

## Fiqh Controversy Surrounding Jama' and Qasar Prayers in the Modern Era

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### Abstract:

Jama' and qasar prayers are forms of rukhsah (legal concessions) granted in Islamic law to individuals facing specific circumstances, particularly travelers (musafir). However, with the passage of time, the application of this rukhsah has sparked various controversies, especially in light of the high mobility of modern society, advancements in transportation, and evolving concepts of "travel" (safar). This article aims to re-examine the fiqh-based concept of jama' and qasar prayers in a contemporary context by exploring differences between classical scholars' interpretations and modern scholars' responses to new realities. The study employs a qualitative-descriptive approach using library research methods, analyzing classical fiqh sources (from the four major schools) as well as contemporary literature. The findings suggest that while the foundational principles of rukhsah remain relevant, there is a need for renewed ijihad to contextually define the criteria for safar and emergency conditions so that Islamic law remains adaptable without compromising its normative authority.

### Keywords:

Combined Prayers, Shortened Prayers, Contemporary Fiqh, Travel (Safar), Legal Concession (Rukhsah).



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## INTRODUCTION

Prayer occupies the main position as the second of the five pillars of Islam, which must be fulfilled by every Muslim under any conditions (Shingo Ueda, 2024). The provisions of the time and procedures for the implementation of prayer have been strictly stipulated in the Qur'an and hadith, so that its implementation has a worship value that is very tied to accuracy and order. However, Islam also places the principle of convenience and not burdening the ummah as the foundation in establishing the law. This principle is reflected in the existence of *rukhsah* or legal dispensation when a Muslim experiences a special condition such as illness or on a long journey (*safar*) (Prashant, 2025; Shinde et al., 2024). *Rukhsah* in the context of *safar* provides flexibility for a traveler to perform two prayers at a time (*jama'* taqdim or ta'khir) and to *qasar* the four rakaat prayers into two rakaat (Rahayu et al., 2024). This provision is based on a number of postulates in the Qur'an and the sunnah of the Prophet Muhammad PBUH, which show that Islamic law pays attention to the conditions and difficulties faced by its people in carrying out religious obligations. In classical jurisprudence, the four main schools of Hanafi, Maliki, Shafi'i, and Hanbali generally agree on the ability of *jama'* and *qasar* prayers in *safar*, although they differ in the terms and limitations of their

implementation(Pauzi et al., 2023).

The criteria for who is included as a traveler in the context of classical jurisprudence are usually based on the distance traveled and the length of time a person has been outside his place of residence (Ardashnikova & Konyashkina, 2024; Kolbl et al., 2026; Najib et al., 2024; Takim, 2006). For example, the Shafi'i school requires a minimum distance of about 80 km and does not intend to stay more than four days at the destination (Chatterjee, 2020; Prashant, 2025). However, this distance calculation comes from the reality of travel in the past, when means of transportation were very limited and traveling that distance required a long time as well as great physical effort. This context is very different from the conditions of modern society today. Major changes occurred with the technological and transportation revolution. Cars, high-speed trains, and especially airplanes allow one to move from one city or even country to another in just a matter of hours. This high mobility becomes part of everyday life, no longer something extraordinary. Thus, theological and jurisprudence questions arise: can the concept of *safar* still be applied to classical measures in the current situation? This problem becomes more complex when we consider the motivation of modern *safar* which is not only limited to urgent needs, but also for recreational purposes, daily business, and even lifestyle. People can travel across cities in one day and return home before nightfall. In conditions like this, can they still be called travelers according to sharia? Do they still get the right of *rukhsah* for *jama'* and *qasar*? This has become an interesting debate in contemporary *fiqh* discourse.

