

Authority of Fatwa in Digital Era: Methodology and Transmission of Nahdlatul Ulama's Bahtsul Masail in Indonesia

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Abstract

Research on fatwa authority in the digital era intends to conduct an analysis of the fading authority of the NU bahtsul masail among nahdliyyin, turning to other digital-based fatwas, namely fatwas listed on internet pages. Why is *Bahtsul Masail* becoming increasingly abandoned by people in this digital age? How is the format of bahtsul masail in the digital age? The results of this study include; First, methodologically, bahtsul masail consistently uses the *ijtihad* method according to the legal hierarchy of the Imams of the schools; Second, the transmission of the bahtsul masail fatwa is still through personal media, namely the cleric, clerics and scholars; Third, in the contestation of the struggle for fatwa authority in the digital era, the methodology and media for fatwa transmission must be accelerated with the progress of the digital era.

Keywords

Fatwa, Bahtsul Masail, Authority, Digital Age, Nahdlatul Ulama, Indonesia.

Introduction

In the midst of the digital era, the ulama fatwa experienced significant developments. Fatwas are not only produced by religious scholars in Islamic boarding schools and scholars who take shelter in religious social organizations, but also fatwas are issued by anyone who can write fatwas (Kutscher, 2009; Bunt, 2003). Through digital media pages, anyone can write a legal fatwa and can be read by anyone, regardless of who made (*mufti*), how to make (*ifta*) and who will use it (*mustafti*) (Furber, 2013).

For a *mustafti* (fatwa user), this digital era is the era of the idea market (marketplace of ideas), where someone is free to take fatwa from whom and from any source (Arifianto, 2020). As long as the fatwa is in accordance with its understanding, the fatwa will be taken and made a reference in religious life. For the millennial generation, Google machine or Yahoo seaching is the first entry point in finding answers to the problems of daily life (Mudzhar, 1990; Wahid, 2012).

While for the makers of fatwas (*mufti*) on digital pages, the publication of legal ideas written is uncertain as ijthihad products that are in accordance with ijthihad procedures as regulated in various scientific references of ushul fiqh (Al-Zuhaili, 2005). Mufti could be a learner who procedurally does not meet the criteria of mujtahid or mufti. Through digital pages, this person tries to publish new ideas that are in accordance with the background of the agreement.

This is the process of ifta which is mostly carried out by Muslim generations of the milineal in this digital age. It is this legal opinion with unclear methodology and authoritative sources that often graces the public debate about Islamic law that is developing in the current era (Jinan, 2012). Even legal opinions without a clear mufti, often become the main reference because they are accessible on digital pages. Legal fatwa regarding whether or not merry Christmas and happy new year among mulim, always repeating the approach of Christmas and New Year. Many digital pages provide legal fatwas but are not based on proper ijthihad procedures. However, the legal implications in society are confusing.

In principle, a legal fatwa is a legal decision taken by a mufti, in response to or answers to questions raised by the fatwa applicant (*mustafti*) (Hallaq, 1994). Fatwa can be in the form of ijttihad of a mufti or it can also be a law that has been determined by the previous madhab priests. Fatwa can be the result of ijthihad of a mufti whose quality is a case of Mujtahid, or it can also be the opinion of previous imams followed by a mufti (Al-Amidi, 1990; Al-Syaukani, 1973; Al-Zuhaili, 2005).

In Musa Furber's research, the fatwa elements consisted of; reputation of mufti, references to the text of the Qur'an and al-Hadith, legal reasoning, references to legal sources, and institutions for discussing the law. The results of his research indicate that the mufti reputation factor is very dominant in determining the choice of legal fatwa. This means that in this digital era, the scholars still remain authoritative in formulating fatwas for the sake of the continuation of legal fatwa in the midst of Muslims (Furber, 2013; Wahid, 2012; Zulkifli, 2013). Meanwhile in Indonesia, many studies indicate that the NU Bahtsul

Masail is undergoing a process of transformation, from the pattern of civilization to the pattern of *ijtihad jama'i* (collective fatwa) (Riza, 2007). Among the NU ulama, senior ulemas maintained the civilized pattern that had long been maintained, while the junior ulama had much contact with anthropological sociological discourse, more appreciative of the jamatic ijtihad. The reason remains the perspective of *usul fiqh* in which the changing times and times will have an impact on the pattern of legal considerations carried out.

Kutscher (2009) stated that the digital era that offers various facilities and disruption in everything, demanding mufti or mujtahid to respond to digital dynamics in contemporary fatwas. This prompted the muftis to accelerate with the development of the digital age. The problem is that more and more legal fatwas are not clear which methods and muftinyaa in this digital era, which is the authoritative fatwa to solve legal problems today. The discussion about the legal authority of the fatwa in the digital era is very important because in the beginning the fatwa was a request from a *mustafti*, and it was binding on the *mustafti* (Bunt, 2003).

