through which Islamic rulings are understood and applied in diverse social and personal circumstances.

One of the most concrete juridical manifestations of the principle of *taysīr* is the doctrine of *rukhsah*, a legal concession or dispensation granted to a *mukallaf*

(a legally responsible individual) who encounters genuine hardship in fulfilling religious obligations. *Rukhsah* does not negate the original ruling ('azīmah), but temporarily adjusts its application in response to exceptional conditions such as illness, travel, coercion, or other forms of significant difficulty (*mashaqqah*). Normatively, the legitimacy of *rukhsah* is firmly rooted in primary Islamic sources. The Qur'an repeatedly emphasizes that Allah does not burden a soul beyond its capacity, as articulated in Surah Al-Baqarah (2:286) and reinforced in Surah Al-Hajj (22:78), both of which underscore the divine intent to avoid undue hardship in religious practice. Complementing these verses, prophetic traditions affirm that Allah loves His servants to avail themselves of the lawful concessions He provides, just as He detests acts of disobedience. These textual foundations collectively illustrate that leniency in Islam is not an exception born of weakness, but an integral component of divine wisdom and mercy.(Norcahyono 2021).

The present study addresses this lacuna by advancing an applied and normative analysis of the legal maxim *Ar-Rukhaṣu lā Tunāṭu bil-Ma 'āṣī* (legal concessions are not attached to sinful acts). This maxim functions as a critical limiting principle within Islamic jurisprudence, ensuring that the doctrine of *rukhsah* remains aligned with the ethical and spiritual objectives of Sharia. It affirms that concessions cannot be invoked to legitimize wrongdoing, nor can they be employed as tools for circumventing moral accountability. By foregrounding this maxim, the study expands the conceptual understanding of *rukhsah* beyond a purely legal mechanism into an integrated ethical framework that safeguards the integrity of Islamic law from opportunistic distortion. The novelty of this research lies in its effort to synthesize doctrinal analysis with moral philosophy, thereby presenting *rukhsah* not merely as a technical juristic device, but as a principle embedded within a broader system of Islamic values and objectives (*maqāṣid al-sharī'ah*).

Accordingly, the central concern of this research is to examine how the concept of *rukhsah* is theoretically constructed and practically implemented in Islamic law, and how the maxim *Ar-Rukhaṣu lā Tunāṭu bil-Ma 'āṣī* operates as a normative safeguard against abuse. This study seeks to elucidate the legal foundations of *rukhsah*, analyze the conditions and limitations governing its application, and explore its contemporary relevance in both ritual worship ('ibādāt) and social transactions (*mu 'āmalāt*). Through this inquiry, the research aims to provide a more comprehensive understanding of the delicate boundary between legitimate religious leniency and unethical exploitation of legal concessions, thereby contributing to a more ethically grounded and contextually responsive interpretation of Islamic jurisprudence in modern life. (Putra 2022)

Previous scholarly works have extensively discussed the concept of *rukhsah* within the framework of Islamic jurisprudence, primarily emphasizing its doctrinal foundations and practical applications. Many studies position *rukhsah* as a juridical mechanism that reflects the flexibility and adaptability of Sharia in responding to human hardship. Putra (2022), for instance, explains *rukhsah* as a derivative legal ruling intended to ease obligations under specific conditions without eliminating the authority of the original command ('azīmah). Mahmudin (2021) focuses on the philosophical and theological justifications of legal leniency, arguing that Islamic law inherently integrates compassion as a response to unavoidable human limitations. Meanwhile, Norcahyono (2021) examines the operational dimension of

rukhsah in family law, demonstrating how legal concessions function in resolving domestic and marital issues within an Islamic legal context. Collectively, these studies underline the legitimacy and necessity of *rukhsah* as an instrument of legal mercy and social pragmatism, yet they predominantly concentrate on normative legality and procedural implementation rather than its broader ethical implications. (Mahmudin 2021)

Despite the richness of existing literature, a significant research gap remains in the exploration of the ethical boundaries and moral safeguards surrounding the application of *rukhsah*. Most prior studies treat *rukhsah* primarily as a technical legal concession, with limited attention to the risk of its misuse as a justificatory tool for actions that contradict the spirit and objectives of Sharia. In particular, there is a noticeable absence of in-depth analysis regarding the legal maxim *Ar-Rukhaṣu lā Tunāṭu bil-Ma ‘āṣī* as a normative limiter that prevents the association of legal leniency with sinful or manipulative conduct (*hiyal*). Consequently, the ethical dimension of *rukhsah* especially its role in preserving moral accountability and preventing opportunistic exploitation remains underdeveloped in contemporary scholarship. This study seeks to fill that gap by integrating doctrinal, ethical, and applied perspectives, thereby offering a more holistic understanding of *rukhsah* not merely as a form of legal facilitation, but as a principled and morally bounded component of Islamic legal theory and practice (Norcahyono 2021)

