

## THE CONCEPT OF *'UMŪM AL-BALWĀ* IN THE SHADE OF *TAṢAWWUF*: WISDOM BETWEEN CONCESSION (*RUKHṢAH*) AND BEING ABSTINENCE (*WARA'*)

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### **Khulasah**

Ajaran Islam adalah meliputi keseluruhan hidup seseorang Muslim. Bagi seseorang Muslim, mentaati perintah Allah SWT merupakan suatu tuntutan. Sungguhpun demikian, terdapat beberapa keadaan di mana Islam memberikan jalan kemudahan kepada penganutnya dalam melaksanakan perintah-Nya berdasarkan prinsip *raf' al-ḥaraj*. Allah SWT mengurniakan keringanan sebagai satu bentuk kemudahan apabila seseorang mukallaf itu menghadapi kesukaran dalam menjalankan ketaatan kepada-Nya. Salah satu daripada keadaan sukar yang diberikan kelonggaran ini adalah dikenali sebagai *'umūm al-balwā*. Kajian ini dijalankan bagi melihat konsep *'umūm al-balwā* menurut perspektif tasawwuf bagi mendapatkan hikmah di sebalik pensyariatan konsep ini. Dalam menghubungkan di antara *'umūm al-balwā* dan tasawwuf, ianya akan dilihat berdasarkan dua konsep, iaitu konsep rukhsah dan konsep *wara'*. Bagi tujuan kajian ini, kes yang dipilih adalah kes memilih makanan *ḥalālan ṭayyiban* sebagai kajian kes. Kajian ini dijalankan dengan menggunakan kaedah kajian kepustakaan dan analisis teks untuk mendapatkan data dan pendekatan kualitatif bagi menganalisis data. Kajian ini mendapati bahawa, konsep *'umūm al-balwā* dapat dikaitkan dengan tasawwuf melalui konsep *wara'*. Melalui kefahaman di antara kedua-dua konsep ini, ia menjadi suatu bentuk refleksi yang bermanfaat kepada umat Islam

dalam melaksanakan ketaatan dan ibadah kepada Allah SWT dengan lebih baik.

**Kata kunci:** Musibah umum; kesukaran umum; halal; waspada; kawalan diri.

### Abstract

The teaching of Islam covers all aspects of a Muslim's life. For Muslim, adherence towards Allah's commandment is virtue. However, when it comes to difficult condition, Islam paved the way for easiness towards its adherents as the basic principle of divine revelation is meant to be no burden (*raf' al-haraj*). It is granted by Allah SWT, to provide easiness and concession when there are hardship and difficulty arise by a *mukallaf* in performing their devotion. One of the difficult condition in which mankind given exception is known as *'umūm al-balwā* (widespread hardship). This study is being carried out to view the concept of *'umūm al-balwā* within the *taşawwuf* perspective in order to uncover the wisdom underlining them. To relate with *taşawwuf*, *'umūm al-balwā* will be observed and compared with the concept of concession (*rukḥṣah*) in *fiqh* and abstinence (*warā'*) in *taşawwuf* perspective. For this study, the issue of *'umūm al-balwā* in term of *ḥalālan ṭayyiban* food is being studied. This study utilized fully literature and textual analysis to gain the data as well as analysing the data. This study finds that the concept of *'umūm al-balwā* is relatable with *taşawwuf* through the concept of *warā'*. By understanding this relationship, it became a precious reflection for Muslim to practice their obedience and religious duties towards Allah better.

**Keywords:** Collective trials; general tribulation; *ḥalāl*; piety; self-control.

### Introduction

Islamic teaching put emphasise on both spirituality and physical pureness. These two aspects are embedded into the core of Islamic principle; creed (*'aqīdah*), jurisprudence

(*fiqh*) and etiquette (*akhlāq*). For both aspects, mankind is urged to seek for renewal of faith from their good deeds and honesty to The Creator. In Islam, it is well accepted that, every commandment that are regulated by the Almighty has its own objective or *ḥikmah*<sup>1</sup> (wisdom), but unnecessarily must be known to them all. Not everything that is considered as *ḥikmah*, will always be an obligation, but every *ʿibādah* always have it very own wisdom. Some of the *ḥikmah* behind of those ritual (*ʿibādah*) imposed by Allah are clear but others, remain in His Knowledge<sup>2</sup>.

