



HARDSHIPS NECESSITATE FACILITATION, AND FATWAS CHANGE WITH THE ALTERATION OF TIMES

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Abstract. *This article demonstrates the adaptive and flexible characteristics of the Islamic religion through specific jurisprudential maxims such as “Hardships necessitate facilitation” or “Fatwas change with the alteration of times,” which were established by Islam to alleviate the difficulties and distress faced by society and individuals. These principles serve as a scholarly refutation against erroneous perceptions asserting that Islam relies strictly on archaic rules, fails to account for contemporary times, or is interpreted solely based on dogmatically rigid ideas. In this respect, the study is of paramount relevance, as providing a scientifically and scholarly grounded refutation against such unfounded claims is critically important.*

Keywords: *Islam, fiqh, distress, hardship, facilitation, alteration of times, change of fatwa, legal maxims, usul al-fiqh, furu' al-fiqh.*

INTRODUCTION

Presently, certain individuals interpret the religion of Islam as a radical framework composed of immutable, strict regulations, put forward severe views and ideas, and completely disregard prevailing circumstances and contexts. In reality, however, Islam is a religion of ease and facilitation, calling for leniency and concessions whenever difficulties and hardships arise. In this regard, Allah the Almighty graciously states in the Holy Quran:

يُرِيدُ اللَّهُ بِكُمُ الْيُسْرَ وَلَا يُرِيدُ بِكُمُ الْعُسْرَ

Translation: “Allah intends for you ease and does not intend for you hardship.”
(Surah Al-Baqarah, Verse 185)

In another verse, He states:

وَمَا جَعَلَ عَلَيْكُمْ فِي الدِّينِ مِنْ حَرَجٍ

Translation: “And He has not placed upon you in the religion any hardship.” (Surah Al-Hajj, Verse 78)

Furthermore, in an honorable prophetic tradition, the Prophet (peace and blessings of Allah be upon him) said:

أَحَبُّ الدِّينِ إِلَى اللَّهِ الْحَنِيفِيَّةُ السَّمْحَةُ

“The most beloved religion to Allah is the primordial and tolerant (lenient) one.”

MAIN PART

The seven categories of hardship that necessitate facilitation

Scholars of the Hanafi school of jurisprudence have categorized the hardships that necessitate facilitation for human beings into seven distinct groups:

First, travel (safar): Since a person embarking on a journey encounters various difficulties, certain relaxations are granted in acts of worship. If the journey exceeds a distance of 90 km (equivalent to a three-day journey on foot), the individual shortens the four-unit prayers (qasr); obtains the right to abstain from fasting during the month of Ramadan; can wipe over leather socks (khuffayn) for more than three days; is exempted from performing the Friday (Jum’ah) and Eid prayers; and may resort to dry ablution (tayammum) if necessary.

Second, illness (marad): If there is a risk that a sickness might intensify or be prolonged, the individual may perform tayammum instead of ritual ablution (wudu); perform prayers through gestures (ima); or delegate the performance of obligatory acts of Hajj to another person. If the illness persists until the end of one’s life, the person has the right to give a ransom (fidya) instead of fasting. In certain cases of extreme necessity, it becomes permissible for a sick person to consume prohibited (haram) things.

Third, coercion (ikrah): If an individual breaks their fast due to being compelled or forced by someone else, they are not required to fast for expiation (kaffarah).

Fourth, forgetfulness (nisyan): If a fasting person forgetfully consumes any food, their fast is not invalidated. Similarly, if a person slaughtering an animal forgetfully

omits pronouncing the name of Allah (“Bismillah”), the slaughtered animal does not become haram; rather, it remains lawful (halal).

Fifth, ignorance (jahl): A person is not blamed for not performing Islamic pillars of which they were completely unaware in the region where they reside. Alternatively, the scholarly conclusion—namely the fatwa—of a mujtahid scholar on a matter is accepted even if it does not consist of absolute or exhaustive knowledge. Because it is impossible to obtain the precise, definitive basis for every scholarly conclusion, the scholar’s opinion based on predominant probability (zann) is evaluated as correct.

Sixth, widespread affliction (balwa al-amma): This refers to an unavoidable matter from which escape is virtually impossible. For example, medicinal products derived from animals whose meat is prohibited have become permissible due to widespread affliction after undergoing chemical processing. This is because today’s pharmaceutical industry manufactures medicines primarily utilizing additives extracted from animal organs. This condition has rendered avoiding this type of medicine impossible. Consequently, the consumption of such medicines has been permitted.

Seventh, compelling need (hajah): Entrusting the care and upbringing of a child to the mother stems from the mother’s stronger future need for the child compared to the father.

The change of fatwa with the alteration of times

Alleviating hardships is also achieved by taking into account the problems that arise with the alteration of times. In this process, because rules established on account of prior conditions lose their contemporary relevance in a new era, updated fatwas are formulated based on newly eased conditions.

By the alteration of times, it is meant that the customs and social conditions of people in a specific period differ from the conditions in another period or another place. No matter how diverse the factors causing these changes are, customs and traditions change as a result of them. Ascribing the “alteration” to time itself is metaphorical. This is because time itself does not change; rather, the change occurs within the people themselves.

Such alteration does not pertain to the core essence, primordial nature (fitrah), or creation of man. Man remains human since his creation. However, the change relates to his thoughts, habits, and conduct, and as a result of this, local customs are formed. Accordingly, rulings derived by relying upon customs and traditions can change.

