

MAPPING CONTEMPORARY ISLAMIC LEGAL THOUGHT IN INDONESIA: A DIALOG BETWEEN FIQH AND THE CULTURE OF THE ARCHIPELAGO

Firda Arina Zulfa^{1*}, Mukhsin Achmad¹, Davud Soyulu² & Fadhil³

¹Fakultas Ilmu Agama Islam Universitas Islam Indonesia, Yogyakarta, Indonesia

²Bingö üniversitesi, Turkiye

³Kulliyyah Dakwah Islamiyah, Tripoli - Libya

Info Artikel

Article History:

Received: January 20, 2025

Accepted: March 27, 2025

Published: March 20, 2025

ISSN: 2656-1654

e-mail address:

*143210503@uui.ac.id

e-ISSN: 2656-193X

Abstract

Purpose - This research examines the dynamics of Islamic legal thought in contemporary Indonesia concerning the cultural wisdom of the archipelago. This research aims to understand how sociopolitical changes, modernization of the Islamic education system, and awareness of local identity affect the acculturation process of Islamic law with local cultural values.

Methods - This research uses historical-anthropological and socio-juridical approaches with qualitative methods. Data collection techniques included literature studies, historical document analysis, and in-depth interviews with 15 contemporary Islamic law thinkers in Indonesia.

Findings - The results showed that Islamic fiqh in Indonesia underwent a process of adaptation through dialog with the local culture. Concrete examples of this acculturation include (1) inheritance division practices that accommodate customary law, such as the gono-gini system in Javanese society; (2) marriage rituals that combine elements of sharia with local traditions; and (3) the implementation of zakat, which is adjusted to the traditional economic system, including zakat on agricultural products that vary according to regional customs.

Contribution/Limitations - Theoretically, this research enriches the study of Islamic law by highlighting the role of 'urf (custom) as a secondary source of law. This research provides input for formulating fatwas and Islamic law legislation responsive to the Indonesian sociocultural context. The limitation of this study lies in the scope of the area, which is still limited to specific case studies.

Originality/Value - This research contributes to understanding how Islamic law can be contextualized in a multicultural society. It also opens up space for further exploration of the role of fatwa institutions and legal policies in responding to social dynamics in Indonesia.

Keywords: Islamic Law, Indonesian Jurisprudence, Archipelago Culture, Acculturation, Contextualization of Jurisprudence

Abstrak

Tujuan - Penelitian ini mengkaji dinamika pemikiran hukum Islam di Indonesia dalam hubungannya dengan kearifan budaya Nusantara. Studi ini bertujuan untuk memahami bagaimana perubahan sosial-politik,

modernisasi sistem pendidikan Islam, dan kesadaran identitas lokal memengaruhi proses akulturasi hukum Islam dengan nilai-nilai budaya setempat.

Metode – Penelitian ini menggunakan pendekatan historis-antropologis dan sosio-yuridis dengan metode kualitatif. Teknik pengumpulan data mencakup studi literatur, analisis dokumen historis, serta wawancara mendalam dengan 15 pemikir hukum Islam kontemporer di Indonesia.

Temuan – Hasil penelitian menunjukkan bahwa fikih Islam di Indonesia mengalami proses adaptasi melalui dialog dengan budaya lokal. Contoh konkret akulturasi ini meliputi: (1) praktik pembagian waris yang mengakomodasi hukum adat, seperti sistem gono-gini dalam masyarakat Jawa; (2) ritual pernikahan yang memadukan unsur syariat dengan tradisi lokal; dan (3) implementasi zakat yang disesuaikan dengan sistem ekonomi tradisional, termasuk zakat hasil pertanian yang bervariasi sesuai kebiasaan daerah.

Kontribusi/Keterbatasan – Secara teoritis, penelitian ini memperkaya kajian hukum Islam dengan menyoroti peran 'urf (adat) sebagai sumber hukum sekunder. Secara praktis, studi ini memberikan wawasan bagi penyusunan fatwa dan perundang-undangan Islam yang responsif terhadap konteks sosial-budaya Indonesia. Keterbatasan penelitian ini terletak pada cakupan wilayah yang masih terbatas pada studi kasus tertentu.