Some modern Muslim scholars and scholars have begun to consider the need for a reinterpretation of the definition of *safar* and the conditions of *rukhsah*. They emphasized the importance of paying attention to *maqashid* al-shariah, the main objective of Islamic sharia in responding to new conditions. The principles of *maslahat* (benefit), emergency, and convenience (*taysir*) are the main basis for doing a new *ijtihad* in understanding the practice of worship in the midst of the challenges of the times. This approach does not necessarily abort the rules of classical jurisprudence, but rather broadens the horizons of Islamic law to remain contextual and responsive to social realities. Contemporary *ijtihad* that considers the psychological, physical, and social aspects of modern travelers is part of an effort to maintain the relevance of Islamic sharia without eliminating its normative authority (Andrea, 2021; Buckley, 2023; Chang & Amalina, 2025a). In this case, it is important to develop a legal framework that can map out which types of travel can be given *rukhsah* and which are not. Some people criticize the tendency to oversimplify *rukhsah* for reasons of modernity. They argue that *rukhsah* is a form of exception that applies only in emergencies or real difficulties, not due to personal choice or convenience. Therefore, they still hold the limits of classical *fiqh* strictly as a form of prudence in maintaining the sacredness of worship. This debate shows that the practice of *jama'* and *qasar* prayer is not only a matter of jurisprudence, but also intersects with theology, sociology, and even the psychology of the ummah. This complexity requires an interdisciplinary approach in understanding and establishing laws that are applicable but still in accordance with the basic principles of Islam. This also shows that Islamic law is dynamic and adaptive.

Considering all these dynamics, research on the controversy of *jama'* and *qasar* prayer in the modern era is very important. The urgency of this research lies in the need to reformulate *fiqh* guidelines that are relevant to contemporary realities without losing the accuracy of the text and the

spirit of sharia. Through this study, it is hoped that a moderate, fair, and contextual middle ground can be found, so that Muslims can still carry out their worship correctly in the midst of fast-paced and complex modern life.

## METHOD

This study employs a qualitative research method with a library research approach to explore comprehensively the fiqh discourse concerning jama' and qasar prayer from both classical and contemporary perspectives (Creswell, 2014). The qualitative approach was selected because the research focuses on understanding legal reasoning, interpretation, and the dynamics of ijtiḥad developed by Muslim scholars regarding rukhsah prayer practices during travel (safar) (Sugiyono, 2019). Through library research, the study emphasizes the analysis of textual sources and scholarly opinions as the primary basis for constructing arguments and identifying the transformation of legal concepts in response to modern social realities (Zed, 2014). This approach enables the researcher to investigate normative Islamic legal thought in a systematic and contextual manner (Moleong, 2018).

The data collection process was conducted through an intensive review of primary and secondary literature relevant to the research topic. Primary sources consisted of authoritative fiqh references from the four major schools of Islamic jurisprudence, namely Hanafi, Maliki, Shafi'i, and Hanbali schools, including classical fiqh compilations and legal commentaries discussing the provisions, conditions, and limitations of jama' and qasar prayer (Al-Zuhayli, 1985). In addition, the study utilized secondary sources such as academic books, scientific journal articles, conference proceedings, and fatwas issued by contemporary scholars and Islamic institutions related to travel jurisprudence in the modern era (Hallaq, 2009). The literature selection process was carried out purposively by prioritizing credible, relevant, and academically recognized sources to ensure the reliability and validity of the research findings (Nazir, 2014).

After the data were collected, the researcher conducted data organization and classification based on several thematic aspects, including the definition of safar, legal requirements for jama' and qasar prayer, differences among madhhabs, and contemporary reinterpretations influenced by technological and transportation developments. The analysis employed a descriptive-analytical method, in which the researcher first described the opinions of classical and contemporary scholars systematically, then compared similarities and differences among legal perspectives (Miles, Huberman, & Saldaña, 2014). Furthermore, the analysis critically evaluated the extent to which traditional fiqh concepts remain applicable within current social contexts characterized by rapid mobility, transportation efficiency, and changing patterns of human activity (Kamali, 2008).

The final stage of the research involved drawing contextual conclusions regarding the relevance of jama' and qasar prayer in contemporary Muslim life. Through this approach, the study seeks to reveal the dynamics of Islamic legal adaptation and the flexibility of fiqh in responding to societal changes without neglecting its normative foundations (Rahman, 1982). The research also aims to formulate a contextual legal understanding that can bridge classical fiqh traditions with the realities of modern society (Esposito, 2003). Consequently, the study contributes not only to the enrichment of Islamic legal scholarship but also to providing practical guidance for Muslims in

implementing rukhsah prayer within contemporary conditions (An-Na'im, 2008).

## RESULTS AND DISCUSSION

Facing the dynamics of modern life characterized by high mobility, advances in transportation technology, and changes in the lifestyle of Muslims, worship practices such as *jama'* and *qasar* prayer require an in-depth review. Although both have been established in classical jurisprudence as a form of *rukhsah* (relief) for travelers, new challenges have arisen in redefining the concept of "*safar*" and the difficulties that justify its implementation. This article presents the results of research that aims to explore how classical scholars formulated the concepts of *jama'* and *qasar*, as well as how contemporary scholars respond to the changing times with the *maqashid* al-shariah approach. The following presentation of results highlights the epistemological tension and the need for a new *ijtihad* to bridge the gap between the normative authority of *fiqh* and the modern social context.