In Islam, the *ḥukm sharaʿ* or rulings are imposed upon mankind come with different category. These rulings are known also as *taklīf*, and the competent person that have the responsibility is called *mukallaf*<sup>3</sup>. *Taklīf* can be in different category set by the Almighty whether it is in the form of obligatory, or optional; whether to do it or abandon it. This is known as *ḥukm taklīfī*<sup>4</sup> and each of the category is based on the textual proof from al-Qurʿan and al-Sunnah. It is the method of *ʿuṣūl al-fiqh* that help the scholars to identify any sign of obligation are set in any of these categories.

Beside obligation, there are also the concept of concession in Islam. This is known as *rukḥṣah*. *Rukḥṣah* is given by Almighty to ease mankind fulfilling their duties; where it is granted when they face difficulties, hardship or unfavourable conditions<sup>5</sup>. These conditions which is known as *mashaqqah*, is the hindrance and something that require additional effort upon mankind in performing *ʿibādah*

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<sup>1</sup> Also known as *maṣlahah* or the benefit towards mankind may receive by performing an *ʿibādah*.

<sup>2</sup> ʿAbd al-Karīm Zaydān, *al-Wājiz fī ʿUṣūl al-Fiqh* (Beirut: Muʿassasah al-Risālah, 2004), 159.

<sup>3</sup> *Ibid.*, 26.

<sup>4</sup> *Ibid.*, 25.

<sup>5</sup> Abū Ḥamīd bin Muḥammad al-Ghazālī, *al-Mustasfā* (Madīnah al-Munawwarah: Sharīkah Madīnah al-Munawwarah lī al-Ṭabaʿa, n.d.), 330.

(religious ritual)<sup>6</sup>. Therefore, Allah SWT has assured that these *mashaqqah* will be lifted thus, *shara'* approved that concession are given for those how experience it<sup>7</sup>.

In relation to this, one of the reason or cause that mankind granted for succession is widespread hardship or known as '*umūm al-balwā*'<sup>8</sup>. '*Umūm al-balwā* can be describe as general tribulation, or collective tribulation, where it affects most human. '*Umūm al-balwā* is a form of *mashaqqah*, but in more specific setting and closely related to concept of *ḍarūrah* in Islam. When the situation or condition of '*umūm al-balwā* happened<sup>9</sup>, mankind is granted *rukḥṣah*'<sup>10</sup>. By that, it means that any deed that may be opposite of the original ruling is pardoned<sup>11</sup> and no sin is accounted for such act. The concept of *umūm al-balwā* is mostly mentioned in the discourse of *tahārah* (purification) in many *fiqh* literature. In this context, it is referred to small or insignificant amount of impurities that are pardoned and accepted to be worn (when stained to cloth) in prayer. It is known as *najāsāt al-ma'fū' anḥā* (pardoned impurities)<sup>12</sup>.

### Seeking for *Ḥalālan Ṭayyiban* Food

For the purpose of this study, in order to study the relationship between '*umūm al-balwā* and *taşawwuf*, the

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<sup>6</sup> Muḥammad Rawwās al-Qah'ajī, *Mu'jam Lughah al-Fuqahā'* (Beirut: Dār al-Nafā'is, 1988), 325.

<sup>7</sup> Al-Qur'an, Al-Mā'idah: 2

<sup>8</sup> Jalāluddīn al-Suyūṭī, *al-Ashbāh wa al-Nazā'ir* (Egypt: Maktabah al-Tawfiqiyyah, 2012), 153.

<sup>9</sup> Condition of '*umūm al-balwā*: something that prohibited, or unfavoured or doubtful which is too difficult to avoid, too small or insignificant, causing act of repetition, affecting a long period of time, unknown state whether falls into *ḥarām* or *ḥalāl*, mixture of *ḥarām* and *ḥalāl* until it is no longer able to be differentiate between the two, or necessity.

<sup>10</sup> Al-Suyūṭī, *al-Ashbāh wa al-Nazā'ir*, 153.

<sup>11</sup> Refer to the definition of *rukḥṣah* by al-Ghazālī. Al-Ghazālī, *al-Mustasfā*, 330.