NU's Bahtsul Masail is a fatwa produced by fatwa institutions in NU's religious organizations. For Muslim communities, fatwas are very important not only needed by the nahdhiyyin community in Indonesia, but the world community also requires accurate and accountable fatwas (Chawki, 2010; Bunt, 2003; Zahrah, 1958). In the view of Martin van Bruinessen, this bahtsul masail forum is the *halaqah* tradition in Mecca, which was then realized in the organization of Nahdlatul Ulama organizations in Indonesia pioneered by KH Wahab Hasbulloh. Bahtsul masail products are used as a guide as well as guidelines for the daily behavior of Muslims in worship, social activities to political attitudes of nationality (Bruinessen, 1995; Yahya, 2002; Zahrah, 1958).

This special feature of Bahtsul Masail is not only seen from the legal products produced but also the methodology (*manhaj*) of istinbath law that specifically reflects the nature of pesantren in appreciating the scientific treasures of fiqh experts from the past to the present (Muhammad, 2017; Riza, 2007; Yahya, 2002). The works of major scholars who studied at the pesantren become the main reference so that the legal istinbath is not out of fiqh standards in the Islamic world. Esposito (1995) stated that NU's bahtsul masail methodology is included in three dynamic legal discussion models, namely restriction of traditionalist, modernist scripturalism, and socio-historical approach.

Along with the development of science and technology in this digital age, many people who spend time interacting and transacting online. It cannot be denied, for the people in Indonesia the legitimacy of Islamic law regarding the daily behavior of Muslims is also

obtained through online media. Searching or googling through the internet is becoming a new medium in people's lives today (Chawki, 2010; Larsson, 2016; Wahid, 2012).

From these various phenomena, the author analyzes NU's fatwas in Indonesia in the midst of the digital era. The focus of the discussion is on two things namely, the methodology applied in formulating legal fatwa (*istimbath law*), and the model of fatwa transmission from mufti to mustafti in the middle of this digital era. To conduct this research, this research operated the type of field research in which data is collected through interviews and data available on digital pages. The selection of this data is based on representative and relevant to the object of research, which is often referred to by purposive sampling. Data collected through this research is by field research and library research. The scope of this research is to examine the existence of bahtsul masail in the digital age. This research was conducted by interviewing the parties needed such as participants of bahtsul masail (*mufti*) and users of bahtsul masail (*mustafti*). Also by analyzing the data available in digital pages. The research material in the form of secondary data consists of two kinds, namely the materials contained in books and digital pages, as well as the results of research relating to legal edicts in the contemporary era.

Bahtsul Masa'il in the Path of History

The Bahtsul Masail Institute or the complete Bahtsul Masail Institute (*Lembaga Bahtsul Masail/LBM*) of NU is an institution under the management of the Nahdlatul Ulama (NU) at every level whose task is to conduct legal discussions that occur in the nahdliyyin community. As the candra crater on the face of NU, LBM always provides answers to various problems for the nahdliyyin community (Yahya, 2009; Zahro, 2004). These answers then become guidelines for the lives of Nahdliyyin residents wherever they are.

LBM is an official institution tasked with providing religious fatwa for nahdliyyin residents. In the AD/ART (statutes and bylaws) NU 1994, item F article 16 states that the task of the LBM is to collect, discuss and solve problems that are legal and *waqi'iyah* which must immediately obtain legal certainty. The problem comes from the residents of Nahdliyyin as well as the Muslims and the community in general. The task of the LBM is to answer the problems raised by the community both in the field of worship, muamalah, and other problems faced by residents of Nahdliyyin.

There are so many LBM tasks, so LBM cannot respond to all Islamic Sharia regulations that are in accordance with the development of society. The tradition of Bahtsul Masail, still looking for a solution in accordance with the legal hierarchy in Fiqh, namely the most

important sequence is from the Qur'an (*al-nushush al-syar'iyyah*), As-Sunnah and if it is not known in the Qur'an and As Sunnah, the scholars refer to ijithad both ijithad istimbathi and ijithad tatbiqi (Al-Syatibi, 1922; Zahrah, 1958).

Defacto, this LBM has existed since NU was established, namely 13 Rabbis al-Tsani 1345 H/21 October 1926 AD It was proven that at the time of the meeting a mass session was held for the first time in NU history. For this reason, the Bahtsul Masail trial is evidence of the existence of Bahtsul Masail since NU was established (Machfoedz, 1982).

The establishment of the LBM under the NU structure is a logical consequence of the development of bahtsul masail that occurred among the nahdiyyin residents. Those who are concerned in bahtsul masail used to be those with a pesantren background. However, in subsequent developments, LBM was also filled by university graduates both from within and outside the country (Anam, 1985). Please note, that in real terms, the decisions taken in Bahtsul Masail are not only religious in nature, but the bahtsul masail forum also always pays attention to other supporting sciences that are technical such as science and technology, health, medicine, psychology, economics, social politics. Through a combination of religious and ulum sciences, a comprehensive bahtsul masail verdict will be found (Riza, 2007).

The procedure for determining the law carried out by LBM now goes through the following stages: first, the level of the 'jama" is compromising opinions that are cursory at odds. Secondly, there are several different opinions, and thirdly if an agreement cannot be reached, a special team is formed. Such stipulations do not provide progressive meaning in discovering Islamic law (Abshor, 2016; Yahya, 2009).