### Results

Based on the results of a study of classical jurisprudence literature and the views of contemporary scholars, it was found that the practice of *jama'* and *qasar* prayer has a strong foundation in the tradition of the four madhhabs, with a common point in the ability of *qasar* for travelers and differences in the scope of *jama'* conditions (Takim, 2006). The Shafi'i and Maliki schools tend to be restrictive, limiting the ability of the *jama'* to be in conditions of *safar* and rain, while Hanbali and some contemporary views are looser, allowing in various difficulties. In the classical context, the minimum distance of *safar* (about 89 km) and the length of stay at the destination (about 4 days) are the main indicators of *rukhsah* ability. However, this approach has become problematic in the era of modern mobility where long journeys can be made in a matter of hours with advanced transportation technology (Lestari et al., 2025; Mao et al., 2026; Yuhisyam & Hoque, 2025).

Phenomena such as intercity commuting, short business trips, and time flexibility in the digital age challenge conventional definitions of *safar*. Questions arise regarding the status of travelers for those who regularly travel between cities for a short period of time, or who travel without significant physical burden. Contemporary scholars such as Yusuf al-Qaradawi and Wahbah az-Zuhaili provide an approach based on *maqashid* al-shariah, which considers the convenience, non-burdensomeness, and continuity of worship. They suggest reinterpreting *safar* with a *maslahat* approach, not just a measure of distance and time, and considering psychological and technical factors in determining the difficulties that justify *rukhsah* (Abd Muin et al., 2025; Mahmud, 2023; Misbaahuddin Asyuari, 2025; Pauzi et al., 2023; Susilo et al., 2025).

These findings suggest that there is an urgent need for contextual *ijtihad* that considers the reality of the current mobility of Muslims without sacrificing sharia normative values. The expansion of the meaning of *safar* and the re-understanding of the principle of *rukhsah* must be done carefully so as not to open a gap in permissive in worship. Therefore, the synergy between the principles of classical *fiqh* and the contemporary *maslahat* approach is the key in maintaining a balance between the firmness of the law and the flexibility of the implementation of worship in modern life. This

finding also emphasizes the urgency of developing a *fiqh* methodology that is more adaptive to the dynamics of the times and the needs of the ummah.

## Discussion

The results of this study show that the concepts of *jama'* and *qasar* in classical *fiqh* literature are highly dependent on the criteria of distance, time, and conditions of difficulty experienced by travelers. The scholars of the four schools generally agree on the basic principles of permissibility of *jama'* and *qasar*, but they differ in the details of their application. For example, the Shafi'i and Hanbali schools agreed to set a minimum distance of *safar* of 89 km to allow *qasar* (Muhammad Habibul Amin & M. Iqbal Irham, 2024; Najib et al., 2024; Shinde et al., 2024; Yusnita Effendy, 2024). However, in terms of the duration of stay at the destination, there are significant differences. The Hanafi school is stricter, while the Hanbali school is looser.

Hadith on Jamak (Combining Prayer) Arabic Text (Sahih Muslim 705):

عَنْ ابْنِ عَبَّاسٍ، قَالَ: صَلَّى رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ الظُّهْرَ وَالْعَصْرَ جَمِيعًا، وَالْمَغْرِبَ وَالْعِشَاءَ جَمِيعًا، فِي غَيْرِ خَوْفٍ وَلَا سَفَرٍ.

*Ibn 'Abbas (may Allah be pleased with him) said: The Messenger of Allah ﷺ combined the Zuhr and 'Asr prayers together, and the Maghrib and 'Isha prayers together, without fear and without travel. (Scholars explain this was to remove hardship from the people.)*

Hadith on Qasar (Shortening Prayer) Arabic Text (Sahih Muslim 685a):

عَنْ عَائِشَةَ، زَوْجِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنَّهَا قَالَتْ: فُرِضَتِ الصَّلَاةُ رَكْعَتَيْنِ رَكْعَتَيْنِ فِي الْحَضَرِ وَالسَّفَرِ، فَأُقِرَّتْ صَلَاةُ السَّفَرِ، وَزِيدَ فِي صَلَاةِ الْحَضَرِ.

