

# **THE RELEVANCE OF USHUL FIQH IN THE METHOD OF LEGAL CHANGE EFFECTIVENESS OF ROAD TRAFFIC AND TRANSPORT ACTS**

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## **ABSTRACT**

The problem of traffic violations in Indonesia with a percentage of 44.89%, is a problem of mutual concern. Of course, this needs to be studied explicitly so that a solution to the problem is found. This problem is in line with the concept of the ushul fiqh method in changing the law. This study aims to determine the relevance of Ushul Fikih in changing the law on the needs of the traffic community and to find out the traffic law responds to traffic violators. The legal research method used in this research is a type of normative legal research with a *statute aproch* approach or a statutory approach and looking at the method of legal change in ushul fiqh. The results of the research on the Relevance of Ushul Fikih in the Method of Legal Change for the needs of the cross-sectional community are very much in line with this method considering that the consideration is the benefit of the human ummah in traffic, then the traffic law responding to traffic violators is indeed seen in the study Academic manuscripts have become the subject of study in the legislature to make laws that are in accordance with the needs of the community in traffic.

## **ABSTRAK**

Permasalahan pelanggaran lalu lintas di Indonesia dengan persentase 44,89%, merupakan masalah yang menjadi perhatian bersama. Tentunya hal ini perlu dikaji secara eksplisit agar ditemukan solusi atas permasalahan tersebut. Permasalahan ini sejalan dengan konsep metode ushul fiqh dalam mengubah hukum. Penelitian ini bertujuan untuk mengetahui relevansi Ushul Fikih dalam mengubah undang-undang tentang kebutuhan masyarakat lalu lintas dan untuk mengetahui undang-undang lalu lintas merespon pelanggar lalu lintas. Metode penelitian hukum yang digunakan dalam penelitian ini adalah jenis penelitian hukum normatif dengan pendekatan statute aproch atau pendekatan hukum dan melihat metode perubahan hukum dalam ushul fiqh. Hasil penelitian Relevansi Ushul Fikih dalam Metode Perubahan Hukum untuk kebutuhan masyarakat cross sectional sangat sejalan dengan metode ini mengingat pertimbangannya adalah kemaslahatan ummat manusia dalam lalu lintas, maka hukum lalu lintas yang merespon pelanggar lalu lintas memang terlihat dalam penelitian Naskah akademik telah menjadi subjek kajian di legislatif untuk membuat undang-undang yang sesuai dengan kebutuhan masyarakat dalam berlalu lintas.

## 1. INTRODUCTION

Ushul Fiqh is a method that was born since the 2nd time of Hijri. The presence of ushul Fiqh is a form of producing law in the process of human life in the world. Since the prophet Muhammad SAW died, of course, the shabats to find hokum could no longer be celebrated directly by the prophet Muhammad SAW. After the prophet Muhammad died the companions and scholars who lived came up with a method called ushul fiqh.<sup>1</sup>

Ushul Fiqh is a method to explore laws or to find laws that suit the needs of the human ummah in the world. In ushul fiqh examines the postulate of fiqh in the form of rules to know how to use it, knowing the situation of the person who uses it (muttahid) with the aim of issuing the law of amali ( deeds) from the postulate in detail and clearly. In the current context, there is a tendency for studies of Islamic law, customary law that is associated with social problems of society tends to increase.<sup>2</sup>

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<sup>1</sup>A. Syafi'i Karim, *Fiqh Ushul Fiqh* (Bandung, Pustaka Setia, 2006), page. 45-46.

<sup>2</sup> Abidin Nurdin and Fajri M. Kasim, *Conflict Resolution with Customary Making Up in Aceh: A Study of Customs and Their Impact on Building Peace in Lhokseumawe, Conference Proceedings-ARICIS I, 2017*. Fajri M. Kasim and Abidin Nurdin, *Study of Sociological law on Conflict Resolution Through Adat in Aceh Community According to Islamic Law, Samarah: Journal of Law Family and Islamic Law, Volume 4, Numbers 2, 2019*.

In life in this world, of course, there are many problems that require law. The presence of the law is needed to serve as a guide for the human ummah in acting in all aspects of life. With the law, human life will be directed according to the right path. Just as the purpose of the law itself is to achieve justice. On the other hand, according to legal experts, the purpose of law is to achieve justice for people who seek justice.