The scientific novelty of this study lies in its applied analysis of the principle of *Ar-Rukhashu la Tunāṭu bil-Ma ‘āṣī*, which serves as a limiting principle to ensure that the concept of *rukhsah* does not deviate from Islamic moral values. This rule emphasizes that any form of legal leniency must not be associated with sinful acts or actions that deviate from sharia law. Thus, this study broadens the understanding of *rukhsah* not only as a legal concept but also as an ethical principle that protects the purity of sharia law from abuse. The main issue examined in this study is how the concept of *rukhsah* is understood in Islamic law and how the rule of *Ar-Rukhashu la Tunāṭu bil-Ma ‘āṣī* is applied to limit legal leniency so that it is not associated with sin. The purpose of this study is to explain the legal basis of *rukhsah*, analyze the conditions for its application, and explore the relevance of this rule in everyday life so that Muslims can understand the line between justified leniency and abuse of leniency in religion.

The purpose of this study is to comprehensively examine the concept of *rukhsah* in Islamic law by analyzing its theological and juridical foundations, the conditions and limits governing its application, and its relevance in contemporary religious and social life. In addition, this research aims to explore the function of the legal maxim *Ar-Rukhaṣu lā Tunāṭu bil-Ma ‘āṣī* as an ethical and normative boundary that prevents the misuse of legal concessions for sinful or manipulative purposes. Through this approach, the study seeks to provide a balanced understanding of *rukhsah* not only as a mechanism of legal facilitation but also as a moral safeguard that preserves the integrity, objectives, and values of Sharia, thereby helping Muslims distinguish between legitimate religious leniency and the unethical exploitation of legal dispensations

II. PROBLEM FORMULATION

1. How is the concept of *rukhsah* positioned and implemented within Islamic law as a mechanism to balance religious obligations (*taklif*) with human limitations and hardships (*mashaqqah*)?
2. How does the legal maxim *Ar-Rukhashu la Tunātu bil-Ma 'āṣī* function in mitigating the abuse of legal concessions (*hiyal*) and preserving the ethical integrity of a *mukallaf* in both ritual worship and social transactions?

III. RESEARCH METHODS

This study employs a qualitative legal research method with a descriptive, analytical design using a library research approach.(Rijadi 2022) The research focuses on examining the concept of *rukhsah* and the application of the legal maxim *ar-rukhaṣu lā tunātu bil-ma 'āṣī* within the framework of Islamic jurisprudence. Data were collected through documentation techniques by systematically reviewing authoritative primary sources, including the Qur'an, Hadith, and classical fiqh literature such as *Al-Majmū ' Syarḥ al-Muhadzdzb* and *Al-Ashbāh wa al-Naẓā'ir*, as well as secondary sources in the form of contemporary scholarly books, peer-reviewed journals, and relevant academic publications. The researcher functioned as the primary research instrument, conducting an in-depth textual and contextual examination of legal arguments and doctrinal interpretations.

Data analysis was carried out using qualitative content analysis techniques encompassing the stages of data reduction, data display, and conclusion drawing. The analytical process combined inductive reasoning by deriving general legal and ethical principles from classical and contemporary legal texts with deductive reasoning by testing the applicability of these principles in modern socio-legal and ethical contexts. To enhance the credibility and reliability of the findings, source triangulation was employed by comparing multiple scholarly interpretations across different schools of thought and periods of legal scholarship. The results are presented through a narrative-argumentative exposition aimed at clarifying the interrelation between the doctrine of *rukhsah*, the prerequisites for its legitimate application, and the moral and normative boundaries established by the maxim, thereby ensuring a balanced and systematic legal analysis.(Adiyanta 2019)

IV. RESULTS AND DISCUSSIONS

1. The Concept of Rukhsah in the Perspective of Islamic Law

a. Definition of Rukhsah

“The concession is not associated with or linked to sin.” In the context of discussing rukhshah, it can be simply understood that the concession is not a justification for violating Sharia law. Etymologically, rukhshah comes from a word that means leniency, ease, or something that is not burdensome, such as *at-takhfif*, *as-suhulah*, and *al-yusr*(Muhammad Alfi 2023).

