

The Impact of Human Psychological Conditions on the Application of Islamic Law in Determining the Validity of Worship

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Abstract

This study aims to analyze the influence of human psychological conditions on the application of Islamic law, focusing on aspects of taklif, worship, transactions, testimony, and criminal rulings. The research employed a library study (library research) method by reviewing classical Islamic texts, scholarly books, and relevant journal articles. The findings reveal that psychological conditions play a significant role in determining the validity of worship, contracts, and legal judgments, as sound intellect is the primary requirement for legal responsibility (taklif). Core principles of maqāṣid al-shari'ah, such as hiḥfẓ al-'aql, laḍḍarar, and justice, highlight that mental disorders may annul or reduce legal obligations. Furthermore, the mental health of a mujtahid is essential to ensuring the objectivity and validity of ijtihandd. These findings affirm that Islamic law is humanistic and adaptive to psychological realities while also providing opportunities for integration between fiqh and psychology in addressing contemporary challenges.

Keywords: Islamic Law, Psychology, Taklif, Maqāṣid al-Shari'ah, Mental Health

A. Introduction

In various Islamic jurisprudence (fiqh) rulings, a person's mental state is often a primary consideration in determining legal rulings. For example, someone with a mental disorder is not required to perform certain acts of worship, such as prayer and fasting.¹ Psychological conditions such as severe stress, depression, extreme anger, or mental disorders can affect a person's ability to understand and implement the law. Therefore, Islamic jurisprudence scholars emphasize that a healthy mind ('Aql) is a requirement for accepting legal obligations (taklif). Without the ability to think clearly, a

¹Diky Faqih Maulana, "Kedudukan Penyandang Disabilitas Pada Lembaga Keuangan Di Indonesia: Subjek Hukum, Ahliyah dan Telaah KHES," *Muslim Heritage* 8, no. 2 (2023): 201.

person cannot be held legally accountable.²This is in line with the principle of Islamic jurisprudence: “al-Taklif bi al-Muḥāl muḥāl” that is burdening something impossible is something impossible.³

Furthermore, in some cases, such as divorce pronounced in a moment of intense emotional anger, scholars have differing views on its validity. This demonstrates the importance of psychological considerations in the application of Islamic law. A similar phenomenon is also seen in the concept of *ḥoutuhd*, where the confession from the perpetrator of the crime must be made in a conscious state and not under psychological pressure.⁴The mujtahid's mental health is crucial for *ijtihad*, as he is required to understand complex social realities. A healthy mental state enables the mujtahid to be empathetic, flexible, and contextual in responding to the community's problems. To ensure that the resulting law is not based on personal emotions or desires, the mujtahid requires psychological stability, allowing the law to emerge from clear and mature thinking, analyzing sharia evidence objectively and in accordance with the *maqasid al-sharia*.⁵

Research into the influence of psychological conditions on Islamic law is increasingly relevant in the current context, particularly given the numerous legal cases involving mental and psychological issues. Therefore, it is crucial to study how Islamic law responds to the psychological realities of human beings and how Islamic principles of justice and compassion are reflected in the law's flexibility in responding to individual psychological conditions. Several previous studies have addressed the relationship between psychology and Islamic law. For example, research by Mukhsinuddin and Sumardi Efendi on the application of Islamic legal principles in human resource management does not directly address the influence of psychological conditions on Sharia law.⁶Furthermore, Abdul Hamid et al.'s research on the integration of psychology into Islamic legal decision-making also did not focus on the influence of psychology on the overall implementation of the law.⁷Likewise with articles that discuss the application of *maqāṣid al-shari‘ah* in the reform of case management of violence against women and children, which focuses more on social and legal aspects without exploring psychological influences.⁸

² Wahbah Az Zuhaili, *Islamic Fiqh and Justice*(Jakarta: Gema Insani, 2011), 144–46.

³ Al Suyuti, *Al-Asybandh Wa Al-Nazā’* and (Beirut-Lebanon: Dand(R al-Kutub al-‘Ilmiyyah, 2005), 106.

⁴ Ibn Qudandme, *Al-Mughni* (Cairo: Maktabat al-QandHirah, n.d.), Jil, 8, 352.

⁵ Zuhaili, *Islamic Fiqh and Justice*.

⁶ Mukhsinuddin Mukhsinuddin and Sumardi Efendi, “The Influence of Islamic Law Principles on Human Resource Management,” *Teunuleh Scientific Journal* 6, no. 1 (2025): 39–51.