However, the dynamics of the practice of bahtsul masail in LBM continues to develop. LBM continues to do ijithad but with the concept of ijithad manhaji, as mandated in the National Forum of Ulama NU in Lampung in 1992. The so-called '*bermazhab manhaji*' was then adhered, meaning to adhere to the school in the rules used by ulemas' in their ijithad (Abshor, 2016; Zahro, 2004).

At the end of the twentieth century, after bahtsul masa'il lasted for more than half a century, among the NU there were positive efforts to encourage all parties to deconstruct fiqh through the reconstruction of the methodology for determining laws. This discourse arose for various reasons, firstly the struggle of NU residents with a wave of sophisticated science and technology. The development of social media that changes the way of life as well as the way of religion changes all religious procedures including procedures for

understanding, and practicing Islamic laws (Yahya, 2009; Zahro, 2004). Secondly the emergence of a wave of young ulama among nahdliyyin, who are not only pursuing pesantren education, but young scholars who study in the Middle East and Western countries which are thick with academic nuances (Baso, 2018).

Young millennial generation of NU scholars, construct a new paradigm of traditional critical scriptural (Esposito, 1995; Jinan, 2012), which generally aims to study classical fiqh texts by including their historical social context. Understanding the respective texts is considered important but also the use of the manhaj of thinking sholih scholars should be used as a foothold in issuing legal edicts needed by the ummah nliidiyyin.

The current rapid digital era, the Muslim community not only wants an answer yes or no but requires firmness of reasoning and sitting the real problem. For this reason, a decision format that contains rational and doctrinal reasons as well as practical instructions is appropriate in the context of today's society is needed (Abshor, 2016). What is displayed in the results of bahtsul masail both at the central level to the branch or branch representative, the determination of Islamic law through bahtsul masail still gives the impression of a chain, proceeding as the methodology of law istimbath taught by the salaf scholars.

Fatwa of Islamic Law Digital Era

Entering the digital era which is full of sophisticated developments in science and technology, Islamic sciences naturally experience various dynamics, both methodological dynamics and academic administration (Chawki, 2010). In terms of academic administration, the current era cannot be separated from the development of the digital era, where religious sciences must be prepared to side with digital media (Zulkifli, 2013).

The relationship between religion and social media attracts many academics to research. Hjarvard (2008) assessed that the study of religious and media relations can appear in two traditions. First, the tradition of religious studies in social media media. It examines how religion and important religious texts are represented in the media world. The media world then exerts influence on individuals and institutions in viewing religion as a complete understanding. Second, media traditions as religion (*media as religion*). Namely a religious practice that combines a broader understanding of religion as a cultural practice. This understanding is related to the cultural studies approach to media and communication which is now very interesting.

Another view was given by religious researcher and media Stewart M Hoover, as quoted by Syahputra (2016). According to him the relation of religion and the media can be grouped into four relations. 1) Similarity, namely that religious studies and the media have the same study model that uses symbols and stories that have passed. By using symbols and stories, religion is easily understood by the ummah, as are media readers who capture the meaning of events from media capture. 2) Distinction, i.e. there is a difference between religion and the media but it does not mean that it is contradictory or misunderstood. 3) Mediatism, which is a condition where there is a similar need between religion and the media in conveying messages to the public or its people. 4) Articulation, i.e. the media can be a mouthpiece of religious values.

The four relations can be used to understand the relation between religion and the media which often becomes an endless problem. Among Indonesian people, the relation of religion and media is closer there is a similarity and mediatism relation. Similarity views that the development of religion in Indonesia flourishes to become a primary need for the community, especially the middle and upper classes. It is inevitable that mainstream media such as TV or newspapers provide certain posts for religious studies both left and right, depending on the leader of the media. Religious da'wah can be through various mass media, while the mass media enjoy from a lot of religious content that is not only as part of da'wah, but also an effective promotional media.

Religious propaganda through the media is very important, considering the media has become a massive force that colors every development including the development of religion today. Many phenomena begin with media uploads, then become interesting and penetrate into the lives of the people. Religious lectures which were originally only delivered to people in a place can eventually be enjoyed by people throughout the universe. Without a lengthy process, whatever information that is published becomes input for people who already believe in the media (Chawki, 2010; Karim & Wajdi, 2019).

Capturing the opportunity, several public news portals such as the stands, republika, Indonesian media and other commercial websites took part in taking the opportunity to increase the number of visitors, namely by containing the themes of worship that Muslims wanted. The appearance of general media that provides a more detailed portion of Islam like this, is an interesting phenomenon amid media contestation in drawing the attention of the Ummah.

In short to get various religious information, the internet community no longer has to come to the religious assemblies or meet face to face with religious leaders who are

considered qualified, but enough to write the key words of worship that are sought, then practiced. Who writes and uploads the text is ignored, in the internet community running an expression or maqalah "taking what is said" without paying attention to "who is delivering" (*undhur mâ qâla, lâ tandhur man qâla*) (Karim & Wajdi, 2019).