The idea of social fiqh in the discussion of Islamic law is quite important, with the aim that Islam is not interpreted as a rigid law and does not respond to the development of the times. Ideas and ideas will inevitably invite the pros and cons of application in a social context. It is the same with the ideas of interpretation and ijtihad of Islamic law, which can be referred to and used until now. Such was the thought of Ali Yafie and Sahal Mahfudh who initiated social fiqh.

Then the next purpose of the law is to obtain a legal certainty for the person who needs legal certainty. And finally the purpose of the law is to achieve a expediency. Expediency here the presence of the law can be beneficial for people who need expediency in terms of the law. So obviously basically the presence of the law has a very clear purpose which is, to create justice, certainty and expediency. With the ijtihad method, the ushul fiqh scholars discuss the problems of the people whose laws are not

found in the Quran and Sunnah and then the rules of fiqh appear.<sup>3</sup>

Since 1400 years ago Islam has given birth to a method of digging the law. Which in this case can be extracted from the postulates contained in the holy book of the Qur'an. The Qur'an is a kalam of Allah SWT which was handed down to the prophet Muhammad SAW through the angel Gabriel. In the Qur'an, it regulates various aspects, all aspects related to the world and its contents and the afterlife. In the Qur'an it is also clear about the rules for obeying the leader for example, which is seen in QS. Ali Imran 103.

Asbabunnuzul this verse According to the verses of the Quran, other distinctive features of the Arab society of that time were shirking, denying Ma'ad or the day of resurrection, believing in khurafat things, moral depravity, oppression, obeying demons, stupidity and misguidance. In the midst of all the depravity, difficulties and divisions that existed in Arab society at that time, Allah SWT sent down the Quran. Thus, the Quran managed to change the fate of the Arab society of that time with a comprehensive law. Divine laws replace all anxiety with tranquility, chaos with order, savagery with friendship and so on. Religious performance can repeat itself at any time. Any

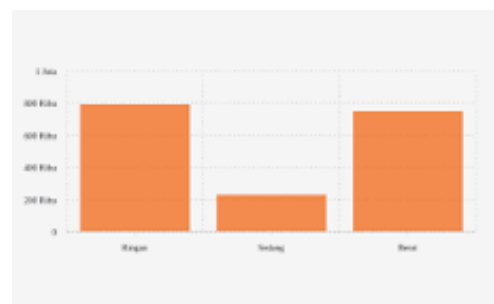
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<sup>3</sup> Ridwan, *IMPLEMENTATION OF THE RULE "CHANGES IN ISLAMIC LAW DUE TO CHANGES IN PLACE AND TIME" ISLAMIC ECONOMIC PERSPECTIVE*, PROFIT: JOURNAL OF ECONOMIC AND BANKING STUDIES <https://ejournal.unuja.ac.id/index.php/profit> E-ISSN: 2597-9434, ISSN: 26854309

society that wants to walk by religious rules can celebrate happiness.

Just Islamic laws can be found in the Quran and Sunnah. This law regulates all dimensions of human life. In other words, by carrying out divine laws, justice will be created in all areas. A government based on Islamic law will do justice, the courts become a place where weak people get their rights, the drafting of laws is carried out on the basis of justice. Everyone is equal before the law and all have equal rights. Social and economic justice will also be created.<sup>4</sup>

The current problem is if it is associated with traffic laws as signs for traffic drivers which are regulated in law number 22 of 2009 concerning traffic. This law is a form of law that was born from the needs of the Indonesian people. But in fact, there are still many people who violate these traffic rules. As can be seen in the following chart:



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<sup>4</sup> [https://parstoday.com/id/radio/programs-i907-posisi\\_undang\\_undang\\_dalam\\_al\\_quran\\_dan\\_sunnah](https://parstoday.com/id/radio/programs-i907-posisi_undang_undang_dalam_al_quran_dan_sunnah) retrieved 18 October 2019

The Indonesian National Police Traffic Corps (Korlantas Polri) has published 1.77 million evidence of **traffic violations** (ticketing) as of October 2019. Of that **number**, 793,821 tickets or 44.89% were **misdemeanors**. This means that the traffic data above shows that there are still high numbers of people violating traffic until 2019. In this case, if you look at the ushul fiqh method:

لا ينكر التغيير الأحكام بتغيير الأزمان

*It cannot be denied that there is a change in the law due to the change of times.*<sup>5</sup>

Also the same rule that reads:

تغيير الأحكام بتغيير الأزمنة والأمكنة والأحوال<sup>6</sup>

*The change in law is based on changes in times, places and circumstances.*

The method above is a method of ushul fiqh aims to obey the law in accordance with the times or where a person is located. Due to changing times, places and circumstances are needed a *rule* as a rule for humans to live anywhere. Relating to the past law is a law that must be obeyed because it is in accordance with the description of the conditions of the place and circumstances. So in this case the above method is in line with traffic laws. Therefore, from the above problem, the author is interested in studying "**The Relevance of Ushul Fiqh in the Method of Changing The Effective Law of Traffic Law**".