⁷ Abdul Hamid et al., “The Intersection of Psychology and Islamic Law: Addressing Mental Health in Legal Decision-Making Processes,” *The Journal of Academic Science* 1, no. 8 (2024): 1105–12.

⁸ Qutbuddin Aibak, “Implementation of *MaqāṣidSharei‘ah* in Reform of Case Management of Violence against Women and Children,” *De Jure: Journal of Law and Sharia* 15 (2016).

Although several studies have explored the relationship between psychology and Islamic law, no research has specifically examined the influence of human psychological conditions on the implementation of Sharia law in various aspects of life. This article aims to fill this gap by analyzing how individual psychological conditions, such as mental illness or severe stress, can influence the application of Islamic law, including in matters of taklif (obligation), worship, transactions, and criminal law decisions.

B. Literature Review

Psychology

Psychology is etymologically derived from the words psyche (soul) and logos (science). Terminologically, psychology is the science that studies human behavior and mental processes, both observable behavior and internal processes such as thoughts, feelings, and motivation. In the context of Islamic law, psychology plays a crucial role because a person's mental state can influence their capacity as a mukallaf (person subject to legal obligations).⁹

From the beginning, Islamic tradition has focused on the psychological aspect, known as nafs. Scholars such as al-Ghazali linked mental health to the perfection of reason in understanding the law. In the modern era, an Islamic psychology movement emerged, seeking to integrate the values of the Quran and Hadith into the development of psychological theory. Thus, Islamic psychology emphasizes the balance between the cognitive, emotional, spiritual, and moral aspects of human life.¹⁰

Mental health theory states that psychological balance is a prerequisite for optimal human functioning in both social and spiritual life. Within the framework of Islamic law, mental health is a prerequisite for valid taklif. Mental disorders such as severe depression, schizophrenia, or loss of consciousness can invalidate a person's legal obligations. This aligns with the principle of Maqasid Al-Ash'ari'ah, namely, hifdz al-'aql (protecting reason).¹¹

Forensic Psychology and Legal Liability

Forensic psychology explains that a person's mental state influences testimony, confessions, and criminal responsibility. Under Islamic law, witnesses must be of sound mind, while defendants with mental disorders may be exempted from criminal punishment. This theory supports the view that legal justice must consider the psychological aspects of both the perpetrator and the witness.¹²

⁹ King, Laura A., *The Science of Psychology: An Appreciative View*, New York: McGraw-Hill, 2017, vol. 2, hlm. 33.

¹⁰ Al-Ghazali, Abuh Ḥāmid, *Iḥandand' 'Uluhm al-Din*, Cairo: Dandr al-Ma'andreef, jet. III, 2015, Volume IV, p. 112.

¹¹ Hamid, Abdul dkk., "The Intersection of Psychology and Islamic Law: Addressing Mental Health in Legal Decision-Making Processes," *The Journal of Academic Science*, vol. 1, no. 8 (2024), hlm. 1107.

¹² Wells, Gary & Loftus, Elizabeth, *Eyewitness Testimony and Memory for Events*, New York: Cambridge University Press, 2013, hlm. 52.

Theory of Emotion and Self-Control

In modern psychology, emotions are understood as complex responses to stimuli that can influence decision-making. Extreme emotions (anger, stress, or fear) can impair rationality. This aligns with the Islamic jurisprudence (fiqh) view that divorce or oaths uttered while in a state of extreme anger or unconsciousness are considered invalid. Thus, the theory of emotions is relevant in understanding the flexibility of Islamic law to a person's mental state.¹³

Islamic Law

I. Basic Concepts of Islamic Law

Islamic law is a set of rules that originate from the revelation of Allah (the Qur'an) and the sunnah of the Prophet Muhammad, and is developed through the ijihad of scholars with the instruments of ijma' and qiyas.¹⁴ Islamic law regulates all aspects of human life, including worship and social interactions, with the goal of bringing benefit to humanity. The application of Islamic law takes into account not only external aspects but also inner conditions, including psychological factors that influence a person's awareness and legal responsibility.¹⁵

In Islamic law, the principle of Taklif (legal obligation) requires common sense and maturity. A person with a severe mental disorder is not subject to legal obligations due to the lack of one of the basic requirements, namely the capacity for reason ('aql).¹⁶ The Islamic jurisprudence principle states: "Al-taklif bi al-muhal muhal" (imposing the impossible is impossible). Thus, Islamic law takes into account a person's psychological state when determining obligations.