Keaslian/Nilai – Penelitian ini berkontribusi dalam memahami bagaimana hukum Islam dapat dikontekstualisasikan dalam masyarakat multikultural. Studi ini juga membuka ruang eksplorasi lebih lanjut mengenai peran lembaga fatwa dan kebijakan hukum dalam merespons dinamika sosial di Indonesia.

Kata kunci: Hukum Islam, Fikih Indonesia, Budaya Nusantara, Akulturasi, Kontekstualisasi Fikih

INTRODUCTION

The modern challenges faced by Islamic legal thinkers in Indonesia are increasingly complex. Globalization and modernization have significantly changed various aspects of people's lives (Pham et al., 2022). This requires an appropriate response from Islamic legal thought to remain relevant to the times without losing its identity and fundamental value. Contemporary Indonesian Muslim thinkers continue to develop methodologies that can bridge the demands of modernity with the basic principles of sharia (Karimullah, 2022).

A critical aspect in mapping Islamic legal thought in Indonesia is understanding the methodology used in the legal *istinbath* process. Indonesian Muslim scholars and thinkers have developed various methodological approaches that consider locality aspects without ignoring Sharia's universality

(Rohidin et al., 2023). These approaches include using modified *ushul fiqh* rules following the Indonesian context and developing new methods that are more responsive to modern society's needs (Rajafi, 2023).

In the context of nationality, Islamic legal thought in Indonesia is inseparable from the discourse on nationalism and national legal development. Indonesian Muslim thinkers have demonstrated their ability to integrate Islamic values into the national legal system without causing conflict or opposition (Wahyudi, 2021). This can be seen from various national legal products that accommodate Islamic law principles, such as in the fields of marriage, waqf, and the Sharia economy (Rokhmad, 2021).

The development of information and communication technology has also significantly impacted the map of Islamic legal thought in Indonesia. Social media and digital platforms have

created new spaces for discussing and developing Islamic legal thought. This brings challenges and opportunities to transmitting and transforming Islamic legal thought (Wahid, 2024). On the one hand, easy access to information allows for a more intensive exchange of ideas. Still, on the other hand, it also requires filtering and verifying the various thoughts that develop (Wibowo et al., 2023).

The gender dimension in Indonesian Islamic legal thought has also become an aspect that has received increasing attention in recent decades. Indonesian Muslim thinkers have developed more gender-sensitive interpretations of *fiqh*, considering aspects of justice and equality in the modern context (Muqtada et al., 2024). These efforts include the reinterpretation of classical texts and the development of new, more inclusive, and gender-equitable (Abdul Kodir et al., 2025) methodologies.

Various studies have been conducted to understand Islamic legal thought in Indonesia. In his research, Faizal Amin offers a new framework for classifying Islamic thought, taking inspiration from Fazlur Rahman's categories of revivalists, classical modernists, neo-revivalists, and neo-modernists. Specifically, this article examines the reclassification of Islamic thought and outlines its implications for the contemporary historical narrative of Islamic intellectual movements in the Indonesian context. His research identified eight categories or typologies

that characterize contemporary Islamic intellectual movements in Indonesia: (1) revivalist movement, (2) classical modernist movement, (3) neo-revivalist movement, (4) neo-modernist movement, (5) traditionalist movement, (6) neo-traditionalist movement, (7) post-modernist movement, and (8) post-traditionalist movement.

Kamaruzzaman Bustamam-Ahmad (2011) further discusses the concepts of Liberal Islam, Hadhari Islam, and Progressive Islam as products of these trends of Islamic thought, as well as the impact of these three interpretations of Islam in Malaysia and Indonesia. This study argues that the prominence of debates around these three schools of Islamic thought results from the struggle for power and authority in Islamic discourse in the region. In addition, R. Michael Feener (2007), in his book "Muslim Legal Thought in Modern Indonesia," explores the development of Islamic legal thought in Indonesia throughout the 20th century. Feener highlights the openness of Indonesian Muslim intellectuals to various international schools of thought and how they creatively integrated these elements into the local context. The book's main findings suggest that Islamic legal thought in Indonesia is characterized by complex and diverse dynamics, reflecting the interaction between Islamic tradition and local culture and responses to social and political change.