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<sup>5</sup>Ibn Qayyim Al Jauziyah. *I'lām al-Muwaqī'in 'an Rabbil 'Ālamīn*. (Libnan: Dar hadith, tt), h. 49th

<sup>6</sup>*Ibid.*

## 2. RESEARCH METHODS

In this study using normative juridical types of research. It is said to be normative juridical because there are legal norm problems that need to be studied for traffic problems. Then with *the aproch statute* approach or the statutory approach. It is said that this approach is because it examines laws and regulations that look at law number 22 of 2009 concerning traffic and the study of ushul fiqh.

Then the source of legal material used in this study is the source of primary data legal material consisting of the methods contained in the ushul fiqh and norms contained in law number 22 of 2009 concerning traffic.

## 3. RESULT AND DISCUSSION

### **The Relevance of Ushul Fiqh in the Method of Legal Change the needs of the community are cross-sectional**

Al-Mu'tamad Abi Hasan Al-Bashari defines ushul fiqh idhofah i.e. ushul, fiqh and ushul fiqh. Fiqh according to the language, المعرفة بقصد المتكلم (knowing the meaning of the one who speaks), likeي عرفت قصدك فقهيته كلامك أي عرفته قصدك (I know what you say then I understand the meaning of it). Fiqh according to the term fuqaha : جملة من العلوم بأحكام شرعية : (all knowledge of sharia law). As for what is meant by ahkam here, it is not the law of a work because the law must be given to the work of الأفعال but the

purpose of the law here is whether it is a mubah, mandub, compulsory, haram or makruh.<sup>7</sup>

Ushul according to Language : ما بيتتي عليه (a thing that stands on it another thing and branches). The definition of ushul fiqh is ما بيتتي عليه الفقه (a thing that stands on it fiqh)<sup>8</sup>. The definition of ushul fiqh is terminologically: " The science that discusses the general postulates of fiqh and how to benefit from these postulates as well as discusses the state of those who take advantage ". In general, the purpose of Ushul Fiqh is to find out the postulates of the establishment of the law of the syara' about the deeds of mukallaf people, such as the mandatory law, haram, mubah, the validity or not of an act and others.

The aim to be achieved from the science of Ushul Fiqh is to be able to establish the rules of the detailed syara' postulates in order to arrive at the laws of syara' which are amali, which are designated by those postulates, in the rules of Ushul and the language can be understood nash-nash syara' and the laws contained therein. In defining idhofah the scholars differ in opinion whether what was first defined was fiqh or ushul precedence. The one who defined ushul first is Imam Haramain in the kitab al-Waraqat<sup>9</sup>.

Imam Ar-Razi in the kitab al-Mahsul<sup>10</sup>, defines the fiqh first namely Abi Hasan al-Bashari in the book of Al-Mu'tamad, Abu Khattab al-Hanbali in the book of at-Tamhid, al-Amidi Al-ihkam fi ushulil ahkam and shofiyuddin al-Hindi in the book of Nihayatul Wusul fi Diroyatil Ushul. According to imam al-Amidi in the book of <sup>11</sup>*Bidayatil Ibhaj fi Syarhil Minhaj* that in defining *idhofah* to know *the mudhof* must first know *the mudhof ilaih*. Then it must define fiqh first before the word ushul.

In this regard Imam Taqiyuddin as-Subki argued that the Definition is reserved only for the vague and unknown. As for the vague, that is, if the meaning of mudhof is obtained from mudof ilaih, and for the unknown, the meaning of mudhof is not obtained from mudhof ilaih<sup>12</sup>. Then the definition according to laqab syarh Mukhtashor al-Muntaha Al-Ushuli Ibnul Hajib defines that Ushul Fiqh is the designation of a field of science.