One of the main purposes of Islamic law is to protect the mind. Disturbed psychological conditions are included in the category of harming the mind, so the law can be changed or dropped. This principle shows that Islam emphasizes mental balance as a prerequisite for the legal application of the law. Islam also emphasizes the prohibition of causing harm to oneself or others. In a psychological context, if a law is applied to an individual with an unstable mental condition that causes harm, then the application of the law can be eased or delayed.

¹³Ibn Qayyim al-Jawziyyah, *I am the Muwaqqi'in*, Beirut: Dandr al-Kutub al-'Ilmiyyah, jet. II, 2012, Volume III, p. 21.

¹⁴Muhammad Fuad, "Method of Tarjih al-Qâ'di 'Abd al-Jabbâr in Ta'andruḍal-Adillah and Its Relevance for Contemporary Ijtihad," **Al-Manhaj: Journal of Islamic Law and Social Institutions**6(1), 2024, pp. 151–162, DOI: 10.37680/almanhaj.v6i1.3552, Ponorogo: Faculty of Sharia, INSURI Ponorogo.

¹⁵ Mellya Embun Baining & Amri Amir, "Finding the Maqâṣid al-Shari'ah Performance Model on Syariah Management Accounting Information System Values," **Al-Risalah: Legal and Social Studies Forum**24(2), 2024, pp. 87–104, DOI: 10.30631/alrisalah.v24i2.1642, Jambi: Faculty of Sharia, UIN STS Jambi.

¹⁶Santi Sarni and Nurul Sri Wahyuni, "Schizophrenia Sufferers as Mukallaf in the Perspective of Islamic Jurisprudence," **AL-QIBLAH: Journal of Islamic Studies and Arabic**, P3M STIBA Makassar, Makassar, Vol. 3, No. 2 (2024), pp. 142–177

In the modern context, the integration of Islamic law and psychology is increasingly relevant. Forensic psychology, mental health theory, and the study of emotions support Islamic legal principles that address the individual's psychological state. This demonstrates that Islamic law is humanistic, rational, and contextual in responding to human psychological realities.

C. Methods

The method used in this research is library research, which involves reviewing and analyzing various literature sources relevant to the topic. This approach was chosen because it is suitable for exploring concepts, theories, previous findings, and expert perspectives regarding the influence of human psychology on Islamic law.

The data in this study are sourced from secondary literature in the form of scientific books, classic texts, and national and international journal articles. These sources were selected purposively based on their suitability, credibility, and recency of information related to the research focus. Data collection was conducted through a systematic review of relevant literature, classification and organization of the contents of the literature by theme or issue, and recording direct quotations and paraphrases from the analyzed sources.

Data analysis was conducted descriptively and qualitatively, interpreting information from the literature to identify important concepts, patterns or tendencies of thought, similarities and differences between theories or findings, and research gaps as the basis for the research argument. Furthermore, the analysis results were compiled to support the argument and framework for this study.

D. Result

This study found that a person's psychological state significantly influences the application of Islamic law. Common sense and mental stability are the primary requirements for the validity of taklif, so severe mental disorders can invalidate legal obligations. However, in cases of temporary disorders such as stress, depression, or extreme anger, differing views among scholars regarding the validity of legal action, such as in the case of divorce.

In terms of worship, Islamic law provides leniency for those experiencing mental disorders. Fasting is waived for those who are mentally ill, while prayer remains obligatory but can be adjusted according to ability. Vows and oaths made while emotionally unstable are also considered invalid. In terms of transactions, the validity of a contract is determined by willingness and full awareness, so a contract entered into under stress or a loss of psychological control is potentially void.

In court, the testimony of a mentally ill person may be rejected due to doubts about its objectivity. This aligns with Sharia principles, which prioritize common sense and justice. In the criminal realm, Islamic law allows for tolerance of perpetrators with mental disorders, as criminal responsibility applies only to those who are conscious and rational.

Furthermore, this research emphasizes the importance of mental health for a mujtahid. Clarity of reason and mental stability are prerequisites for objectivity in *ijtihad*, ensuring that the resulting law is truly in accordance with the *maqasid al-shari'ah*.

In general, the main issues found include: (1) the validity of *taklif* in cases of temporary mental disorders, (2) justice in trials regarding the mental capacity of witnesses and defendants, (3) the validity of contracts in conditions of psychological distress, (4) legal flexibility regarding religious obligations, (5) the importance of the mental health of mujtahids, and (6) the need for integration between *fiqh* and modern psychology.