<sup>12</sup> Al-Suyūṭī, *al-Ashbāh wa al-Nazā'ir*, 156.

most relevant concept is: *wara`* (abstinence). Further in this study, case study in choosing *ḥalālan ṭayyiban* food in the midst of *‘umūm al-balwā* will be discussed. Regarding food, Islam put emphasise that mankind should choose both *ḥalāl* and *ṭayyib*<sup>13</sup>. In fact, it is an obligation that imposed to humankind and not just Muslim<sup>14</sup>.

*Ḥalāl* simply means anything that is permissible according to *sharī‘ah*<sup>15</sup>. In this context, it is precisely defined as: any food that are free from prohibited element or impurities (*najs*). From the Qur’anic verse of al-Baqarah:186, it is clearly stated that seeking *ḥalāl* (permitted) and *ṭayyib* (wholesome) food are made compulsory to be abide for every human. This shows that Allah SWT from the verse of the Qur’an, advocate mankind to consume food which is free from unclean impurities (*najs*) whether its source, raw material, transaction or the end product or prohibited element. Therefore, abandoning this commandment as it is obligatory (*wājib*) will be a sin<sup>16</sup>. At this point, we now understand that seeking and consuming *ḥalāl* food are mandatory.

However, there are exception given by Allah upon *mukallaḥ* in this matter. *Rukḥṣah*, or concession are given when there is necessity or dire condition, such as in fear of death due to starvation<sup>17</sup>. According to al-Suyūṭi, there are seven reasons of *rukḥṣah* which are (1) long journey, (2) illness, (3) forced situation, (4) forgetfulness, (5) ignorance, (6) deficiency and (7) difficulties and *‘umūm al-balwā* (widespread hardship)<sup>18</sup>. This suggest that when one of this

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<sup>13</sup> Al-Qur’an, al-Baqarah: 168.

<sup>14</sup> In the verse 186 of surah al-Baqarah, the word “*al-nās*” means mankind.

<sup>15</sup> Yūsuf al-Qarādāwi, *al-Ḥalāl wa al-Ḥarām fī al-Islām* (Cairo: Maktabah Wahbah, 1997), 15.

<sup>16</sup> Imām al-Ḥaramayn al-Juwaynī, *Matn al-Waraqāt* (Saudi Arabia: Dār al-Samī‘i, 1997), 7.

<sup>17</sup> Al-Qur’an, al-Baqarah: 173.

<sup>18</sup> Al-Suyūṭi, *al-Ashbāh wa al-Nazā‘ir*, 155-156.

reason occur, particularly 'umūm al-balwā, no sin will be accounted when a person act or do the opposite from the original ruling.

### Definition of 'Umūm Al-Balwā

The word 'umūm al-balwā is an Arabic word consisting of two separate words namely ('umūm) and (balwā). In its etymology, the word 'umūm comes from a combination of two letters 'ayn and mim; amma (عم). According to Arabic linguists, the word 'amma is the true origin of the word 'umūm. Based on this original word, it carries meanings: "general" or "opposite to specific" (العامة خلافة الخاصة)<sup>19</sup>.

Secondly, the word balwā (بلوى) comes from the word balā (بلا). In Arabic, the order of verb for balā is: balā-yablū-balwā (بلا - يبلو - بلوى). According to the Arabic scholar, the word balā, which is the root word for balwā, contain two meanings, namely trial (إختبار) or test (إمتهان)<sup>20</sup>. The combination of the two words, it can be referred to 'general trial'. However, for this study, we would like to use widespread hardship as more reflected to 'umūm al-balwā instead of 'general trial.' In terms of terminology, Wahbah al-Zuhaylī defines 'umūm al-balwā as follows<sup>21</sup>:

شيوخ البلاء بحيث يصعب على المرء التخلص أو الابتعاد عنه.

Meaning: "Generalisation of tribulation in which made difficult for a person to avoid them."

<sup>19</sup> Abū Faḍl Jamāl al-Dīn Muḥammad ibn Mukram Ibn Manzūr, *Lisān al-ʿArab* (Cairo: Dār al-Maʿārif, n.d), 426.

<sup>20</sup> *Ibid.*, 84.