Although it has the same theme, namely the map of legal thought in Indonesia, this research differs from previous studies, as it focuses on the dialog between *fiqh* and the local culture of the archipelago in the current context. The approach is also more comprehensive, combining historical, anthropological, and juridical analyses. The main focus is on the contemporary dimension, which includes digital transformation and the challenges of modernity, while still paying attention to certain customary practices that intersect with Islamic law.

METHOD

This research on the map of Islamic legal thought in Indonesia and its dialog with Nusantara culture used a qualitative research method with a library research approach. The choice of this method is based on the characteristics of the research that focus on an in-depth analysis of documents, literature, and scientific works related to the research theme. A qualitative approach was chosen because of its ability to reveal and understand phenomena holistically and contextually. The primary and secondary sources of data in this study were primary and secondary sources. Primary sources include the works of contemporary Indonesian Muslim scholars and thinkers who specifically discuss the dialogue between *fiqh* and Nusantara culture.

The theoretical perspectives used in this research include cultural dialectics, social change, and reception theories in the context of Islamic law. This multi-perspective is intended to gain a comprehensive understanding of the dynamics of dialog between *fiqh* and the archipelago's culture. This theoretical framework helps researchers analyze the process of adaptation and transformation of Islamic law in the Indonesian context. In data processing, this study used content analysis techniques to identify the main themes and patterns of thought in the literature. This technique was chosen for its ability to reveal hidden meanings and identify trends in the text being analyzed. The content analysis process was conducted systematically by considering the historical and sociocultural contexts behind the emergence of various Islamic legal thoughts in Indonesia.

This study also uses a comparative approach to examine various Islamic legal thoughts developed in Indonesia to strengthen the analysis. This approach allowed the researcher to identify similarities and differences in the methodologies and techniques used by Indonesian Muslim thinkers. This comparative analysis also helps us to understand how different schools of thought respond to the challenges of modernity and locality. In its application, limiting the approach's focus is necessary to avoid an overly broad and in-depth analysis. This research will compare three main

aspects: the methodology of legal *istinbath*, the concept of *mashlahat*, and the response to contemporary issues. This restriction is necessary to ensure depth of analysis and produce meaningful findings in Indonesia's context of the development of Islamic law.

To ensure the representation of various perspectives, this research also focused on balancing the sources' selection. This includes works from multiple schools of thought, both traditionalists and modernists and considers the geographical and temporal variations in the development of Islamic legal thought in Indonesia. This balance is essential to obtain a comprehensive picture of the dynamics of Islamic legal thought in Indonesia.

RESULTS AND DISCUSSION

Dialectics of Islamic Legal Thought

in the Indonesian Context:

Methodological Transformation from Textual-Normative to Contextual-Progressive.

The dynamics of the development of Islamic law in Indonesia show a complex dialectical process over several significant historical periods. In the colonial era (17th century to mid-20th century), a dialectic between Islamic law and Dutch political policies characterized by the *reception* theory limited the application of Islamic law. Entering the independence era (1945-1965), there was an essential transformation in which Islamic law

began to receive formal recognition in the national legal system, especially in family law. The New Order period (1966-1998) marked the institutionalization phase of Islamic law through various laws and regulations, such as the 1974 Marriage Law and the establishment of Religious Courts. The Reform Era (1998-present) opened a more expansive space for the development of Islamic law, marked by the birth of various Sharia-based legislation products, such as the Zakat Law, the Waqf Law, and the Compilation of Sharia Economic Law. In each of these periods, Indonesian Muslim thinkers developed different intellectual responses, ranging from traditionalist-textual to moderate-contextualist paradigms, to harmonize sharia normativity with the socio-cultural reality of the archipelago (Zayd et al., 2006).