Abdul Wahab Khallaf, a contemporary scholar, put forward three definitions of the concept of rukhshah. First, rukhshah is understood as a legal provision established by Allah to provide relief to *mukallaf* in certain situations that require leniency. Second, rukhshah is a law that is applied in special circumstances due to factors that cause difficulties. Third, rukhshah means allowing something that is essentially prohibited, due to the existence of evidence that permits it, even though the evidence that prohibits it remains valid (Putra 2022). Meanwhile, in fiqh

terminology, rukhshah refers to a sharia provision that provides legal leniency to a mukallaf when facing an emergency, in order to ease the burden and avoid difficulties that cannot be borne (Norcahyono 2021).

The existence of rukhsah in Islamic law is not merely a legal exception that stands alone, but rather a reflection of the principle of *taysīr* (facilitation), which is both the spirit and universal foundation of Sharia. Fundamentally, the granting of this concession is rooted in the premise that the burden of law (*taklīf*) must always be within human capacity, in line with the main fiqh rule of *al-mashaqqah tajlibu al-taysīr* (difficulty brings ease). Technically, the fuqaha divide the implementation of rukhsah into several typologies that reflect Islam's flexibility in responding to the limitations of servants. This includes rukhsah *isqāt* or the total waiver of obligations in certain emergency conditions, rukhsah *tanqīs* in the form of reducing the burden of worship such as *qashar salat* for travelers, to rukhsah *tabdīl* which allows the replacement of a form of worship from one medium to another that is lighter, such as *tayamum* as a substitute for *wudu*. Furthermore, this classification shows that rukhsah has a broad spectrum, ranging from *mubāh* (permissible or optional), *mandūb* (recommended, such as breaking the fast for those who are very weak), to *wājib* (obligatory, such as eating carrion for people whose lives are threatened by starvation). However, in a deeper discourse on Islamic law, the effectiveness of rukhsah law is highly dependent on the existence of *sabab al-rukhsah* (objective reasons that permit it) that are objective and can be measured according to sharia.

This means that legal dispensations cannot be claimed subjectively based on personal desires, but must be based on real conditions recognized by Islamic legal authorities, such as safar (travel), maradh (illness), ikrāh (coercion), or ḍarūrah (emergency). This is where the dialectic between convenience and moral responsibility lies; even though the Sharia opens the door wide to leniency, that door can only be passed through by those who are within the corridor of obedience. Therefore, rukhsah not only functions as an instrument of convenience, but also as a test of integrity for mukalaf not to exceed the limits that have been set, which will slowly lead us to the understanding that every concession always has strict ethical prerequisites so that it is not misused for destructive or sinful purposes (el-Madani n.d.).

b. Legal Basis for Rukhsah

The concept of rukhsah as a form of leniency in Islamic law is legitimized by two main sources of Islamic law, namely the Qur'an and Hadith:

1) The Qur'an

Q.S al-Hajj verse 78; "And strive in the way of Allah with sincere striving. He has chosen you and has not placed any hardship upon you in religion..." Q. S al-Baqarah verse 286:

١٥) أَنْكَلَفُ اللَّهُ نَفْسًا إِلَّا وَسْعَهَا

Allah does not burden a person beyond their capacity..."

2) Hadist

From Ibn Umar, the Messenger of Allah, peace and blessings be upon him, said:

أَنَّ اللَّهَ تَعَالَى نَهَىٰ أَنْ تُفْتَنَ الْخَصْمُ، كَمَا نَهَىٰ أَنْ تُفْتَنَ مَعْصِيَتُهُ

“Indeed, Allah is pleased when His concessions (rukhsah) are carried out, just as He hates when sins are committed against Him”

c. Conditions for Permitting Rukhsah (Concession) for a Mukallaf

In fiqh studies, there are certain conditions that can be the basis for allowing rukhsah or leniency in Sharia law. This concession is granted to a mukallaf (person who is legally responsible) when faced with difficult situations, including(Razani et al. 2025):