The condition of people who are internet minded in fulfilling various lives in this world, is called the modern era (Jinan, 2012). The role of technology for human life today is one of which has changed society into individuals who prefer to solve problems quickly in all matters. When someone has or faces a religious problem for example, then he will immediately solve it by searching for answers or asking questions to several religious consultants provided in the question and answer rubric of certain Islamic portals (Wahid, 2012). Because of this, Islamic website managers are required to provide answers quickly and adapt to the character of other internet communities such as answers must be firm, concise and concise.

Over time, online media have become a marketplace of ideas for certain Muslim groups or figures (Arifianto, 2020), each of which will provide content that is in accordance with their ideology, understanding, thoughts and opinions about Islamic practices and discourse with intent accessible to audiences who need the theme provided. In addition, Islamic portals also open a question and answer section where anyone can write questions through the column provided on their website directly or through connected social media.

In this study, there are 5 websites from 20 Islamic-based websites that are favored by the Muslim community. This discussion will look at two aspects namely the material aspects and the methodological aspects of contemporary fatwas. Materially, fatwa material is increasingly complex, considering the problems in the community are also very crucial.

In general, Islamic sites that issue legal edicts or Islamic legal studies can be categorized into 3 groups. First, based on the schools of thought, which follows one of the opinions of the scholars of fiqh. Second, based on verses of the Qur'an and Hadith only, and third, based on the Qur'an, the hadith and fatwa of the *Lajnah Daimah* or the fatwa institutions of Saudi Arabia and others. Third, groups based on the Qur'an, hadith and fatwa of the *Lajnah Daimah* or the fatwa institutions of Saudi Arabia and others.

There are some in the first category which are based on the opinion of scholars or answer and explain the problem based on the provisions in Ushûl al-Fiqh and Fiqh. Among those included in the first category, which is based on the opinion of scholars or answer and explain the problem based on the provisions in Ushûl al-Fiqh and Fiqh are *nu.or.id*,

dalamislam.com, islami.co, bincangsyariah.com, and rumahfiqih.com. The second and third categories are not tied to the opinions of the four schools of thought, but are directly based on the Qur'an, as-sunnah and fatwa institutions of Saudi Arabia or opinions of figures from the Salafi-Wahabi circles, such as *muslim.or.id, almanhaj. or.id, portal-islam.id, rumaysho.com, eramuslim.com, konsultasisyariah.com, islampos.com, hidayatullah.com, kiblat.net, muslimah.or.id, radiorodja.com, bersamadakwah.net, dakwatuna.com, dakwatuna.com, and khotbahjumat.com.*

In the second and third categories, there are also some that are not bound by the opinions of the four schools of thought, but are directly based on the Qur'an, as-sunnah and fatwa institutions of Saudi Arabia or opinions of figures from the Salafi-Wahabi circles.

Of the 20 Islamic sites in Indonesia that are included in the highest statistical traffic above, the themes discussed are also different. The website *nu.or.id, inislam.com, islami.co, bincangsyariah.com, and rumahfiqih.com* mostly discusses the issue of fiqh although Sufism, monotheism, Islamic history and other Islamic themes are discussed.

Of the five websites with cultural and structural affiliation to the Nahdlatul Ulama mass organization, only *bincangsyariah.com* and *rumahfiqih.com* are specifically providing Islamic discussion.

NU Online or *nu.or.id* which occupies the highest position in Islamic website traffic in Indonesia is the main media for Nahdliyin residents. Although this website is not a direct part of NU's bureaucracy, it is culturally and contently voiced all matters related to NU activities, both structural and cultural, at the central, regional, branch, as well as Islamic boarding school activities and the *Nahdliyin* community in general.

Islamic question and answer on this website is only one rubric provided, meaning that it is not the main dish provided by this website. Therefore, the fatwa, even though the manager and the people who discussed it, even Nahdliyin residents in general did not use this term, the issues they discussed were not many.

Website *inislam.com* its contents are simpler than NU Online, which only contains a very basic Islamic study by covering the creed, morality, jurisprudence, food and drink. In terms of content, the description and reference are similar to *islami.co*, only *islami.co* is more complete and the issues discussed are deeper, for example, issues of state, Islamic and Christian relations, music and others are discussed in *islami.co*.

Activists in Islam at *dalamislam.com*, with students and female students who uphold Islamic science, hope to contribute in spreading the positive side of Islam as the largest religion in Indonesia. This web has rubric about Islamic basics, Islamic info and Islamic law. It contains a variety of knowledge about Islam, and frequently asked questions about Islam. Islamic content that is more on Indonesian Islam. Meanwhile, *bincangsyariah.com* and *rumahfiqh.com* are more focused on the study of jurisprudence. Both of them although in terms of the content presented are both relying on the opinions of Islamic scholars, but in terms of the completeness of the discussion and diversity of opinions in addressing the problem of *rumahfiqh.com* it is more comprehensive. The reason is that besides the establishment of *rumahfiqh.com*, it also limits its discussion to the opinions of four schools of law, while *bincangsyariah.com* is more widespread by taking opinions from contemporary scholars such as Ali Jumah, Yusuf Qardlawi, Az-Zarqa, and others.