The results of this study confirm that Islamic law is humanistic and adaptive, with the principles of *hifdz al-'aql*, *la dharar*, and the principle of justice as its foundation. Integration between the disciplines of *fiqh* and psychology is seen as urgent to make Islamic law more contextual and relevant to the challenges of contemporary society. This study confirms that a person's psychological condition has a significant influence on the application of Islamic law. Within the framework of *ushul fiqh*, common sense (*'aql salim*) and mental stability are fundamental requirements for the validity of *taklif*. This means that a person experiencing severe psychological disturbances to the point of loss of consciousness is no longer burdened with legal obligations, because the main requirements for sharia responsibility are not met. However, debate arises in cases of temporary disturbances, such as stress, depression, or extreme emotions. Scholars differ in their opinions regarding the validity of legal action in these conditions, particularly in cases of divorce pronounced when a person is unable to control their emotions. In the realm of worship, Islamic law demonstrates flexibility and consideration. Fasting is not obligatory for those who have lost their minds, while prayer remains a universal obligation, although its implementation can be adjusted to suit one's capabilities. Vows and oaths made while emotionally unstable are also potentially invalid, as the requirement for full consciousness is not met. Similarly, in the area of transactions, agreements or contracts made while under psychological stress or loss of control are potentially void, as the principles of consent and awareness are the foundations of a valid contract.

In the judicial aspect, Islamic law rejects the testimony of individuals with mental disorders, as their objectivity is questionable. This aligns with the principle of justice in sharia, which demands clarity of thought. In the criminal realm, Islamic law allows for tolerance for perpetrators proven to have mental disorders, as criminal liability only applies to individuals of sound mind. The principles of *hifdz al-'aql* (protection of reason) and *la dharar* (prohibition of causing harm) are the main foundations for granting this leniency. This study also highlights the importance of a mujtahid's mental health. Clarity of reason and mental stability are prerequisites for objectivity in the *ijtihad* process, ensuring that the resulting law is truly in accordance with the *maqasid al-shari'ah*. Therefore, the integration of the disciplines of *fiqh* and modern psychology is considered urgent to address contemporary challenges and make Islamic law more contextual, humanistic, and adaptive to societal dynamics. In general, the main issues found include:

(1) the validity of taklif in temporary mental disorders, (2) judicial justice regarding the mental capacity of witnesses and defendants, (3) the validity of contracts in depressed mental conditions, (4) legal flexibility in religious obligations, (5) the importance of the mental health of mujtahids, and (6) the need for integration between fiqh and modern psychology. These findings confirm that Islamic law essentially prioritizes justice, protection of reason, and the principle of benefit.

E. Discussion

Mental health is a crucial factor in conducting *ijtihad* on Islamic jurisprudence. In *ushul fiqh*, a mujtahid must think clearly when conducting *ijtihad*.¹⁷ A mujtahid is not permitted to conduct *ijtihad* when his or her mental state is unstable. Psychological disorders such as depression, anxiety, or personality disorders can obscure logical and systematic thought processes. Imam al-Ghazali emphasized the importance of a sound mind and a pure heart as prerequisites for legal decision-making. In *al-Mustashfa*, he stated that *ijtihad* requires "mind kand"mil" (perfect reason) which is free from doubts and lusts.¹⁸

Mental health is also crucial for maintaining objectivity and integrity in *ijtihad*. A mujtahid must not be distracted by mental pressures that might affect the purity of his intentions and decisions. *Ijtihad* is not only an intellectual endeavor, but also a moral and spiritual responsibility. A stable psyche helps a mujtahid avoid being carried away by emotions when facing differences of opinion, social pressure, or sensitive issues in society. *Ijtihad* influenced by emotions can result in biased and unwholesome decisions. As stated in *Surah Sad: 26*, "And do not follow your desires, for they will lead you astray from the path of Allah."

Fiqh texts profusely demonstrate that Islamic law is significantly influenced by a person's psychological state. This is because Islamic law not only considers a person's outward actions but also considers the perpetrator's consciousness, will, and moral responsibility. A person's psychological state influences the implementation of Islamic law based on the following principles.