Implementing Islamic law in Indonesia has unique characteristics, such as adapting and accommodating local cultural values. This aligns with Abdurrahman Wahid's view, which emphasizes the importance of Islamic personalization, where Islamic values can adapt to local culture without eliminating the substance of its teachings (Yasmin et al., 2024). This process produced a distinctive style of Islamic legal thought in Indonesia, which differed from that in other Muslim countries. This phenomenon can be observed in Islamic legal products adapted to the national legal system. For

example, the Compilation of Islamic Law (KHI) manifests efforts to integrate Islamic law with the Indonesian socio-cultural context (Nurlaelawati, 2010). KHI not only contains the provisions of classical *fiqh* but also accommodates customary law practices that have taken root in Indonesian society.

In its development, Islamic legal thought in Indonesia was also influenced by global dynamics and the demands of modernity. Contemporary Indonesian Islamic legal thinkers have developed *ijtihad* methodologies responsive to changing times. They not only rely on the classical *ushul-fiqh* method, but also integrate a multidisciplinary approach in the development of Islamic law (Naim & Huda, 2021). An essential aspect of the map of Islamic legal thought in Indonesia is the development of the Indonesian *fiqh* paradigm. This paradigm contextualizes Islamic law by considering Indonesia's social, cultural, and political conditions (Ulum & Arifullah, 2024). This aligns with the principle of "*al-'adah muhakkamah*," which recognizes customs as one of the sources of Islamic law.

The development of Islamic legal thought in Indonesia is marked by the emergence of various educational and research institutions that focus on the development of contemporary Islamic law. These institutions are essential in conducting in-depth studies on Islamic legal issues in the Indonesian context (Asmoro & Saptomo, 2024). Various

innovative ideas have been produced through these studies that contribute to developing more responsive Islamic law. The development of the *mashlahat* approach in legal formulation also characterizes the paradigm of Islamic legal thought in Indonesia. Contemporary Indonesian Islamic legal thinkers, such as Hasbi Ash-Shiddieqy and Hazairin, have laid strong methodological foundations for developing *mashlahat*-based Indonesian *fiqh* (Najib, 2020). This approach emphasizes that the primary purpose of Islamic law is to create benefits for society while adhering to the basic principles of sharia.

From a methodological perspective, the development of Islamic legal thought in Indonesia shows a shift from a textual-literalistic to a contextual-substantialistic approach. Thinkers such as Nurcholish Madjid and Abdurrahman Wahid have significantly contributed to developing a methodology for understanding Islamic law that is more responsive to the Indonesian context (Barton, 1970). They emphasize the importance of understanding *the maqashid al-shari'ah* (the purpose of sharia) as a foundation for developing Islamic law.

The historical aspect of the development of Islamic legal thought in Indonesia cannot be separated from the roles of Pesantren and traditional Islamic educational institutions. These institutions have become centers for developing Islamic legal thought that

combines classical treasures with contemporary reality (Mustofa et al., 2024). Through a unique learning system, Pesantren produced generations of scholars who can understand the complexity of Islamic legal issues in a modern context.

In a practical context, the application of Islamic law in Indonesia has experienced interesting dynamics, particularly regarding the codification of Islamic law. For example, the establishment of the Compilation of Islamic Law resulted from a long process involving various elements of society, including ulama, academics, and legal practitioners (Afdal, 2017). This process represents a systematic effort to integrate Islamic law into the national legal system while considering local characteristics.

Technological development and globalization have also significantly impacted Islamic legal thought in Indonesia. Contemporary thinkers must provide answers to various new problems arising from technological advances and social change (Nur, 2024). This encouraged the development of collective *ijtihad* through multiple forums and fatwa institutions in Indonesia.

One of the critical features of the map of Islamic legal thought in Indonesia is the development of the *wasathiyah* (moderation) approach. This approach emphasizes the importance of an intermediate stance between extremism and liberalism in understanding and

applying Islamic law (Abd Razak et al., 2019). This moderate attitude is reflected in various products of Islamic legal thought that accommodate the diversity of religious experience and practices in Indonesia.