<sup>21</sup> Wahbah al-Zuhaylī, *Naẓāriyyah al-Ḍarūrah al-Sharʿiyyah Muqāran maʿa al-Qānūn al-Waḍʿī* (Beirut: Muʿassasah al-Risālah, 1985), 123.

In addition, Muḥammad al-Dusarī presented the definition of 'umūm al-balwā as<sup>22</sup>:

شمول وقوع الحادثة مع تعلق التكليف بها, بحيث يعسر  
احتراز المكلفين أو مكلف منها, أو استغناء المكلفين أو  
المكلف عن العمل بها إلا بمشقة زائدة تقتضي التيسير  
والتخفيف.

Meaning: "Wide spreading situation in which related to responsibility (*taklīf*) in which made difficult to be avoided by *mukallaḥ*, or it affect entirely upon *mukallaḥ* except it would convey additional hardship; that needed to be ease and lightened."

Through these definitions also, there are some keywords that are an important component in explaining the meaning of 'umūm al-balwā. The first component is difficult, i.e., 'umūm al-balwā is a form of difficulty. Second component is, in the form of general or collective it also referred to the condition of wide spreading; affecting most or many people. The difficulties that caused by 'umūm al-balwā is the key to be granted concession. It is the dominant criteria, according to Islamic principles of *raf' al-ḥaraj*, must be removed. Thirdly, it is difficult to be avoided or difficult to get away from it. Although this component looks almost the same, it turns out that the two have a slight differences. 'Hard to avoid' is a condition of difficulty faced by *mashaqqah* but there are other alternatives that can be taken to get out of the state of *mashaqqah*.

In other words, *mukallaḥ* can do something about it, but it will be difficult if it is not alleviated. Whereas the meaning of 'difficult to be avoided', refers to the situation

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<sup>22</sup> Muslim bin Muḥammad al-Dusarī, 'Umūm Balwā: *Dirāsah Nazariyyah Taḥbiqiyah* (Riyadh: Maktabah al-Rushd, 2000), 61.

where *mukallaḥ* had no other choice but to go through or through the difficult situation. The fourth component is necessity or *al-ḥājah*. However, this component is not necessarily a binding criterion. It explains that, '*umum al-balwā* is a day-to-day difficulty encountered by human. It is something that hinders or blocking human devotion in their daily life. Although '*umūm al-balwā* is often associated with pardoned impurities (in subject of purification), but the scope of its use in Islam is vast.

### **'Umūm al-Balwā as a Concession in Islamic Jurisprudence**

'*Umūm al-balwā* is a concept of *fiqh* that deals with mitigation from the original ruling. It is a concept related to other *fiqh* terms such as *al-darūrah* (dire necessity), *mashaqqah* (difficulty), and *rukḥṣah* (concession). The principle of Islam is built on the principle of *raf' al-ḥaraj* meaning that all '*ibādah* ordained by Allah is assured to be easy and compatible with human capability. *Rukḥṣah*, according to al-Āmidī is defined as<sup>23</sup>:

ما أبيض فعله مع كونه حراما ، وهو تناقض ظاهر.

Meaning: "Anything that permitted to be conduct in which the original ruling is prohibited, thus abrogated (the original ruling) entirety"

Furthermore, another definition by al-Bayḍawī stated that<sup>24</sup>:

الحكم الثابت بدليل على خلاف دليل آخر لعذر.

<sup>23</sup> 'Ali bin Muḥammad al-Āmidī, *al-Iḥkām fī Uṣūl al-Aḥkām* (Saudi Arabia: Dār al-Samī'ī, 2003), 176.

<sup>24</sup> Muḥammad Abū Nūr Zuhīr, *Uṣūl al-Fiqh* (Egypt: Maktabah al-Azhariyyah li al-Turāth, n.d.), 73.

Meaning: "The rule that adhered with legal proof in the way that opposing other legal proof due to excuse."

In this context, *umūm al-balwā* is a form of *mashaqqah* which should be alleviated based on the legal maxim *al-Mashaqqah Tajlib al-Taysīr* (Hardship Begets Facility).