The five websites above that are structurally close to NU organizations in general in providing opinions on one particular case are always accompanied by diversity of opinions. For example, legal discussions wish you a Merry Christmas, the five websites discuss them with a variety of opinions and the arguments used by the scholars are included even though the author or discussant ultimately makes a choice, weakens one opinion and while reinforcing the opinion of the other. In this case, the opinion that forbids saying merry Christmas to allow the following raised arguments and arguments. Then the discussant sets one of the opinions that allow it while reinforcing his argument (Anwar, 2017).

The 14 other Islamic websites that are in the top 20 categories of Islamic portals in Indonesia in presenting discussions on certain issues place more emphasis on one view then are accompanied by references to the Qur'an, hadith, and fatwas from Saudi Arabia's fatwa institutions and several opinions of prominent figures such as from Muhammad bin Abdul Wahab, Salih Al-Fauzan, Abdul Aziz bin Baz, and others.

This web typology is to convey the doctrines of the basic teachings of Islam since monotheism, morals and fiqh. Also questions and answers about fiqh, taken from classic and modern books. In the study of fiqh of worship includes the book *Bulughul Marom*, a hadith with fiqh systematic while the study of monotheism and fiqh siyasah, take from many recent books.

Digital Fatwa Methodology

As a comparison, the following will explain the several models of digital fatwa methodology that developed on fatwa pages that are widely read in Indonesia. Not only NU ulama performed the fatwa method but also almost all groups could display fatwa, without knowing the meaning of muftiya, who mustafti (*ask for fatwa*).

There are many themes discussed in Islamic fatwas or questions and answers found on the internet, especially on some of the websites that have been described above. The theme of worship, mu'amalah, state administration, jinayah, aqidah issues, morality and others. Each of the fatwas had different methodologies between the fatwas given by NU, Muhammadiyah, Salafi and others. To make it easier to map the virtual fatwa methodology carried out by each Islamic group in Indonesia, the following four categories of digital fatwa methodology will be described.

Nahdlatul Ulama Digital Fatwa Methodology

Digital fatwas issued by the Nahdlatul Ulama website, both through the nu.or.id portal or other Islamic portals managed by NU cadres, are more varied, namely not only uploading the results of bahtsul masail which are NU's structural fatwa institutions, but more precisely based on personal responses to religious social questions or pressures, even this virtual personal fatwa is much sought after and visited by internet users.

NU Online or *nu.or.id* itself, which is the largest portal managed by NU cadres, does not contain the results of the Mastsul Masail as a whole as has been formulated in the Bahtsul Masail forum held in the NU Bahtsul Masail (Zahro, 2004). NU Online contains more bahtsul masail results in the form of news narratives or brief descriptions without mentioning all references taken from the yellow book literature. The fatwa published in the portal that occupies the highest traffic category of Islamic websites in Indonesia has more personal fatwa as a response to questions that enter the editorial email. The "Bahtsul Masail" rubric on this website is answered by one person from the management team of this rubric which consists of the management of the Bahtsul Masail Institute and senior students of the Salaf Islamic Boarding School (Muhammad, 2002).

Although it was answered by one person, the method of taking the law (*istinbâth al-hukm*) used in delivering answers or explaining the law of certain cases as used in bahtsul masail, namely quoting the opinion of one of the 4 schools: Syafi'i schools, Hanafi, Maliki and Hanbali. As long as the answer is found in the Shafi'i school, especially in literature which is usually used as a curriculum in Islamic boarding schools such as the books of *Fath*

al-Qarîb, Fath al-Mu'în, Fath al-Wahâb and others, it will suffice in the information in the book (Abshor, 2016; Yahya, 2009). But if it is not found in the books with only one volume, the answer giver will look for it in large books which number tens of volumes but still in one Syafi'i school as from the *Majmû' bi Syarh al-Muhadzdzab, Hawâsyî asy-Syarwani, Al-'Azîz* and others.

If in one school of Shafi'i the answer is not found then it will use a source from another school, which can be from the Hanafi, Maliki or Hanbali school of literature but prioritizing the works of the previous scholars. If it is still not found then it will use the work of later scholars of jurisprudence who still use schools of thought such as the work of *Al-Fiqh wa Adillatuh* by Wahbah Al-Zuhaili or the opinions of Ali Jumuah and others (Muhammad, 2002; Yahya, 2009).

Muhammadiyah's Virtual Fatwa Methodology

Organizationally, Muhammadiyah has a fatwa institution called Majelis Tarjih. This institution specifically handles the discussion of Islam relating to fiqh, aqeedah, morality, Islamic understanding and others in the form of questions and answers followed by Muhammadiyah figures. Because the discussion was attended by many people in the form of a discussion forum, in each answer before it was decided there were many views and differences of opinion between one participant and another participant. Nevertheless, each participant will express their opinions based on the methodology or manhaj istinb al-hukm applicable in the Muhammadiyah community (Jamaa, 2017).