(1) The Principle of *Taklif*. *Taklif* (legal burden) in Islam only applies to people who are sane and conscious. People who are insane or mentally disturbed are not subject to legal responsibility (not *mukallaf*). This is explained in the authentic hadith narrated by Abu Dawud and Ahmad: "The pen is lifted (not subject to sin) for three groups: people who are asleep until they wake up, children until they have wet dreams and crazy people until they are sane."¹⁹ It is also explained in the *Qur'an: QS. Al-Baqarah: 286*.

The hadith and verses above explain that reason influences human legal obligations. Humans are free from legal responsibility when their reason is not in good condition.

¹⁷ Veola Vazquez, Isabel Otero, and Jennifer Goodlow, "Relationship Stigma and Black-White Interracial Marital Satisfaction: The Mediating Role of Religious/Spiritual Well-Being," *Mental Health, Religion and Culture* 22, no. 3 (2019): 305–18, <https://doi.org/10.1080/13674676.2019.1620189>.

¹⁸ Al-Ghazali, "Al-Mustashtake My 'Ilm Al-Usleepi, Muḥof course ḤAmza Bin Zuhair Ḥafidz."

¹⁹ HR. Abu Dawud, No. 4399 and Ahmad, No. 9568

(2) Maintaining Reason. Asy-Syatibi in his book *Al-Muwafaqat* explains that one of the five main objectives of sharia (maqashid al-syariah) is *hifzh al-'aql* (maintaining reason). If reason is disturbed due to psychological conditions, then the law regarding it can change or be excluded. Psychological disorders mean that reason is disturbed so that the perpetrator cannot be held legally accountable.

(3) The principle of “La Dharar” (Do not burden people with additional difficulties). Islamic law adheres to the principle of not endangering oneself or others. If someone experiences severe mental stress, the application of the law to him can be lightened. This was conveyed by the Prophet Saw. in the hadith: “La dharara wa la dhirar”.²⁰

(4) Justice in Islamic law takes into account the mental state of the perpetrator. Islam pays attention to a person's intentions and mental state. Therefore, psychological conditions can be a legal reason that influences the imposition of sanctions. As in the case of hudud, if the perpetrator is proven to have a mental disorder or severe depression, then the hadd punishment can be waived.

Based on the four principles above, human psychology holds a crucial place in Islamic law. The following are some Islamic legal instruments influenced by a person's psychological state:

a. Taklif (Legal Imposition)

In Islamic law, taklif refers to the legal burden imposed on a mukallaf (a person who has fulfilled the requirements for being subject to the obligations or prohibitions of sharia). The two main requirements for taklif are *aql* (reasonable) and *baligh* (adulthood). However, a person's psychological state plays a crucial role in determining whether they are truly worthy of accepting this burden.

Islam, as a religion that upholds justice and mercy, takes into account the internal state of a person, including their mental state. A person experiencing severe mental disorders, such as insanity (*majnun*), is not subject to taklif (religious guidance) due to the loss of the element of reason. This is based on the saying of the Prophet Muhammad (peace be upon him): “The pen (recording of deeds) is lifted from three people: from the sleeping person until he awakens, from the child until he reaches adulthood, and from the insane person until he attains reason.” (Narrated by Abu Dawud, no. 4398)

This hadith provides the basis for the argument that psychological conditions such as insanity can invalidate legal obligations.²¹ Furthermore, scholars also discuss conditions such as anger, severe stress, or psychological pressure that can cause momentary instability. In the case of divorce, for example, the majority of scholars state that divorce in a state of extreme anger that leads to loss of consciousness or self-control is considered invalid. Imam Ibn Qayyim al-Jawziyyah stated, “Divorce of an angry person, if his anger is so intense that he is not aware of what he is saying, is not valid,

²⁰Narrated by Ibn Majah no. 2340; Malik in *Al-Muwatta'*

²¹ Alan K. Davis et al., “Attitudes and Beliefs about the Therapeutic Use of Psychedelic Drugs among Psychologists in the United States,” *Journal of Psychoactive Drugs* 54, no. 4 (2022): 309–18, <https://doi.org/10.1080/02791072.2021.1971343>.

because he is considered to be an unreasonable person at that time."²²This shows that the determination of taklif does not only depend on age and reason in normal conditions, but also takes into account the mental-psychological condition when a person does or does not do an act.

Thus, Islamic law is highly humanistic and realistic, as it takes into account internal human factors when determining obligations. Consciousness, sanity, and mental stability are prerequisites for valid taklif. This demonstrates that Islamic law considers the psychological aspects of individuals as part of substantive justice.

b. Divorce in a state of anger.