### **The Concept of *Wara'***

*Taşawwuf* in Islam, is a discipline that deals with the methodology to purify oneself, improve moral and developing spiritual life to achieve the betterment in worldly life and the hereafter. The core element of the teaching of *taşawwuf* is self-purification in achieving happiness in life. There is station (in term of sufism), known as *maqāmat*, in which an individual can attain, and one of them are called *wara'*. Linguistically, *wara'* (و-ر-ع) means<sup>25</sup>:

التقوي والتحرج والكف عن المحارم

Meaning: "Piety; being ashamed of; abstain from prohibited matters".

According to al-Zarnūjī, *wara'* is defined as<sup>26</sup>:

"To guard oneself from prohibited matter"

In Islam, *wara'* is one of noble *maqāmat*. Al-Zarnūjī explained that *wara'* is to guard oneself against the unlawful things. According to some scholar, al-Zarnūjī's terminology is the simplest form, suggesting that he dictates that qualities is basic requirement to every Muslim<sup>27</sup>. Al-Nablūšī explained that the characterisitic of

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<sup>25</sup> Muḥammad Murtaḍā al-Ḥusaynī al-Zabīdī, *Tāj al-'Urūs*, vol. 22 (Kuwayt: Maṭba'ah Hukūmah al-Kuwayt, 1985), 313.

<sup>26</sup> Al-Zarnūjī, *Ta'līm al-Muta'allim Ṭarīq al-Ta'allum* (Karachi: Qadīmī Kutub Khānah, n.d), 67-68.

<sup>27</sup> Muhammad Fairuz, A. Adi and Satiman Amzan, "Sifat Wara' dalam Pendidikan menurut Imam al-Zarnuji," *E-Jurnal Penyelidikan dan Inovasi* (2015), 19-29.

*wara'* has been mentioned by the Prophet PBUH in one *ḥadīth*<sup>28</sup>:

مِنْ حُسْنِ إِسْلَامِ الْمَرْءِ تَرْكُهُ مَا لَا يَعْنِيهِ

Meaning: "Part of perfection in Islam is for a person to leave what does not concern him."<sup>29</sup>

*Wara'* is the ability of self-controlling on mental and physical under religious-based values<sup>30</sup>. This explain that, *wara'* is a type of character building that act as preventive conscious from any possibility that leads to the unfavourable (*makrūh*) and the prohibited (*ḥarām*).

### Connection Between Element of 'Umūm al-Balwā and Wara'

Based on explanation earlier, we can understand that *wara'* is an element within *taşawwuf*, while 'umūm al-balwā is related to *rukḥṣah*. These two concepts are part of the *sharī'ah*, but only differ in the classification of *akhlāq* and 'ibādah. According to *taşawwuf* scholar, *wara'* is a character of a Muslim who always be prudence and cautious for their intention, action and decision. It may be referred simply as extra-cautious characteristic that avoid any possible way that may leads to misguided act, deviation from Allah SWT commandment and the teaching of the Prophet PBUH; and also, not getting any nearer in those things. This is because, a *wara'* individual possess a mind-

<sup>28</sup> Muḥammad Ratīb al-Nablūsī, retrieved 14th May 18, <http://www.nabulsi.com/blue/ar/art.php?art=2882&id=150&sid=734&ssid=753&ssid=754>

<sup>29</sup> Abū 'Isā Muḥammad al-Tirmīdhī, *Jāmi' al-Tirmīdhī*, Kitāb al-Zuhd, Bāb Fī Man Takallam bi Kalimah Yuḍḥiku bihā al-Nās, no. Hadith: 2250, Mawsū'ah al-Ḥadīth, Islamweb.net, retrieved 10 Oct 2017, [http://library.islamweb.net/hadith/display\\_hbook.php?bk\\_no=195&hid=2250&pid=123487](http://library.islamweb.net/hadith/display_hbook.php?bk_no=195&hid=2250&pid=123487).

<sup>30</sup> Miftachul, Huda, Azmi Jasni Kamarul, Mustari Mohd Ismail, and Basiron Bushrah, "Understanding Wara' (Gogliness) as a Feature of Character and Religious Education," *The Social Sciences* 12(6) 2017, 1106-1111.

set that everything should be always in consideration in the hereafter (*akhīrah*) worldview; that everything must be in Allah's countenance.