The methodology in taking the applicable law in Muhammadiyah is based on the search for answers contained in the Qur'an and as-Sunnah or the hadith of the Prophet Muhammad. Both texts will be understood and interpreted with all kinds of science to help find answers to the problems discussed. For Muhammadiyah, in answering the problem it does not refer to the opinion of the ulama contained in Islamic literature or in pesantren terms it is called the *Kitab Kuning* because in each ulama's opinion it is different. Because it is in accordance with the name of the forum, namely "Majelis Tarjih", this forum seeks to comment or review these opinions by looking at and referring directly to the Qur'an and as-Sunnah. As in the end using the opinion of previous scholars, its nature is more complementary or as an amplifier, not the main reference.

In addition to the Majelis Tarjih decision, most of it has also been posted on the internet, both on its website, namely *muhammadiyah.or.id, suaramuhammadiyah.id*, and other websites. The results of the Majelis Tarjih decision were not widely read or used as

guidelines by the general public except for a part of the Muhammadiyah community themselves. On the other hand, the general public lacks information about what issues have been discussed by the Muhammadiyah Tarjih Council, also if someone submits a question to the Tarjih Assembly then it is not necessary to get an answer, it could be because the problem or question is considered unattractive by the forum or supposes it was discussed then it takes a long time, i.e., waiting for the forum to take place. Because of that the Muhammadiyah community in general asked more directly through the Muhammadiyah website or magazine which provided a question and answer section.

Two websites owned by Muhammadiyah, namely *muhammadiyah.or.id* and *suaramuhammadiyah.id* provide Islamic question and answer rubric in addition to several other rubrics. The number of fatwas on the website *muhammadiyah.or.id* is not much and less active, maybe because this website is provided not only for fatwas. In addition, visitors are also few. Whereas the content of *suaramuhammadiyah.id* has a lot to do with information on Islamic teachings, for fatwas included in the question and answer rubric which includes 3 categories: aqidah, worship, sakinah family. The rubric on fatwa posted on the *suaramuhammadiyah.id* website has more contents and is more active than on the *muhammadiyah.or.id* website.

The virtual fatwas published in *suaramuhammadiyah.id* are all the results of the Muhammadiyah Tarjih Council decision, only uploading them is done in accordance with the momentum of the day or the big month of the Muslim community and the Indonesian people in general. For example ahead of the month of Dhul-Hijjah, the question and answer section on this website uploads many fatwas relating to the pilgrimage and qurban. By August it will upload a fatwa relating to it. On August 7, 2019 this website uploaded a fatwa on the law celebrating the Republic of Indonesia Anniversary. This fatwa was the result of the Tarjih Assembly session, which was held on Friday August 25 2017.

Salafi Virtual Fatwa Methodology

Virtual fatwas by salafi groups in the form of text, audio, infographics, and video occupy the largest number on the internet and are widely distributed by netizens. His fatwas are also very complete including worship, mu'amalah, aqidah, and others (Conscience, 2019). This community fatwa has its own methodology which is different from the two previous Islamic group methodologies, namely Muhammadiyah and NU (Zahro, 2004).

In submitting fatwas or answering Islamic issues this group cites more of the Qur'an and sometimes the following interpretations from some previous commentators such as

Ath-Tabari, al-Qurthubi, and Ibn Kathir, the hadiths and opinions of salafi leaders such as Abdul Aziz bin Abdullah bin Baz, Salih ibn Fauzan, Muhammad ibn Salih al-Utsaimin, and other Wahhab leaders. Not a few also in giving fatwa only to quote as a whole from the fatwa issued by the fatwa of Saudi Arabia or the fatwas of Wahabi Salafi leaders.

One website that contains fatwas with a methodology like this is rumaysho.com. In many of its fatwas always include verses of the Qur'an, hadith, opinion mufassir and fatwas of wahabi scholars. For example in discussing the Hajj bailout fund, the fatwa submitted by the manager of this website, Muhammad Abduh Tuasikal, explained that the Hajj bailout fund is usury. Then the verse and the hadith describing usury and the following threats are quoted, after which the opinion of Salih Al-Munajjid, one of the Wahabi Salafi scholars, also forbids it (Tuasikal, 2016; Nurani, 2019).

Another salafi website that also occupies the highest traffic in the top 10 Islamic websites in Indonesia is *almanhaj.or.id*. The Islamic portal without any images in each fatwa is almost the same as rumaysho.com, but is more in quoting the opinions of the Salafi Wahabi figures or it can be said that every article on this website is part of the fatwas translations that have been conveyed by Wahabi scholars, for example in discussing women's law open genitalia in the presence of other women, this website only translates fatwas from Muhammad bin Salih al-Utsaimin contained in the book *Al-Fatawa al-Jami'ah li al-Mar'ah al-Muslimah* (Al-Utsaimin, n.d).

The two websites above and other salafi-owned websites have similar fatwa methodologies, which always refer to the Qur'an and the Hadith and the opinions of Wahhab scholars. In some cases in the environment of *madzâhib al-arba'ah* a mistake occurred, in the fatwa that was conveyed by Wahabi's portal was not recognized. This portal in each discussion only convey one view. For example in the discussion of the law saying merry Christmas, Wahabi's website states unequivocally that in this matter there is no khilafiyah, then some opinions that say there is *khilafiyah* (difference of opinion) are responded by quoting the opinion of Ibn al-Qayyim al-Jauziyah which states that the enemies God must be shunned in the day of his ray.