Some scholars consider a person who divorces his wife in anger to be invalid, although this is still a matter of debate among Islamic legal experts. The majority of scholars, such as the Hanafis,²³ Malikiyah²⁴, Shafi'iyah²⁵ agree that anger is not an automatic reason to annul a divorce, unless it leads to loss of reason or consciousness. Because divorce is a legal act that requires intention and will, if both are present, the divorce is still considered valid. However, psychological conditions and emotional context remain important considerations, especially in court practice. Contrary to the majority opinion, the Hanabilah school distinguishes three levels of anger: mild anger, which makes divorce valid; moderate anger (emotional but conscious), which also makes divorce valid; and severe anger that makes consciousness disappear (such as possession or temporary insanity), which makes divorce invalid. This is because extreme anger can render a person unconscious or unable to understand what they are saying. In this condition, divorce is considered invalid because the requirements of will and consciousness are not met. The Hanabilah allows for tolerance in cases of severe emotions because they approach the state of being non-mukallaf.²⁶

c. Testimony and Trial

In both conventional and sharia legal systems, a person's mental state plays a crucial role in assessing the validity of testimony and the fairness of legal decisions. A person's mental state can influence their perception, memory, and ability to provide accurate and objective information.

From an Islamic legal perspective, scholars agree that testimony must come from someone who is 'anddil (fair) and andQil (reasonable). If a person is experiencing mental disorders, severe psychological stress, or is in an extreme emotional state such as anger, their testimony may be rejected.²⁷ This is as stated in Surah An-Nur, verse 4, which stipulates that testimony must come from four trustworthy individuals,

²² Ibn Qayyim Al-Jawziyyah, *I'lam Al-Muwaqqi'In* (Dar Ibn al-Jawzi, n.d.), 1/112.

²³ Al-Kasani, *Bada'i as-Sana'i*, 3/100 and Ibn 'Abidin, *Radd al-Muhtar*, 3/231

²⁴ Al-Dardir, *ash-Sharh al-Kabir*, 2/345 and Al-Kharshi, *Sharh Mukhtasar Khalil*, 4/31

²⁵ Imam Nawawi, *Raudhah at-Thalibin*, 7/20 and Al-Ramli, *Nihayah al-Muhtaj*, 6/471

²⁶ Ibn Qudamah, *al-Mughni*, 7/373 and Al-Buhuti, *Kashshaf al-Qina'*, 5/218

²⁷ Chris Lo et al., "Managing Cancer and Living Meaningfully (CALM): Randomised Feasibility Trial in Patients with Advanced Cancer," *BMJ Supportive and Palliative Care* 9, no. 2 (2019): 209–18, <https://doi.org/10.1136/bmjspcare-2015-000866>.

demonstrating the importance of a witness's integrity and mental health. Imam Al-Mawardi stated that "testimony is only accepted from those who possess sound reason and are not angry or under duress, as these two conditions can obscure the truth."²⁸

From a forensic psychology perspective, individuals experiencing severe anxiety, depression, trauma, or stress can experience memory or perceptual distortions, rendering their testimony scientifically invalid.²⁹ This condition also affects the credibility and accuracy of testimony in court.³⁰

In modern judicial practice, psychological and psychiatric testing is often used to assess whether someone is fit to be a witness or legally responsible. This is in line with the principle of *Lahū and qil* (no law for the mentally ill), which is the basis in sharia for denying criminal responsibility to people with severe mental disorders.³¹

Thus, the influence of mental health cannot be ignored in the judicial system. Ensuring justice requires not only evidence and witnesses, but also ensuring that both witnesses and the accused are mentally stable so that the verdict is truly fair and objective.

d. Transactions and Contracts

In Islamic law, the validity of a transaction or contract is very dependent on the element of willingness (*tarāḍin*) and full awareness (*tamyiz*) of the parties involved. Therefore, a person's psychological state is a crucial factor in determining whether a contract is valid. Islamic law places great emphasis on the mental state of the parties to the contract, as this state can influence their intentions, choices, and understanding of the legal consequences of their actions.³²

In QS. An-Nisā': 29 confirms that the willingness (*ridān*) is an absolute requirement in a transaction, and consent can only occur if a person is in a stable mental state. If a person is very angry, depressed, forced, or under strong psychological pressure, then the contract that is carried out can be invalid or at least legally flawed. Islamic jurists from the four schools of thought agree that a person who loses consciousness (*insane*, drunk, or under extreme emotional stress) has an invalid contract, because the loss of *tamyiz* (the ability to distinguish between right and wrong). Even in a state of anger, which is a temporary mental disorder, a marriage contract can be annulled if it is proven that the anger significantly diminishes consciousness.