Therefore, *wara'*, as an element of *taşawwuf*, always put gap between individual or a *mukallaf* from anything that is prohibited or unfavourable or even doubtful thing in every aspect of their life. The Prophet PBUH mentioned in *ḥadīth* that whoever stays away from doubtful matters, he/she is protecting their religion:

إِنَّ الْحَلَالَ بَيِّنٌ وَإِنَّ الْحَرَامَ بَيِّنٌ وَبَيْنَهُمَا أُمُورٌ مُشْتَبِهَاتٌ

لَا يَعْلَمُهُمْ مَن كَثِيرٌ مِّنَ النَّاسِ ، فَمَن اتَّقَى الشُّبُهَاتِ فَقَدْ  
اسْتَبْرَأَ لِدِينِهِ وَعَرْضِهِ ، وَمَن وَقَعَ فِي الشُّبُهَاتِ وَقَعَ فِي  
الْحَرَامِ ، كَالرَّاعِي يَرْعَى حَوْلَ الْحِمَى يُوشِكُ أَنْ يَرْتَعَ فِيهِ ،  
أَلَا وَإِنَّ لِكُلِّ مَلِكٍ حِمًى أَلَا وَإِنَّ حِمَى اللَّهِ مَحَارِمُهُ أَلَا وَإِنَّ  
فِي الْجَسَدِ مُضْعَةً إِذَا صَلَحَتْ صَلَحَ الْجَسَدُ كُلُّهُ وَإِذَا  
فَسَدَتْ فَسَدَ الْجَسَدُ كُلُّهُ أَلَا وَهِيَ الْقَلْبُ

Meaning: "What is lawful is evident and what is unlawful is evident, and in between them are the things *shubhah* (doubtful) which many people do not know. So he who guards against doubtful things keeps his religion and honour blameless, and he who indulges in doubtful things indulges in fact in unlawful things, just as a shepherd who pastures his animals round a preserve will soon pasture them in it. Beware, every king has a preserve, and the things God his declared unlawful are His preserves. Beware, in the body there is a piece of flesh; if it is sound, the whole

body is sound and if it is corrupt the whole body is corrupt, and hearken it is the heart."<sup>31</sup>

On the other hand, 'umūm al-balwā, as explained in the earlier part of this article, are simply known as the condition that happened often in life that is prohibited or unfavourable but difficult to be avoided. 'umūm al-balwā is a *fiqh* methodology that allows an individual to do such things, as a concession to lift up burden as the principle of Islam stated, *raf' al-ḥaraj* (lifted burden) and legal maxim *al-mashaqqah tajlib al-taysīr* (hardship begets facility)<sup>32</sup>.

It is important to mention that, 'umūm al-balwā does not validate the prohibited or unfavourable nor encouraged those things to be act upon, but act as exception due to hardship (*mashaqqah*). This methodology is recognized and practiced by scholars and can be identified in both classical and modern literature<sup>33</sup>. To put into contemporary context, one example can be presented to visualise the bridge between 'umūm al-balwā and *wara'*. For instance, in the issue of choosing food. It is clear that the obligation is, to seek for *ḥalāl* and *ṭayyib* food.

يَا أَيُّهَا النَّاسُ كُلُوا مِمَّا فِي الْأَرْضِ حَلَالًا طَيِّبًا وَلَا تَتَّبِعُوا  
حُطُوتِ الشَّيْطَانِ

Meaning: "O mankind, eat from whatever is on earth (that is) lawful and good and do not follow the footsteps of Satan."<sup>34</sup>

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<sup>31</sup> Muslim, *Ṣaḥīḥ Muslim*, Kitāb al-Musāqāh, Bāb Akhḏ al-Ḥalāl wa Tark al-Syubuhāt, no. Ḥadīth: 3004, Mawsū'ah al-Ḥadīth, Islamweb.net, retrieved 10 Oct 2017, [http://library.islamweb.net/hadith/display\\_hbook.php?hflag=1&bk\\_no=158&pid=107251](http://library.islamweb.net/hadith/display_hbook.php?hflag=1&bk_no=158&pid=107251).

<sup>32</sup> 'Alī Aḥmad al-Nadwī, *al-Qawā'id al-Fiqhiyyah* (Damascus: Dār al-Qalam, 2013), 302.