Hijrah Community Virtual Fatwa Methodology

The virtual fatwa methodology of the hijrah community is basically the same as the wahabi salafi community. The difference is only in terms of knowledge, namely the salafi group submits the fatwa with the methodology as above because it has the knowledge that in Islam must be based on the Qur'an and the traditions and opinions of the Wahhab

figures themselves. Whereas the hijrah community which consisted of people who had just embraced Islam (converts) and people who *Hijrah* (repented) or just learned Islam had no knowledge about it. The hijrah community only follows Islamic studies based on the Qur'an and the Sunnah, especially through writing, video and audio that are spread on the internet.

The hijrah community did not know about the rules in exploring Islamic law, which he understood that to follow Islam is to follow the Qur'an and as-Sunnah in a very textual sense. Auxiliary science such as *Ulûm al-Qur`an*, *Ushûl al-Fiqh*, *Qawâ'id al-Fiqh* this group does not know. In terms of Arabic language knowledge also this group is very low in knowledge, because it cannot access Islamic literature except using translation books (Hasan, 2019).

There are many websites owned by this group, but they are not included in the 20 highest Islamic portals in Indonesia. One of them is *ngefast.id*, *gomuslim.co*, *pemudahijrah.id*, *felixsiauw.com* and others. Some of these websites provide questions and answers or fiqh discussions, but the theme is not as rich as Islamic websites owned by NU, Muhammadiyah or Salafi groups. The virtual fatwa conveyed by the hijrah community discusses more about the association between Muslims and followers of other religions, clothes, the opposite sex and usury.

From the side of the discussion also though based on the Qur'an and Hadith, but unlike Muhammadiyah who uses the tools of 'ulûm al-Qur'an, Ushûl al-Fiqh, and others, or not like Salafi groups that cite the opinions of many figures wahabi. Because of that in thinking the hijrah community is very textual and rigid, but in dressing or utilizing technology this group is very advanced and sophisticated unlike the Salafis. Therefore this group is much favored by millennials.

Fatwa in the Digital Age

Fatwa as part of Islamic civilization that began in the time of the Prophet Muhammad must continue to exist throughout time. Through fatwas, Muslims who have problems in religion either because they do not know or because of changes in circumstances can seek or ask answers (mustafti) to people or fatwa institutions (mufti). On the other hand the role of the mufti or person in charge of Islamic law as conveyed Hallaq should be more active in responding to all changes that occur in society to then provide legal formulation (Hallaq, 1994; Al-Zuhaili, 2005).

Fatwa in its history as its understanding is only conveyed by a mujtahid when asked about religious issues related to fiqh. Understanding fatwa is the answer to questions about sharia law that is not binding (Al-Zuhaili, 2005). Yusuf al-Qardlawi in *Al-Fatwâ Baina al-Indlibâth aw at-Tasayyub* defines fatwa by "information or provisions of Islamic law 'of a problem as an answer to a question, whether the question is clearly identified or not, personally or collectively" (personally Qardlawi: 1988). This means that in the fatwa requires two parties, namely the person who asks (*mustaftî*) and those who give (*mufthî*). Both can be individual or collective.

In Islamic history, not every mujtahid when asked or asked for a fatwa then immediately gives an answer. Some of them answered "don't know". This gives an understanding that someone in giving a fatwa must really know about the problem being asked, also the fatwa is delivered with caution (Furber, 2013; Wahid, 2012). Based on that the scholars made very strict requirements for people who could submit fatwas or mufthî. These requirements include personality and knowledge requirements. As for the conditions of personality or *asy-syakhshiyah*, namely mukallaf (*adult*), Muslim, trustworthy (*tsiqqah*), clean of deeds or words that make it *fasiq*, and have the nature of *murû`ah* or personality to be very careful in protecting themselves from all things that are haram and doubtful. The sexes and physical form they have are not taken into account, meaning that men, women, freedoms or slaves, the blind or the speech impaired can all be mufthî as long as they have the personality mentioned (Al-Zuhaili, 2005).

Whereas for collective fatwa or *ijtihad* which involves many scholars (*ijtihâd jamâ`i*) means that "the scholars who know about Islamic law (*faqîh*) gather to mobilize all their Islamic understanding abilities to get perceptions or *dhann* about *syar`i* law (Al-Zuhaili, 2005). Activities like this are not new to Muslims. Fatwas or *ijtihad* involving many people have been carried out since the time of a friend after the Prophet Muhammad died. It is said, that Abû Bakr when asked about a religious problem by someone he will look for it in the Qur'an, if it is not found then he will look to the words of the Prophet or Sunnah, if he still does not find it will gather his friends and ask whether the problem is being sought the law has been delivered by the Prophet or not. If not then Abu Bakr will gather a lot of people to discuss the issue and the results will be held by Abu Bakr (Al-Zuhaili, 2005).

Thus the responsibility of the scholars who are members of the LBM NU in charge of Islamic sciences and have an obligation is to maintain the continuity of the legal fatwa in Indonesia. Fatwa must be provided as much as possible on internet pages managed by

structural and cultural NUs. Islamic information or fatwa on the internet with provisions adjusting to the nature of internet people who prefer speed, simple, clear and reasonable.