والعلم لا يحد لعسره لأنه ضروري من وجهين أحدهما أن غير العلم لا يعلم إلا بالعلم فلو علم العلم بغيره كان دوراً، وأجيب بأن يوقف تصور غير العلم على حصول العلم بغيره لا على تصوره فلا دور، أن كل أحد يعلم وجوده ضرورة وأجيب بأنه لا يلزم من حصول أمر تصوره أو تقدم تصوره

*That a science is not defined because the difficulty of defining it is caused by two things, namely, That other than science*

<sup>7</sup> <https://pa-tigaraksa.go.id/definisi-ushul-fiqh-sebagai-metode-ijtihad/> retrieved October 18, 2019

<sup>8</sup> Abi al-Hasan Muhammad ibn Ali ibn al-Tayyib al-Bashari, *Al-Mu'tamad fi Ushul al-Fiqh*, (Damascus, Ma'had 'ilmi al-Faransi) Juz. 1, page 15

<sup>9</sup> Imam Haramain, *al-waraqat*, (Beirut:Resalah Publisher) Juz.1 Page.15

<sup>10</sup> Fachruddin ibn Umar ibn Husain ar-Razy, *Al-Mahsul fi 'ilmi Ushul al-Fiqh*, (Egypt, Daar al-Kutub) Juz 1. halsafe. 81

<sup>11</sup> Abi al-Hasan Muhammad ibn Ali ibn al-Tayyib al-Bashari, *Al-Mu'tamad fi Ushul al-Fiqh*, (Damascus, Ma'had 'ilmi al-Faransi) Juz. 1, hal safe.13

<sup>12</sup> Ali ibn Muhammad al-Amidi, *Al-ihkam fi ushulil ahkam*, (Riyad: Daaru al-Shomi'i) Juz.1p. 9

*will not be known by science itself, if a science is already known by another science then that science already exists/ has a position. And if a science is known by another science not by the field of science itself then it does not exist / has no position. That every science known to exist then there must have been a picture of that science first*<sup>13</sup>.

### **The Ushul Fiqh Method of community needs is cross-sectional**

Ushul fiqh and fiqh are a whole that is interrelated. Jurisprudence with the reality of society has underlies the emergence of ideas such as social jurisprudence. In this context, social jurisprudence is a *grand design* of thought that emphasizes efforts to ground the values of jurisprudence, especially the implementation of the teachings of jurisprudence related to the social dimension, the relationship of the individual with the individual, society with the state or vice versa. For example, the relationship with traffic in the perspective of social jurisprudence has the consequence that interactions that occur in the traffic space will have consequences like social interactions in general.

Social jurisprudence itself was initiated, developed and directed to support the universality of Islam as a guide for human beings towards individual piety and social piety as well. At least the formulation of jurisprudence as an understanding of sharia has two purposes.

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<sup>13</sup>Abdurrahman al-iyji, Syarh Mukhtashor al-Muntaha Al-Ushuli, (Beirut: Daarul Kutub) Juz 1, page 161

First, establishing individual misconduct based on Akidah, sharia and morals. Second, it can realize an order of social life of the community that has an identity of justice, equality and partnership. To understand sharia in such a way, it is necessary to think that underlies the purpose of enacting sharia known as maqāsid asy-syarīah.<sup>14</sup>

This means that the above study is a finding in the contemporary era to give birth to a law for the needs of society. For example When talking Rules. Of course, in jurisprudence also has a method, which can be interpreted As the rules of fiqh are one of the important things as a guide for Muslims to solve legal problems that they face in everyday life. Without guidelines, they cannot know the limits of whether something can be done, nor can they determine the more primary deed to do or more primary to abandon.<sup>15</sup>

Rules etymologically mean principles, foundations or foundations in both concrete and abstract senses. Abu Zahrah defines a rule as a collection of similar laws that go back to the qiyas/analogies that collect them defining the rule of fiqh as a kulli (comprehensive, general) decree that covers all its parts. Related to traffic and road transport regulations, there are several

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<sup>14</sup> Ali Yafie, *Initiating Social Fiqih: From Insurance, Lingkungan Hidup To Ukhuwah*, (Bandung: Mizan, 1995), page. 161-166.

<sup>15</sup> Duski Ibrahim, *AL-QAWA'ID AL-FIQHIYAH (FIQIH RULES)*, (Palembang: CV. AMANAH, 2019) page 3

fiqh rules that can be used as guidelines for driving on the road. From the results of the author's analysis, these rules are:<sup>16</sup>

- a. The rule of achieving goodness and rejecting the mudharatan.
- b. The rules of everything depend on intention.
- c. The rule of mudharatan must be eliminated.
- d. The rules of will have the same law as maqashid.
- e. Government policy rules must be oriented towards the benefit of the people.