In a sale and purchase agreement, if someone is forced or under mental pressure (such as intimidation or fear), the agreement is deemed to have failed to meet the element of consent and can be canceled. Imam Nawawi explained that "a contract made

²⁸ Al-Mawardi, *Al-Aḥkām As-Sulfiyyah*, hal. 150.

²⁹ Michael R. Marriott et al., "Narrative Insight in Psychosis: The Relationship with Spiritual and Religious Explanatory Frameworks," *Psychology and Psychotherapy: Theory, Research and Practice* 92, no. 1 (2019): 74–90, <https://doi.org/10.1111/papt.12178>.

³⁰ Wells, G.L. & Loftus, E.F. (2013). *Eyewitness Memory for People and Events*.

³¹ Al-Kasani, *Bada'ī' As-Sana'ī' fi Tartib As-Syara'ī'*.

³² Al-Nawawi, *Al-Majmūh' Syarḥ Al-Muhadzzeb* (Beirut-Libanon: Dar al-Fikr, n.d.), 9/181.

under pressure or coercion is void because there is no consent" (al-Majmu', Volume 9).

Thus, a person's psychological state not only influences morals and social aspects but also has legal consequences under Sharia law. This demonstrates that Islamic law places great emphasis on humanitarian and psychological aspects when establishing legal provisions.

e. Vows and Oaths

In Islam, oaths and vows are forms of oral worship that bind a person to Allah. A vow is a person's promise to God to do something good if a certain goal is achieved (QS. Al-Insan: 7), while an oath (yamin) is a statement accompanied by the mention of God's name as a reinforcement of truth or sincerity (QS. Al-Baqarah: 224). However, Islamic law also pays attention to the psychological condition of the person who recites it.

Scholars agree that aqliyah (consciousness and sanity) is a prerequisite for the validity of vows and oaths. In a disturbed psychological state, such as excessive anger, severe stress, or depression, a person can lose emotional and rational control, making it impossible to carefully consider the consequences of the vow or oath they utter. Imam Nawawi in Al-Majmu' stated that the oath or vow of someone who is unconscious, insane, or in an unstable condition is invalid, because of the loss of qashd (conscious intention) as an important element in worship. This is also in line with the Islamic jurisprudence principle: "Al-Aqdu Yatba'u Al-Qashd" (The validity of a contract depends on the intention).

In the case of swearing in a state of anger, scholars distinguish between mild and severe anger.³³ If anger is still under control and a person is aware of what he said, then his oath is still valid. However, if his anger is so severe that he loses consciousness, then his oath or vow can be invalid. Ibn Qudamah in Al-Mughni explains that oaths in a state of extreme anger can be lost due to the loss of the element of intentionality. A concrete example can be seen in the hadith about a person who vowed to fast continuously without stopping because of anger, then the Prophet. said: "There is no fulfillment of vows in disobedience to God, or in things that the son of Adam does not possess." (HR. Bukhari no. 6696)

This confirms that Islamic law does not enforce vows or oaths made under abnormal psychological pressure, especially if they have the potential to harm oneself or others. Islamic law not only assesses the outward form of vows and oaths, but also considers the mental and psychological state of the person making them. In a state of mental disturbance or severe anger, vows and oaths can be considered invalid, in order to maintain justice and the public interest. Therefore, Muslims are advised to avoid making vows or oaths when emotionally unstable.

f. Criminal Punishment (Hudud and Qishas)

³³ Ludovica De Panfilis et al., "‘teach for Ethics in Palliative Care’: A Mixed-Method Evaluation of a Medical Ethics Training Programme," *BMC Palliative Care* 19, no. 1 (2020), <https://doi.org/10.1186/s12904-020-00653-7>.

In Islamic criminal law, punishment takes into account not only the physical act but also the perpetrator's psychological state. One important aspect taken into consideration is the individual's psychological state at the time of the crime, including in cases of hudud (fixed punishments determined by God) and qisas (equitable retribution).