Some other websites that provide Bahtsul Masail results or questions and answers based on Madzâhib al-Arba'ah's opinion but are not included in the category of the 20 highest Islamic websites in Indonesia include *aswajamuda.com* which is managed by PWNU cadres in Central Java and East Java. This website besides providing bahtsul masail decisions, both organized by NU officials at various levels and Islamic boarding schools, also presents questions and answers and explanations of Islamic law based on the fiqh of madzâhib al-arba'ah by emphasizing and prioritizing fiqh opinions from the Shafi'i schools. The issues discussed are also very diverse, ranging from worship, mu'amalah, nationality and others. It's just that, as websites that provide similar things, the contents are less attractive to internet audiences. Each article is only seen an average of 100-200 visitors.

The efforts to digitize the results of the bahtsul masail, religious guidance, and general Islamic discussion by NU residents began at least 5 years ago, but the hard work has not been able to color religious contestations on the internet which has long been dominated by groups not bound by schools of thought. On the other hand, the discourse of civilization which was developed also from the discussion, narrative and systematic writing that is accompanied by many quotations from the book can not be consumed by a wide audience. For example, for example, the results of Bahtsul Masail's decision held by the Java Madura Islamic Boarding School (FMPP) Consultative Forum on the law of using "*tuyul*" or third parties in online motorcycle taxi transactions. The answer given is: "Not allowed with consideration: 1) Tadlis happened, 2) Blocking fellow drivers who have been hung in the place, 3) Violating the rules of the server, such as Gojek and Uber, itself (Aswaja Muda, 2019b).

Short answers without the description above certainly cannot be understood by a wide audience, especially those who do not have a religious education background, or even the pesantren community itself all of them can understand it. Likewise, fatwas or answers regarding legal transactions via the motorcycle taxi application with questions and answers decided as follows (Aswaja Muda, 2019a):

"Question: What is the policy that must be taken by the government regarding the growing conflict between online and conventional transportation service providers?"

Answer: The government must make a comprehensive policy for all levels of society by involving several related parties, including the policy of reconciling the two parties in the following ways: 1) Providing a territorial boundary operation policy for conventional taxis and motorcycle taxis, 2) Equalizing prices and taxes route for both parties.

In every Bahtsul Masail decision, the answer given was very short. Then in the systematics written answers include all references or are like without the translation quoted from the Syafi'i school of fiqh literature. Therefore, for some researchers who are not directly involved in the Bahtsul Masail forum, they will see that the answer is nothing more than copy paste or *naqlu al-'ibârah* from the books of fiqh. The role *mubahhitsîn* (discussants) only move it which is considered in accordance with the issues discussed.

This formulation of answers can only be read by the pesantren community or NU itself, in this case the kiai and senior santri, while for the wider community such answers cannot be understood. Therefore, the forum belonging to the pesantren and Nahdlatul ulama should also provide decisions on the results of Bahtsul Masail in a form that can be understood by the general public based on the nature of the internet community that prioritizes speed, simplicity, interest, ease of understanding and make sense.

Website like *aswajamuda.com* and some other Islamic portals that provide writing with the tradition of civilization are only visited and used as a reference by the kiai and senior students themselves who have the same knowledge, which has the ability to read the yellow book. On various occasions Bahtsul Masail, both conducted by the students of Islamic boarding schools as well as the kiai and senior students through the Bahtsul Masail Institute, it is not uncommon for participants to use information from books or like taking paste (copy paste) from several websites that provide decisions on the results of Bahtsul Masail. That is, the digitalization of the results of Bahtsul Masail benefits is still limited to the circles themselves who actually each of the people who access it has a religious education background and alumni of Islamic boarding schools.

Although the results, in this digital era, bahtsul masail which was held by LBM-NU experienced developments in both the theme of the discussion, the methodology of the discussion, and the efforts to transmit the results. Without acceleration with the digital era the authority of fatwas and muftis, namely pesantren scholars, will be abandoned by the Muslim community (*mustafti*).

Conclusion

This research showed that *bahtsul masail* has waned in the digital age. Bahtsul Masail is increasingly being abandoned by people in this digital age, although there is no methodological change. In addition, it also discusses the format of bahtsul masail in this digital era. Methodologically, bahtsul masail in the era of digital must be simpler, because in the digital era people need concrete answers without proving the truth of their marojis. The context of bermadzhab in qauli and manhaji must be displayed more easily understood by the public. Many Islamic websites display puritanical Islamic models (referring to the Qur'an and Hadith), coloring the discussion of Islamic law in the digital world. However, the lack of socialization of bahtsul masail NU to the Nahdliyyin community was the reason bahtsul masail was left by the community. In this digital era, bahtsul masail must appear through websites that are easily known to the public. Until now, NU both structurally and culturally has limited website media such as: *nu.or.id*, *dalamislam.com*, *islami.co*, *bincangsyariah.com*, and *rumahfiqih.co*. These five websites are vigorously conducting socialization of bahtsul masail values.

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