1. When traveling (al-safar): A mukallaf who is traveling is allowed to make concessions such as combining and shortening prayers, not fasting during Ramadan, and not attending Friday prayers.
2. When sick: If the use of water can worsen the condition, then tayammum is permissible. Sick people can also perform fardhu prayers in a sitting position, not fast during Ramadan with the obligation to make up for it at another time, the implementation of punishment can be postponed until recovery, and women who are menstruating are exempt from prayer.
3. In life-threatening emergencies: If someone is in a situation that endangers their life, any actions or agreements made are not considered valid, such as buying and selling, renting, or pawning, because they contradict the principle of consent. Similarly, damaging someone else's property as a result of coercion is not considered a fault.
4. Forgetfulness (al-nisyān): If someone forgets that they are fasting and then eats or drinks, their fast remains valid. Similarly, someone who forgets to pay a debt is not immediately punished, as long as their forgetfulness is not deliberate.
5. Ignorance (al-jahl): A person who has recently converted to Islam and is not yet familiar with all the laws, for example, accidentally eating haram food, is not immediately punished for their ignorance.
6. General hardship ('umūm al-balwā): Difficult situations that are generally experienced by many people are also grounds for leniency. Examples include the permissibility of bai'al-salam contracts (money paid in advance, goods delivered later), male doctors treating female patients who are not mahrams if necessary, or clothing that has been splashed with minor impurities still being valid for use in prayer.
7. Lack of legal capacity (al-naqṣ): Those who are not yet or are not fully sane, such as children, the insane, or those who are unconscious due to intoxication, fall into the category of those who receive legal dispensation. In the realm of law, this situation falls into the category of extenuating circumstances, including physical or psychological coercion.

d. Terms and Conditions of Permission in Worship and Transactions

Rukhsah worship etymologically means ease, spaciousness, and generosity. In terms of terminology, rukhsah is something that is permitted to Muslims to do because of an excuse or inability. Therefore, rukhsah is intended so that the worship that is commanded can be carried out as well as possible without burdening and burdening Muslims (Akbar 2022). The conditions for rukhsah mentioned by the scholars include:

1. Mukallaf, meaning that because rukhsah is a form of leniency related to taklif law, the first condition for allowing someone to take rukhsah must be that they are mukallaf.

2. Baligh (mature), which is a general requirement for mukallaf. Baligh is a physical and psychological condition that indicates a person's ability to fully bear the burden of taklif.
3. Berakal or having a mind. With their mind, a person understands all information, including the message of sharia. And with that mind, it is possible for a person to be considered mukallaf (Dewanti, Muchtar, and Rijal 2023).

Requirements for rukhsah, in order for rukhsah to apply, there are several important requirements:

1. The existence of uzur (valid obstacles or difficulties)

Ukhsah cannot be taken arbitrarily based on subjective desires, but is only granted when a mukalaf faces a real situation that is difficult, burdensome, or even dangerous to the safety of his soul, body, or mind if he is forced to continue to follow the original law (*azīmah*). In fiqh discourse, this excuse must be objective and measurable, such as severe illness, exhausting long journeys (*safar*), life-threatening emergencies, and factors of ignorance or coercion beyond human control. The existence of this excuse functions as an illat or legal cause that changes the legal status from heavy to light, in order to ensure that the Sharia remains consistent in its goal of bringing benefit and rejecting harm. Therefore, without authentic evidence of hardship recognized by Islamic legal parameters, a Muslim is not permitted to abandon their original obligation, as rukhsah exists as a solution to human limitations, not as a loophole to disregard religious rulings (Permana and Yanthiani 2020). For example:

- Illness (it is permissible not to fast or pray while sitting) (Sidik and Ambar 2020)
- Travel (long journey) (permitted to shorten and combine prayers)
- Necessity (emergency) (permitted to eat forbidden food to save one's life)

2. The excuse must actually occur

The second crucial prerequisite is that the legal excuse or impediment must be effectively present and actual (*tahaqquq al-'udhr*), rather than based on mere assumption, prediction, or future possibility. In Islamic legal theory, a concession (*rukhsah*) can only be activated when its underlying cause (*illat*) has physically manifested in reality, as Sharia rulings are predicated on certainty (*yaqīn*) rather than speculation or doubt. For instance, a Muslim is not permitted to break their fast or shorten their prayers (*qasr*) solely based on an intended travel plan if they have not yet physically departed from their residential boundaries and commenced the journey. This regulation aims to protect the sanctity of religious obligations from being manipulated by unfulfilled intentions, ensuring that every dispensation taken is anchored in a genuine state of necessity or hardship. Consequently, *rukhsah* is reactive to existing objective conditions; as long as the excuse remains potential or merely a plan in mind, the original obligation (*'azīmah*) remains fully binding and cannot be abandoned based on mere conjecture (Sandra 2024).