<sup>33</sup> Al-Dusarī, 'Umūm Balwā, 61.

<sup>34</sup> Al-Qur'an, al-Baqarah: 168

However, in the case of food that are contaminated with impurities (*najs*), that difficult to avoid has some consideration for concession. Cross-contamination<sup>35</sup> of *ḥarām* animal's Deoxyribonucleic Acid (DNA) into food has the possibility to occur and in the form of 'umūm al-balwā<sup>36</sup>. This happens when the DNA is wide spread, able to be transferred from one place to another via cross-contamination. In this situation, when the circumstance fulfilled the criteria and the requirement of 'umūm al-balwā, it is pardoned by Allah if someone ate the tainted food. It means that, there will be no sin or punishment accounted for him/her for eating such food due to *rukḥṣah*.

However, he or she can choose whether to take the food as it may not in very dire necessity or *ḍarūrah* for not eating that and take other food instead. Not choosing the tainted food is an act of precaution and put favour into safer way. This is mentioned by al-Ghazālī when explaining about verse 51, surah al-Mu'minun, that taking good food should come first before carried out religious duties<sup>37</sup>.

يَا أَيُّهَا الرُّسُلُ كُلُوا مِنَ الطَّيِّبَاتِ وَاعْمَلُوا صَالِحًا

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<sup>35</sup> In which the contamination is unintentional, originated from unknown source and exist in the form of trace contaminant.

<sup>36</sup> Based on the statement made by former Pengerusi Majlis Fatwa Kebangsaan, Emeritus Professor Tan Sri Dr Abdul Shukor Husin in 29 May 2014, addressing the 2014 Cadbury contamination issue. See: Astro Awani, Coklat Cadbury halal - Majlis Fatwa Kebangsaan (2014), retrieved 4th June 2017, <http://www.astroawani.com/berita-malaysia/coklat-cadbury-halal-majlis-fatwa-kebangsaan-36793>.

As mentioned earlier, 'umūm al-balwā is not intended to legalize what is prohibited in *Shara'* as it is absolute right is reserved only to Allah, but to be exempted due to *mashaqqah*. When the condition is no longer *mashaqqah*, no *rukḥṣah* are no longer valid. See also Muhamad Afiq et.al., "Consideration of 'Umūm al-Balwā Method in Food Contamination from Halalan Toyyiban Perspective," Proceedings of the 3rd International Halal Conference (INHAC 2016), Singapore: Springer, 479-489.

<sup>37</sup> Abū Ḥāmid Muḥammad bin Muḥammad al-Ghazālī, *Ihyā' 'Ulūm al-Dīn* (Beirut: Dār Ibn Ḥazm, 2005), 432.

Meaning: "O messengers, eat from the good foods and work righteousness."

Such act is a character of *wara'*. The condition of '*umūm al-balwā* created the option for a *mukallaf*; whether to choose to do such things only with good intention and in specific situation. As for *fiqh*, it will indicate the easiest way to perform '*ibādah* and ruled out the minimum requirement as long as it is acceptable in *sharī'ah* framework. But, *taṣawwuf*, provide the safer way to perform '*ibādah*, as it become a counter balance and focusing to attain maximum or total effort to get connected (*taqarrub*) to Allah SWT. Therefore, in the context of *ḥalālan tayyiban*, a *wara'* person will be someone who preserve himself/herself from taking any prohibited food nor doubtful element, and prefers to *iḥtiyāt* even in the condition of '*umūm al-balwā*.

### Conclusion

'*Umūm al-balwā* is a *fiqh* methodology that give concession to *mukallaf* when it comes to prohibited act or practice due to hardship (*mashaqqah*). Any *mashaqqah* that faced by *mukallaf* shall be lifted and this is a guarantee by Allah SWT as the Lawgiver that assured Islam, is not a burden for its adherents. Therefore, '*umūm al-balwā* allows *mukallaf* to make option whether to do it, and it is not a transgression. However, not to choose or come near to such act would be praiseworthy as *taṣawwuf*, via the concept of *wara'*. Even though *fiqh* paved the way for easiest way possible to practice Islam, but *taṣawwuf* paved the way for closest way to attain Allah's alleviation. Thus, for Muslim, it should be realized that the beauty of Islam lies on how they defined and characterized themselves, whether to practice easy or to become prudence, hoping the goodness for worldly life and the hereafter.