Based on this rule of fiqh, the government or state has the right to make policies, rules and laws governing public order and life safety, including penalties for traffic offenders to prevent them from repeating their actions. Other examples include the imposition of even odd Motor Vehicle Number Signs (TNKB) on protocol roads in order to reduce traffic congestion. In this case, when viewed in the ushul fiqh method when viewed from the aspect of legal change, there are several methods that can be used as a reference in changing laws based on the times, for example:

لا ينكر التغيير الأحكام بتغير الأزمان

*It cannot be denied that there is a change in the law due to the change of times.*<sup>17</sup>

Also the same rule that reads:

تغيير الأحكام بتغير الأزمنة والأحوال<sup>18</sup>

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<sup>16</sup> KBP Dicky Sondani, S.I.K., M.H et al, *Piqih Belalu Lintas*, (Banda Aceh: Bandar Publishing 2019), page .26

<sup>17</sup>Ibn Qayyim Al Jauziyah. *I'lām al-Muwaqī'in 'an Rabbil 'Ālamīn*. (Libnan: Dar hadith, tt), h. 49th

*The change in law is based on changes in times, places and circumstances.*

The above rules are a method born from the words of Ibn Qayyim al-Jauzi "*Actually fatwas can change or differ due to changes or differences in time, place, circumstances or conditions and customs*". So the consideration of the rule that Ibn Qayyim al-Jauzi said is a matter of the benefit of the human ummah.<sup>19</sup>

If analyzed with traffic effectiveness with the relationship of the above rules, of course, this rule is in line with traffic regulations in Indonesia, which are basically these regulations for the benefit of traffic drivers. Of course, in his study, the public must obey traffic rules for the convenience and safety of motorists on the road. The legal community must understand the law, that basically the existence of the law as *the rule* of human life and the achievement of the purpose of the regulation in order to achieve the highest legal goal is public order.

For example, the opinion of wahbah al-Zuhaily, which calcifies the law can change due to changes in place, time and circumstances, As for these factors are influenced by, changes in 'urf, changes in the maslahah of the ummah, maintaining dharurah, moral damage and changes in social order.so from some of the opinions of scholars above to reduce the number

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<sup>18</sup>*Ibid.*

<sup>19</sup> *Ibid.* 3

of accidents presented in the background of the above problems, of course this must be obeyed by the community because the rules also emphasize to obey the law for the sake of the benefit of the ummah.<sup>20</sup>

### **Academic Foundations of Traffic Laws**

In making a regulation in the form of legislation, it must refer to three foundations as a basic view for reference in making a regulation, namely the regulation is based on philosophical, sociological and philosophical. For example, in this case, the regulatory targets in the preparation of the NA and the LLAJ Law Amendment Bill are the realization of safe, comfortable, and affordable mass transportation and providing legal certainty for the function of motorcycles as public transportation, the existence of online taxis and motorcycle taxis, as well as application companies in carrying out public transportation activities that meet the standards of security, safety, comfort, affordable, and sustainable as well as the realization of financing for infrastructure and transportation facilities Bulk.<sup>21</sup>

The philosophical foundation in the revision of the LLAJ Bill is the state's goal of advancing the general welfare, where the regulation in road traffic and transportation must be aimed at ensuring safety, smooth transportation, supporting connectivity, and in turn providing welfare impacts for all Indonesian people. The sociological basis is related to the development of the existence of law in society related to the implementation of traffic and road transport that has not been accommodated in the current LLAJ Law.

The need for regulation is related to: the existence of Transportation of People with Public Motor Vehicles Not on Routes using Information Technology-Based Applications, the existence of Motorcycles as a mode of public transportation, arrangements regarding road preservation funds that cannot be operationalized, and arrangements regarding mass transportation. The juridical basis of the revision of the LLAJ Law is the ineffective implementation of the Minister of Transportation Regulation Number 108

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<sup>20</sup> Wahbah al-Zuhaily, *Ushul al-Fiqh al-Islami*, Jiliod I, (Damascus: Dar al; Fikr, 1996), p. 1094

<sup>21</sup> Hamzah Halim and Kemal Redindo Syahrul Putera, *Practical Ways to Compile & Design*

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*Regional Regulations; A Theoretical & Practical Study Accompanied by a Manual; Theoretical Conception Towards Empirical Articulation*, Kencana Prenada Media Group, Jakarta, 2010, P. 23



of 2017 to regulate the existence of information technology-based transportation. Meanwhile, the LLAJ Law itself has not been able to provide a legal basis related to the existence of two-wheeled transportation modes as a means of public transportation.<sup>22</sup>

The above foundation is a reference so that the product issued achieves the purpose of the law itself. And in this case it can also be based on the principle of traffic for example:

- a. transparent principle
- b. accountable principle
- c. the principle of continuity
- d. participatory principle
- e. useful principle
- f. the principle of efficiency and effectiveness
- g. balanced principle
- h. unified principle and
- i. self-sustaining principle.