3. Rukhsah does not cause greater harm

Rukhsah must not cause harm or violate the general principles of Sharia law. The third prerequisite for the application of *rukhsah* is the absolute certainty that taking a legal concession must not result in a greater harm (*mafsadah*) than the hardship it seeks to alleviate. This principle is deeply rooted in the Islamic legal maxim: "*Ad-Dhararu la Yuzalu bid-Dharar*" (Harm cannot be removed by another

harm of equal or greater severity). Since *rukhsah* is intended to facilitate human welfare and provide solutions, its implementation must remain strictly aligned with the higher objectives of Sharia (*Maqasid al-Shari'ah*) in preserving the essential elements of life. For instance, an individual is not permitted to invoke a concession to consume prohibited substances or engage in illegal acts under the guise of necessity if such actions would endanger public safety or disrupt the broader social order. Consequently, every legal dispensation must undergo a rigorous assessment of interests and harms (*maslahah* vs. *mafsadah*) to ensure that the provided flexibility remains within the boundaries of protecting human interests without compromising the fundamental principles of justice and Sharia equilibrium (Siregar 2019).

4. Rukhsah is not granted for sinful acts

The fourth prerequisite, which stands as the core of ethical integrity in Islamic jurisprudence, is that *rukhsah* must never be granted or utilized to facilitate sinful acts. This principle asserts that legal concessions are a manifestation of Divine Mercy intended for obedient believers facing hardship; therefore, they cannot be invoked as a justification for actions that transgress religious boundaries. Juridically, any form of legal leniency cannot be correlated with destructive or sinful conduct, as a virtue cannot serve as a medium for vice. For instance, committing an act of deception under the guise of necessity solely to gain worldly profit or defraud others is strictly excluded from the category of *rukhsah* and is regarded purely as a moral violation. This rule functions as a bulwark against legal stratagems (*hiyal al-syar'iyyah*), ensuring that the subject's intent remains within the corridor of obedience. Consequently, the validity of a legal dispensation is contingent upon the purity of the individual's motivation; if an action is rooted in sinful intent, the right to *rukhsah* is automatically nullified, for divine leniency is never intended to pave the way toward sin. For example, lying to gain worldly benefits is not a permissible *rukhsah* (Sudirmanto 2024).

5. It only applies while the excuse exists

The fifth prerequisite governing the temporal application of legal concessions is that *rukhsah* remains valid only as long as the underlying excuse or impediment persists. In Islamic legal theory, this principle is encapsulated in the maxim "*al-daruratu tuqaddaru bi qadariha*" (necessity is determined by its extent), asserting that a legal dispensation is transitory and is automatically nullified once the cause that justified it ceases to exist. Juridically, the restoration of normal conditions obligates the *mukallaf* to return to the original ruling (*'azīmah*) without delay, as the function of *rukhsah* is strictly that of a temporary safety valve rather than a permanent replacement for established Sharia laws. For instance, an individual granted the concession to pray while seated due to a physical ailment is absolutely required to resume the full physical movements of prayer as soon as they have recovered. This regulation serves to maintain religious discipline and prevent a casual attitude toward divine law (*tasāhul*), ensuring that legal ease is utilized proportionally and responsibly, strictly corresponding to the duration of the hardship encountered (Rafi 2018). For example, after recovering from illness, a person must resume praying normally.

Rukhsah (Permissible Exceptions) in Worship

1. Qasar and Jamak Prayers
 - Original ruling: obligatory prayers must be performed in four units (for noon, afternoon, and evening prayers)
 - Permissible exception: during travel, prayers may be shortened (to two units) and combined (two times into one)
2. Tayammum
 - Original ruling: wudu with water
 - Permission: if water is unavailable or cannot be used due to illness, tayammum with dust is permissible
3. Prayer while sitting or lying down
 - Original ruling: prayer must be performed standing
 - Permission: if unable to stand due to illness, sitting or lying down is permissible
4. Not fasting during Ramadan
 - Original ruling: fasting during Ramadan is obligatory
 - Rukhsah: sick people, travelers, women who are menstruating or postpartum, and the elderly may not fast and make up for it at another time or with fidyah (penalty).

Conditions for taking advantage of the dispensation for worship:

- a. There must be a valid excuse.
- b. One must not abandon worship entirely (except for those who are truly permitted to do so, such as menstruating women).
- c. The duration of the dispensation must correspond to the excuse.
- d. One must maintain proper etiquette and sincere intentions toward Allah.