## References

- Al-Āmidī, 'Ali bin Muḥammad. *Al-Iḥkām fī Uṣūl al-Aḥkām*. Saudi Arabia: Dār al-Samī'i, 2003.
- Astro Awani, Coklat Cadbury halal - Majlis Fatwa Kebangsaan (2014), retrieved 4th June 2017, <http://www.astroawani.com/berita-malaysia/coklat-cadbury-halal-majlis-fatwa-kebangsaan-36793>.
- Al-Dusarī, Muslim bin Muḥammad. *'Umūm Balwā: Dirāsah Nazariyyah Taṭbīqiyyah*. Riyadh: Maktabah al-Rushd, 2000.
- Al-Ghazālī, Abū Ḥamīd bin Muḥammad. *Al-Mustaşfā*. Madīnah al-Munawwarah: Sharīkah Madīnah al-Munawwarah lī al-Ṭab', n.d.
- Al-Ghazālī, Abū Ḥāmid Muḥammad bin Muḥammad. *Iḥyā' 'Ulūm al-Dīn*. Beirut: Dār Ibn Ḥazm, 2005.
- Ibn Manẓūr, Abū Faḍl Jamāl al-Dīn Muḥammad ibn Mukram. *Lisān al-'Arab*. Cairo: Dār al-Ma'ārif, n.d.
- Al-Juwaynī, Imām al-Ḥaramayn. *Matn al-Waraqāt*. Saudi Arabia: Dār al-Samī'i, 1997.
- Miftachul Huda et al., "Understanding *Wara'* (Gogliness) as a Feature of Character and Religious Education," *The Social Sciences* 12(6) 2017: 1106-1111.
- Muhamad Afiq et.al., "Consideration of 'Umūm al-Balwā Method in Food Contamination from Halalan Toyyiban Perspective," Proceedings of the 3rd International Halal Conference (INHAC 2016), Singapore: Springer, 479-489.
- Muhammad Fairuz, A. Adi and Satiman Amzan, "Sifat *Wara'* dalam Pendidikan menurut Imam al-Zarnuji," *E-Jurnal Penyelidikan dan Inovasi* (2015): 19-29.
- Muḥammad Ratīb al-Nablūsī, <http://www.nabulsi.com/blue/ar/art.php?art=2882&id=150&sid=734&ssid=753&sssid=754>
- Al-Nadwī, 'Alī Aḥmad. *Al-Qawā'id al-Fiqhiyyah*. Damascus: Dār al-Qalam, 2013.
- Al-Qah'ajī, Muḥammad Rawwās. *Mu'jam Lughah al-Fuqahā'*. Beirut: Dār al-Nafā'is, 1988.

- Al-Qarāḏāwī, Yūsuf. *Al-Ḥalāl wa al-Ḥarām fī al-Islām*. Cairo: Maktabah Wahbah, 1997.
- Al-Suyūṭī, Jalāluddīn. *Al-Ashbāh wa al-Naḏā'ir*. Egypt: Maktabah al-Tawfīqiyyah, 2012.
- Al-Zabīdī, Muḥammad Murtaḏā al-Ḥusaynī. *Tāj al-'Urūs*. Kuwait: Maṭba'ah Ḥukūmah al-Kuwayt, 1985.
- Al-Zarnūjī, *Ta'lim al-Muta'allim Ṭarīq al-Ta'allum*. Karachi: Qadīmī Kutub Khānah, n.d.
- Zaydān, 'Abd al-Karīm. *Al-Wājiz fī 'Uṣūl al-Fiqh*. Beirut: Mu'assasah al-Risālah, 2004.
- Al-Zuhaylī, Wahbah. *Nazāriyyah al-Ḍarūrah al-Shar'iyyah Muqāran ma'ā al-Qānūn al-Waḏ'ī*. Beirut: Mu'assasah al-Risālah, 1985.
- Zuhir, Muḥammad Abū Nūr. *Uṣūl al-Fiqh*. Egypt: Maktabah al-Azhariyyah lī al-Turāth, n.d.