Fatwas must also adapt to location. Because changes occur precisely in the places where people reside. The reality in one region may not correspond to the reality in another region. Taking these factors into account is of paramount importance in providing the solution to a problem.

Historical examples of changed fatwas

Fatwas that underwent modifications due to changes in time and space occurred during the era of the Prophet (peace be upon him), as well as during the eras of the companions and others after him. For instance, it is narrated in a hadith in “Sahih al-Bukhari” (al-Bukhari, 2002):

“A bedouin came to the Prophet (peace and blessings of Allah be upon him) and asked about lost-and-found items (luqatah). The Prophet said: ‘Make it known publicly for a year, then remember its container and its tying cord. If its owner comes, give it to him; otherwise, utilize it.’ The man asked: ‘O Messenger of Allah, what about a lost sheep or goat?’ He replied: ‘It is either for you, or for your brother, or for the wolf.’ Then the man asked: ‘What about a lost camel?’ Upon this, the face of the Prophet (peace be upon him) changed color, and he said: ‘What have you to do with it? It has its feet and its water-reservoir; it can reach water and eat from trees.’ In another narration: ‘Leave it, for it can survive on its own until its owner finds it.’” (Narrated by al-Bukhari and Muslim).

This ruling continued during the era of Umar (may Allah be pleased with him). Lost camels were left free, they multiplied, and nobody touched them. However, when the era of Uthman (may Allah be pleased with him) arrived, this ruling changed. Uthman (may Allah be pleased with him) issued a command to identify lost camels, announce them, and then sell them. If the owner was found, the monetary value was given to him. Therefore, the conditions of the times they lived in—namely, the increase in the misappropriation of someone’s lost property without their consent—demonstrated the necessity of changing the traditionally ongoing ruling. Consequently, Uthman (may Allah be pleased with him) announced the modified new fatwa, and the companions did not object to this; rather, they agreed with it and supported it.

Although this fatwa textually and outwardly appeared to contradict the commands of the Prophet (peace be upon him), it was inherently and conceptually aligned in terms of protecting someone’s lost property. Due to this reason, it was deduced that fatwas

can change on the condition of being conceptually aligned with the new requirements found in time and space.

CONCLUSION

From the above examples, it becomes clear that the religion of Islam emphasizes providing ease and does not create hardship for people while calling them to righteousness and forbidding them from evil. Here, it is evident that it does not demand things that exceed people's capacities. Unfortunately, certain individuals try to depict Islam—which is a religion of facilitation—as a religion that puts forward radical ideas and seeks to impose only heavy conditions. It can be stated that such views or ideas are not objective but are expressed with specific underlying motives in mind.

To conclude, the mutual consultations conducted by people to implement what is most beneficial for themselves represent one of the most critical instruments ensuring societal unity. Abandoning it, however, leads to the loss of solidarity and common interests.

REFERENCES

1. Al-Bukhari, M. ibn Ismail. (2002). *Sahih al-Bukhari*. Dar Ibn Kathir.
2. Hallaq, W. B. (1997). *A history of Islamic legal theories*. Cambridge University Press.
3. Hallaq, W. B. (2009). *Sharia: Theory, practice, transformations*. Cambridge University Press.
4. The Holy Qur'an. (n.d.).
5. Ibn Abidin, M. A. (2000). *Radd al-muhtar ala al-Durr al-mukhtar*. Dar al-Fikr.
6. Ibn Nujaym, Z. al-Din. (1999). *Al-Ashbah wa al-nazair*. Dar al-Kutub al-Ilmiyya.
7. Kamali, M. H. (2003). *Principles of Islamic jurisprudence*. Islamic Texts Society.
8. Al-Kasani, A. B. (2003). *Badai al-sanai fi tartib al-sharai*. Dar al-Kutub al-Ilmiyya.
9. Al-Marghinani, B. al-Din. (2008). *Al-Hidaya fi sharh Bidayat al-mubtadi*. Dar Ihya al-Turath al-Arabi.
10. Muslim ibn al-Hajjaj. (2006). *Sahih Muslim*. Dar Ihya al-Turath al-Arabi.
11. Nyazee, I. A. K. (2000). *Islamic jurisprudence (Usul al-fiqh)*. Islamic Research Institute.
12. Al-Sarakhsi, Sh. al-A'imma. (1993). *Al-Mabsut*. Dar al-Marifa.
13. Al-Shatibi, A. Ishaq. (1997). *Al-Muwafaqat fi usul al-sharia*. Dar al-Marifa.
14. Al-Suyuti, J. al-Din. (1998). *Al-Ashbah wa al-nazair fi qawaid wa furu fiqh al-Shafiyya*. Dar al-Kutub al-Ilmiyya.
15. al-Zarqa, A. ibn M. (1989). *Sharh al-qawaid al-fiqhiyya*. Dar al-Qalam.
16. al-Zarqa, M. A. (1998). *Al-Madkhal al-fiqhi al-amm*. Dar al-Qalam.
17. al-Zuhayli, W. (1986). *Usul al-fiqh al-Islami*. Dar al-Fikr.
18. Al-Zuhayli, W. (2006). *Al-Qawaid al-fiqhiyya wa tatbiqatuha fi al-madhahib al-arbaa*. Dar al-Fikr.