Rukhsah in Muamalah

Muamalah is social and economic interaction between human beings, such as buying and selling, borrowing and lending, agreements, and so on. In muamalah, rukhsah is also granted when an emergency situation arises that prevents a person from carrying out the original law (Permana and Yanthiani 2020). Examples of rukhsah in muamalah:

1. Eating haram food due to an emergency
 - Original law: haram food (such as carrion, blood, pork) is not allowed to be eaten
 - Rukhsah: in emergency conditions such as extreme hunger that threatens one's life, it is permissible to eat haram food to the extent necessary to save oneself, but not to excess.
2. Entering into an unfavorable agreement due to coercion
 - Original ruling: all transactions must be voluntary
 - Rukhsah: if a person is forced under certain circumstances, and there is no other way, then the transaction can be considered valid within certain limits.
3. Taking usury in a state of necessity
 - Original ruling: usury is haram

- Rukhsah: If there is no other alternative to meet basic needs (e.g., medical treatment, food, or shelter), and it is truly an emergency, some scholars allow it temporarily, with conditions.
- It is not intended to seek profit
- Immediately seek a way out of the situation

Conditions for rukhsah in muamalah:

- a. A truly genuine emergency.
- b. There is no other lawful option.
- c. It does not cause injustice to others.
- d. It is only done to the minimum extent necessary.

2. Application of the Principle of Ar-Rukhashu la Tunātu bil-Ma‘āṣī in Everyday Life Related to Sinful Acts

Scholars of Islamic jurisprudence (*fuqahā*) have formulated a series of legal maxims (*qawā‘id fiqhīyyah*) that serve as the methodological foundation for establishing Islamic rulings that are both dynamic and adaptive. One of the most fundamental maxims, universally agreed upon across various schools of thought, is "al-Mashaqqah Tajlibu al-Taysir," which literally translates to "hardship brings ease." This maxim is not merely an auxiliary principle but a manifestation of the core essence of Sharia, which aims to alleviate constriction (*raf‘ul haraj*) in human life. It asserts that whenever a Muslim encounters objective difficulties or obstacles beyond reasonable limits in fulfilling religious rituals or other Sharia obligations, the law automatically provides a mechanism for legal concessions (*rukhsah*) to facilitate the performance of these duties according to the specific emergency or necessity faced (Rahmaputri et al. 2025).

Furthermore, this maxim is anchored in a solid theological foundation within the Qur'an, which explicitly states that Allah intends for you ease and does not intend for you hardship. In practical terms, *al-Mashaqqah Tajlibu al-Taysir* acts as a safety valve that ensures the continuity of devotion amidst human limitations. However, jurists provide a critical caveat: not every form of difficulty qualifies as a "hardship" that warrants legal leniency. The difficulty in question must be an extraordinary hardship (*mashaqqah ‘azhīmah*) that threatens life, property, intellect, or faith, rather than the minor, inherent difficulties typically associated with daily acts of worship. Therefore, the application of this maxim requires precision in distinguishing between genuine human obstacles and excuses fabricated to evade religious responsibilities. A comprehensive understanding of this maxim serves as a pivotal starting point for grasping how Islam balances the idealism of revelation with the realities of life, eventually leading to the strict boundary that such ease is only applicable to those within the corridor of obedience not as a shield for those intending to commit sinful acts.

This maxim clarifies that when a Muslim encounters genuine hardship in fulfilling the requirements of Sharia, Islam provides legal concessions (*rukhsah*) to alleviate such burdens. The principle of *rukhsah* is further reinforced in the Qur'an, specifically in Surah al-Baqarah verse 185, which declares: "Allah intends for you ease and does not intend for you hardship." Epistemologically, this verse is not merely a justification for leniency; rather, it serves as a divine mandate for Islamic jurists to prioritize human welfare in every practical legal interpretation (*ijtihad*). This principle directly asserts that if the performance of a religious obligation under

normal circumstances causes undue hardship, Islam provides a legitimate exit strategy, ensuring that believers can maintain their devotion without being forced to compromise the core tenets of their faith.

Furthermore, the granting of *rukhsah* represents a structural protection within Sharia for human continuity and welfare (*al-maslahah*), which is the primary objective of Islamic law (*Maqasid al-Shari'ah*). In this context, the hardship experienced by the subject (*mukallaf*) is viewed as the effective cause (*'illat*) that automatically triggers emergency mechanisms or dispensations. These concessions are functional in nature; they exist to ensure that religious burdens do not exceed the psychological and physical thresholds of human beings, thereby allowing consistent obedience (*istiqamah*) even in extreme situations. However, it is crucial to understand that this flexibility is proportional and calibrated; the extent of the concession granted must correspond strictly to the degree of difficulty faced, as dictated by the sub-maxim: "necessity is determined by its extent" (*al-daruratu tuqaddaru bi qadariha*). Consequently, the concept of ease in Islam is not an attempt to undermine the Sharia, but a manifestation of Divine Justice that balances the demands of God's law with the realities of human limitation, while simultaneously closing any gap for despair or burnout in the pursuit of religious commands.