In the rules of Islamic jurisprudence it is stated: "Al-'uqubandtu tudfa'u bisy-syubuhandtu" means that a criminal sentence is waived if there is doubt. An unstable mental state, such as insanity or severe mental disorders, is a form of doubt that can waive a sentence, as explained in the hadith narrated by Abu Dawud no. 4399: "The pen of taklif is lifted from three groups: the sleeping person until he wakes up, the child until he reaches puberty, and the insane person until he comes to his senses."

This hadith demonstrates that a person who is unconscious or mentally impaired cannot be held fully criminally responsible. In the context of hudud and qisas, if the perpetrator is proven to suffer from significant mental disorders, the punishment can be suspended, reduced, or even not applied. According to the Shafi'i and Hanafi schools of thought, the implementation of hudud and qisas requires the elements of intent and full awareness. If the perpetrator is unaware of their actions due to severe depression, schizophrenia, or another form of mental disorder that can be proven medically and sharia-compliant, then such punishment cannot be imposed. In practice, the involvement of a psychiatrist is required to determine the perpetrator's mental status. This demonstrates that Islamic law places great importance on substantive justice, not merely legal formalities.

g. Fasting and Prayer

In Islam, fasting and prayer are essential acts of worship, possessing both physical and spiritual dimensions.³⁴ However, the performance of these acts of worship is inseparable from a person's psychological state. Mental disorders such as severe depression, anxiety disorders, or other mental disorders can affect the eligibility and obligation of a person's worship according to Sharia law. Under normal circumstances, fasting during Ramadan is obligatory for every adult, sane, and capable Muslim. However, if a person experiences a severe mental disorder that results in a loss of consciousness or reason (al-'aql), then the obligation to fast is waived. This is based on the Islamic jurisprudence principle: "Al-taklif ma'a al-'aqli" namely sharia taklif only applies to those who are rational.

Thus, if someone experiences a mental disorder that causes loss of reason, they are not obligated to fast. However, if the disorder does not lead to loss of reason, they are still obligated to fast, unless the condition worsens their medical condition, in which case they are considered an exception, just like the sick (Quran, Al-Baqarah: 184–185).

2. Influence on Prayer

³⁴ Beata Zarzycka and Małgorzata M. Puchalska-Wasył, "Can Religious and Spiritual Struggle Enhance Well-Being? Exploring the Mediating Effects of Internal Dialogues," *Journal of Religion and Health* 59, no. 4 (2020): 1897–1912, <https://doi.org/10.1007/s10943-018-00755-w>.

Unlike fasting, prayer is not invalidated under any circumstances as long as one's sane mind is intact. However, its performance can be adjusted to suit one's abilities. A person experiencing anxiety or depression is still required to pray, but can perform it according to one's ability (Quran 2:286). Even if one cannot stand, one may pray sitting or lying down. In a hadith, the Prophet Muhammad (peace be upon him) said: "Pray standing; if you cannot, then sit; if you cannot, then lie down." (Narrated by Bukhari, no. 1117)

Mental health plays a crucial role in determining the burden of Sharia law. Islam, as a religion of mercy, provides relief for those experiencing mental disorders or severe psychological stress. However, the definition and type of disorder must be assessed medically and in accordance with Islamic jurisprudence to avoid excessive leniency.

3. Divorce, Crime, and other legal actions.

In Islamic jurisprudence, excessive emotions, extreme anger, or mental disorders can cause legal decisions such as divorce, criminal confessions, or testimony to be invalid or invalid due to psychological factors.

Conclusion

Based on the description of this research, it can be concluded that Islamic law has a humanistic, adaptive, and rational character in responding to human psychological conditions. This research demonstrates the main advantage in successfully confirming that sharia does not only assess the external aspects, but also takes into account the inner state and mental health of individuals as prerequisites for the validity of taklif, worship, transactions, testimony, and even criminal decisions. This finding strengthens the understanding that the principles of maqasid al-shari'ah, such as hifdz al-'aql, la dharar, and the principle of justice, make Islamic law flexible to various psychological conditions, while also emphasizing the importance of a mujtahid's mental health so that ijtihad is not biased by lust or emotion. However, the weakness of this research lies in its limited nature of literature review, which does not yet present empirical data that can strengthen the relevance of the application of Islamic law to actual psychological cases in society. Furthermore, there is still room for deeper study regarding the differences in the views of scholars in cases of temporary psychological disorders, such as divorce in anger or marriage contracts under stress, to be more comprehensive. Thus, this article makes an important contribution in opening up space for academic dialogue between fiqh and psychology, although it still requires strengthening through more applicable field research.

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