*'A'isha (may Allah be pleased with her) reported: The prayer was prescribed as two rak'ahs, two rak'ahs both in journey and at the place of residence. The prayer while travelling remained as it was (originally prescribed), but an addition was made in the prayer observed at the place of residence.*

*Jama'* prayer is also a vast area of *ijtihad*. The Maliki school is very restrictive and only allows *jama'* in conditions of *safar* that meet certain conditions, while the Hanbali school opens up a larger space by allowing *jama'* in rainy conditions or technical difficulties. This difference of view shows that classical jurisprudence has provided a flexible framework that allows adaptation to the changing times.

The redefinition of *safar* is a central issue in the implementation of *rukhsah* in the modern era. The speed of transportation has changed the perception of difficulties in travel. In the past, the journey took days, but now it can be completed in a matter of hours (Chang & Amalina, 2025b; Geng et al., 2026). This raises the question of whether *rukhsah jama'* and *qasar* are still relevant to the conditions of difficulty that were used as a basis. Daily commuters between cities such as Jakarta-Bandung are a new challenge. Can someone who travels every day still be called a traveler? Contemporary scholars are beginning to rethink the criteria for travelers not only based on distance,

but also based on intensity, travel intentions, and the psychological and physical impact it causes.

Most modern scholars such as Yusuf al-Qaradawi and Wahbah az-Zuhaili suggested the need for a new *ijtihad*. They are of the view that *maqashid* al-shariah should be the main basis for establishing new laws related to *safar* and *rukhsah*. They support legal flexibility for the benefit of the people in carrying out worship. This *maqashid* approach emphasizes the principle of ease (*taysir*), avoiding difficulties (*raf'ul haraj*), and maintaining consistency in the implementation of worship. In this context, difficulties are no longer interpreted purely physically, but also psychologically, technically, and socially. Short trips that cause time pressure, stress, and fatigue can be categorized as 'hardships'.

This contextual approach is not without criticism. Some traditional scholars consider that the too loose *safar* criteria have the potential to open a gap for the abuse of *rukhsah*. Therefore, a clear boundary is needed between flexibility and permissive so that sharia does not lose its normative authority. There is also an epistemological challenge in redefining the concept of *safar*. Is the *maqashid* approach sufficient to replace the textual approach that has been established in the books of *fiqh*? This debate shows the dynamics in contemporary Islamic legal discourse that continues to seek a common ground between tradition and modernity. Some organizations such as the Muhammadiyah *Tarjih* Council began to accommodate this new interpretation in their fatwas. They consider the real conditions of today's Muslims, such as regular travel, strict work schedules, and spiritual needs that are more practical but still in accordance with sharia. This study also found that Muslims in general are still confused in determining when and how they can perform *jama'* and *qasar*. This shows that there is a gap between the product of *fiqh* law and the understanding of the community. Contextual Islamic law education is needed.

Modern technology also provides new solutions, such as apps that provide guidance on the time and conditions of prayer on the way. This shows that modernization is not always contrary to the sharia, but can be a tool to facilitate the correct implementation of Islamic law. This discovery confirms that Islamic law, including in terms of worship, is not static. It continues to evolve according to the needs of the times, as long as it remains within the framework of *maqashid* al-shariah and maintains the basic principles that have been established in the Qur'an and Sunnah. It is concluded that the need to update the concept of *safar* in *fiqh jama'* and *qasar* is urgent. Social, technological and human mobility changes have created new conditions that require a proportionate and judicious legal response. The urgency of this research lies in the importance of formulating a new legal framework that is contextual, but still has strong normative legitimacy. With the right *ijtihad*, Islamic sharia can remain relevant and applicable in answering the challenges of modern times.

## CONCLUSION

The phenomenon of serial marriage in Indonesia is a complex issue, involving tensions between Islamic law, local traditions, and state regulations. Although religiously serial marriages are legal, the inconsistency with state regulations that require marriage registration creates legal uncertainty, especially related to the rights of wives and children born of the marriage. Therefore, it

is important to continue to conduct dialogue between scholars, the government, and the community in order to find solutions that can harmonize Islamic law and state law, thereby creating a more fair and applicable family law system. Updates in regulations and a more contextual approach to social practices can be an important step in realizing better legal protection for all parties involved in marriage.

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