The legal implementation of the Taysir philosophy is the concept of *rukhsah* or leniency. According to Zakariya Al-Ansori, *rukhsah* is a change in the law from difficult to easy due to the existence of an excuse, such as something that is haram becoming halal (zulfahmi 2021). The application of *rukhsah* in everyday life includes, for example, a person being allowed to shorten their prayers to two rakats when traveling long distances. Islam allows people who are seriously ill or traveling long distances to not fast, on the condition that they make up for it later. If there is no water available for purification, then *wudhu* (purifying oneself before prayer) may be performed using clean dust (*bertayammum*). However, nowadays, the implementation of the concept of *rukhsah* in daily life is often misused, where some individuals use it as a justification to ease or legitimize behavior that deviates from the provisions of sharia, including immoral acts or sins. *Ma'siyah* is often literally interpreted as disobedience or rebellion. In terms of terminology, scholars define *ma'siyah* as follows:

لَا طَاعَةَ فِي مُنْهِيَّةِ ، إِنَّمَا الطَّاعَةُ فِي الْمَعْرُوفِ

"Sin is disobedience to the rules by not carrying out obligatory matters or committing forbidden acts." (Muhammad, nd).

According to Imam Al-Suyuti, *ma'siyah* is an act that goes against Allah's commands and the person is obliged to take responsibility for that act (Fadzil and Ali n.d.). The fiqh rule *Ar -Rukhashu la Tunātu bil-Ma'āṣī*, which means "leniency (in law) is not associated with or dependent on sinful acts," is one of the basic principles in Islamic law that serves to protect the integrity of religion, ensuring that religious leniency and concessions are only granted in urgent and justified situations (Firnanda, Safitri, and Mufrida 2024). The essence of the principle of *Ar -Rukhashu la Tunātu bil-Ma'āṣī* is an ethical and legal principle that prohibits a Muslim from obtaining benefits or legal leniency from actions that violate Allah's law (Fadzil and Ali n.d.)

Rukhsah is a manifestation of Allah's mercy, given to alleviate difficulties that occur naturally or beyond one's control and violate the law. This rule ensures

that Allah's mercy is not misused as a means to facilitate or justify sinful acts. In practice (Musyahid and Akmal 2025), this rule can be interpreted as follows:

1. If the purpose of the action is sinful, then the accompanying leniency must be revoked. For example, someone travels a long distance to reach a gambling venue. Even though he meets the requirements of a traveler (a person who travels long distances), he is not entitled to shorten his prayers because the purpose of his trip is sinful.

2. If the hardship arises as a direct result of sinful acts, then the leniency that should be granted for that hardship must be rejected or limited. For example, a very poor person is entitled to receive zakat. However, in this case, their poverty is caused by their hobby of gambling, so they are not entitled to receive social assistance in the form of zakat.

The jurisprudential maxim *Ar-Rukhashu la Tunātu bil-Ma 'āṣī* (Razani et al. 2025), which asserts that "legal concessions cannot be linked to sinful acts," serves as a fundamental pillar in safeguarding the integrity and sanctity of Islamic law. This principle ensures that the concept of *rukhsah* (dispensation) is neither exploited nor misinterpreted as a justification to transgress the boundaries ordained by Allah. At its core, a concession is a "divine privilege" granted to obedient believers facing objective hardships, rather than a compensation for those who deliberately engineer difficult circumstances through acts of defiance. Juridically, this maxim effectively closes the door on legal stratagems (*hiyal*) that attempt to use Sharia-sanctioned leniency as a license or a legitimizing tool for sinful conduct. Since *rukhsah* is predicated upon the intersection of physical necessity and purity of intent, any action motivated by sinful intent automatically nullifies an individual's eligibility for such dispensations, even if they appear to meet the technical criteria for the right. Furthermore, this maxim reflects the profound moral dimension inherent in Islamic jurisprudence, where the validity of a legal ease is intrinsically tied to the inner state of the actor. This implies that the leniency granted by the Creator is not merely procedural but deeply ethical; it functions as a form of divine assistance (*ma'unah*) for servants striving to remain steadfast (*istiqamah*) in their obedience despite being in a state of duress. If the underlying intention is disobedience, the substantive link between the servant and Divine Mercy manifested as *rukhsah* is severed, for God's mercy cannot serve as a vehicle for actions that incur His displeasure.

Consequently, a Muslim is required to maintain constant introspection and preserve the sincerity of their intention in every step. By upholding this integrity of heart, one does not only gain physical ease in a legal sense but also attains the spiritual blessings and the true essence of Allah's compassion embedded within every provision of Sharia leniency (Irsha 2024).