### **Analysis of Law number 22 of 2009 on traffic**

Law No. 22 of 2009 concerning traffic after carefully we look at the academic nasakah above, in this case it can be seen that the issue of traffic and road transportation has a strategic role in supporting national development and integration as part of efforts to advance general

welfare. It is explained that the objectives to be achieved through the application of this traffic Act are:

1. The realization of road traffic and transportation services that are safe, safe, orderly, smooth, and integrated with other modes of transportation to encourage the national economy, promote general welfare, strengthen national unity and unity, and be able to uphold the dignity of the nation.
2. The realization of the ethics of traffic and culture of the nation and
3. The realization of law enforcement and legal certainty for the community.

Seeing the current phenomenon related to the application of the regulations mentioned above, of course there are still many challenges, especially in the aspect of traffic ethics that reflects the nation's culture that is polite, friendly, and full of tolerance. In fact, the flagbearers still tend to be individualistic and prioritize personal interests, even in certain cases taking away the rights of other renderers. In addition, traffic law enforcement is still not optimal considering the limited number of apparatus and the low legal culture of the community.

Substantially, Law Number 22 of 2009 on road traffic and transportation is still debatable. starting from the many mandates to make implementing and technical rules, the

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<sup>22</sup> Academmic Text of the LLAJ Bill, As of Monday, May 21, 2018, the Center for Drafting Laws of the Expertise Agency of the DPR RI, <https://berkas.dpr.go.id/pusatpuu/na/file/na-33.pdf>

effectiveness value of law enforcement in the form of administrative sanctions, civil sanctions to criminal sanctions; regulation regarding the rights and obligations of state and community organizers, and so on. The imperative that translates as obligation must be supported by the large availability of technical instructions available in the field with the presence of the supervisory apparatus.

Related to the application of Law No. 22 of 2009 concerning traffic and transportation of this cross road, the public questioned the availability of signs and supporting facilities on the highway. It must be remembered that the enactment of the Law is not only in one region but applies to all parts of Indonesia, including areas that have limited facilities and infrastructure such as areas in Kalimantan or Papua. If you analyze in a regulation then of course it has advantages and disadvantages, Law No. 22 of 2009 concerning traffic and transportation of this causeway consists of 326 articles XXI Chapter. If analyzed in an in-depth way, of course, it must be studied in depth considering that the needs of traffic and road transportation in Indonesia are not all evenly distributed, both the circumstances and conditions of road transportation and the needs in every region of Indonesia.

For example, when viewed in the academic manuscripts made by The Joint

Stakeholder there are several points that can be seen:<sup>23</sup>

1. The Law on LLAJ has not been able to accommodate and solve the problem of congestion.
2. The Law on LLAJ has not regulated motorcycles, both 2 (two) wheels and 3 (three) wheels as one of the modes of public transportation.
3. The Law on LLAJ does not yet have regulations regarding the existence of transportation of people with public motorized vehicles not on the route with information technology-based applications (online taxis).
4. regulation regarding road preservation funds regulated in Articles 29 to 32 of the Law on LLAJ, until now its implementation has not been effective and needs to be synchronized with the principles of state financial management.

#### **4. CONCLUSION**

The Relevance of Ushul Fikih in the Method of Legal Change the needs of the people of the cross are very much in line with the needs of the traffic community. The legal method uttered by Ibn Qayyim al-Jauzi about the change of law is basically useful for the benefit of the

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<sup>23</sup> Academia Manuscript of the LLAJ Bill, As of Monday, May 21, 2018, the Center for Drafting laws on the Expertise Board of the DPR RI <https://berkas.dpr.go.id/pusatpuu/na/file/na-33.pdf> accessed on October 20, 2019

human ummah. In the context of traffic, this is in line with this method where Indonesia consists of various regions and of course determines the time, place and circumstances in legal needs in order to achieve the highest purpose of the law itself, namely in order to achieve order in people's lives.

The results of the analysis of traffic and road transport laws respond to traffic offenders with a percentage of 44.89%, meaning that this

figure is still the number of traffic users violating traffic, therefore the law on road traffic and transportation has also been reviewed by the authorized institution to achieve community needs. If you look at the results of academic manuscripts related to the law, of course, there are many corrections that have been stated in the academic manuscript.

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