V. CONCLUSION

The concept of *rukhsah* in Islamic law represents a tangible expression of Divine mercy, intended to realize the principle of legal facilitation (*taysīr*) for the *mukallaf* who encounters genuine hardship, such as illness, travel, or emergency conditions. Its legitimacy is firmly anchored in the Qur'anic affirmation that Allah does not burden a soul beyond its capacity, as reflected in Surah Al-Baqarah verse 286 and Surah Al-Hajj verse 78. This principle operates across both the domains of ritual worship and social transactions, allowing measured flexibility in religious

obligations while safeguarding essential human interests, including the preservation of life and dignity. Nevertheless, the application of *rukhsah* is not unconditional; it is normatively restrained by the jurisprudential maxim *Ar-Rukhaṣu lā Tunāṭu bil-Ma’āṣī*, which functions as an ethical and legal safeguard to ensure that concessions are never associated with sinful conduct or manipulated to legitimize transgression.

Accordingly, the validity of *rukhsah* is contingent not only upon the presence of a legitimate legal excuse ('udhr shar'i), but also upon the integrity of intention and adherence to the moral objectives of Sharia (*maqāṣid al-shari‘ah*). Any attempt to exploit legal leniency for malicious, opportunistic, or sinful purposes effectively nullifies the concession itself. In this sense, *rukhsah* should be understood not merely as a technical legal allowance, but as a balanced mechanism that harmonizes human limitations with divine commands. Its proper application preserves the compassionate spirit of Islamic law while maintaining moral discipline, ensuring that religious ease remains a form of obedience and spiritual relief rather than a pretext for ethical deviation or legal manipulation.

VI. REFERENCE

Adiyanta, F C Susila. 2019. "Hukum Dan Studi Penelitian Empiris: Penggunaan Metode Survey Sebagai Instrumen Penelitian Hukum Empiris." *Administrative Law and Governance Journal* 2(4): 697–709.

Akbar, Mukhammad Naafiu. 2022. "Implementasi Kaidah Al Masyaqqah Tajlib at Taisir Dalam Ibadah." *Jurnal Tinta* 4(2): 27–38.

Dewanti, Rahmi, M Ilham Muchtar, and Tabhan Syamsu Rijal. 2023. "Analisis Nilai-Nilai Pendidikan Terhadap Rukhsah Ibadah Dalam Islam." *Risâlah Jurnal Pendidikan dan Studi Islam* 9(2): 721–30.

el-Madani, M Nadi. *Fikih Di Medsos: Antara Teks, Konteks, Dan Akal Sehat*. DIVA PRESS.

Fadzil, Sahibus Samahah Ahmad Fauwaz, and Mohammad Mahbubi Ali. "KONSEP AL-I'ANAH ALA MA'SIYAH DALAM ISLAM DAN APLIKASINYA DALAM LEMBAGA KEUANGAN SYARIAH."

Firnanda, Muhammad, Rosalina Safitri, and Nayla Mufrida. 2024. "Talfig Dan Madzhab: Menelaah Dinamika Talfig Madzhab Dalam Kajian Ushul Fiqih." *Jurnal Pendidikan Islam* 2(1): 19.

Irsha, Aulia Nur. 2024. "Penerapan Kaidah Al-Rukhshah La Tunatu Bil Ma'ashi Pada Akad Qardh."

Mahmudin, Mahmudin. 2021. "Kriteria (Rukhsah) Kemudahan Dalam Syariat." *Al-Sulthaniyah* 10(2): 32–43.

Muhammad Alfi, Alfi. 2023. "KONSEP SAFAR DAN RUKHSAH DALAM PERJALANAN MENURUT TAFSIR IBNU KATSIR DAN TAFSIR AL-AZHAR."

Musyahid, Ahmad, and Andi Akmal. 2025. "Kaidah-Kaidah Fikih Dalam Kondisi Menyulitkan: Kajian Atas Kaidah Pokok, Cabang, Dan Penerapannya." *JIMU: Jurnal Ilmiah Multidisipliner* 3(03): 2200–2211.

Norcahyono, Norcahyono. 2021. "Penerapan Kaidah Rukhsah Pada Kasus Hukum Keluarga." *Jurnal Hadratul Madaniyah* 8(1): 40–51.

Permana, Yudi, and Lenny Yanthiani. 2020. "Urgensi Dan Aplikasi Qawa'id Al-Fiqhiyyah Tentang Konsep 'Fii Al-Akhdzi Bi Ar-Rukhsah' Dalam Pengembangan Ekonomi Syariah." *Al-Kharaj: Jurnal Ekonomi, Keuangan &*