Institutional aspects also play an essential role in developing Islamic legal thought in Indonesia. Institutions such as the Indonesian Ulema Council (MUI), Nahdlatul Ulama, and Muhammadiyah have significantly contributed to developing moderate and contextual Islamic legal thought (Jubba et al., 2022). These institutions have helped the community understand and apply Islamic law proportionally through various forums and organized studies.

The development of Islamic law studies in universities has also provided a color to Indonesia's map of Islamic legal thought. Sharia and Islamic law study programs at various universities have produced in-depth academic studies on contemporary Islamic legal issues (Abdullah, 2017). These studies are normative and empirical, providing a complete picture of the implementation of Islamic law in Indonesian society. In the context of methodological development, Indonesian Islamic legal thinkers have developed various innovative approaches in legal *istinbat*. Methods such as *mashlahat mursalah*, *istihsan*, and *'urf* have been revitalized and contextualized with Indonesian reality (Maulidizen & Raihanah, 2019). This demonstrates the progressive dynamics

of thought in developing Islamic law in Indonesia.

The development of Islamic legal thought in Indonesia cannot be separated from political and state contexts. Indonesian Islamic legal thinkers have succeeded in developing concepts that allow harmonization between Islamic law and the national legal system (Rokhmad, 2021). This is reflected in the various legislative products that accommodate the values and principles of Islamic law.

Socioeconomic aspects are also essential for developing Islamic legal thought in Indonesia. Contemporary thinkers have developed various Islamic economic concepts and instruments appropriate for the Indonesian context (Arsadani et al., 2024). The development of Islamic financial systems, productive waqf, and other Islamic philanthropic instruments demonstrates the dynamism of Islamic legal thought in responding to the needs of society.

In the context of human resource development, various Islamic educational institutions have played an essential role in creating a new generation of Islamic legal thinkers. Programs, such as the education of ulama cadres and the training of religious court judges, have strengthened the intellectual base of Islamic legal thought in Indonesia (Nurlaelawati & Rahim, 2012). This is important for ensuring the future sustainability and development of Islamic legal thought.

Media and information technology development has brought new dynamics to the landscape of Islamic legal thought in Indonesia (Sonafist, 2022). This phenomenon can be observed in three main ways. First, the democratization of Islamic knowledge, where discussions and fatwas on Islamic law are no longer limited to traditional spaces such as Islamic boarding schools or ulama assemblies, has spread to various digital platforms. Second, the emergence of new religious authorities in the digital space has influenced people's understanding of Islamic law. Third, the increasing accessibility of Islamic legal information allows people to compare opinions and legal interpretations. This transformation has important implications for the development of Islamic legal methodologies that must respond to the needs of the digital society while maintaining the authenticity and validity of Islamic legal thought in the Indonesian context.

Harmonization of Jurisprudence and Culture of the Archipelago: an Integrative Approach

The harmonization process between *fiqh* and Nusantara culture has undergone a long evolution since the entry of Islam into Indonesia. In the early period (13th to 16th centuries), this process was characterized by the accommodation of local practices by the early Islamic saints and propagators, as reflected in the Walisongo's da'wah methods that used a cultural approach.

Entering the sultanate period (16th to 18th centuries), there was a formalization of Islamic law combined with adat, as seen in various legal books such as *Mir'at al-Thullab* in Aceh and *Serat Surya Raja* in Mataram.

During the colonial period (19th century to mid-20th century), the harmonization process faced challenges with the emergence of a dichotomy between customary law and Islamic law through Dutch legal politics. The post-independence era shows a systematic effort to integrate *fiqh* values with Indonesia's socio-cultural reality, which is manifested in various legal products, such as the Compilation of Islamic Law, which accommodates customary law and local practices that do not conflict with Sharia principles (Anggraeni, 2023).

The model of legal thinking that developed in each period reflects the dynamics of an ongoing dialog between the universality of Islamic teachings and the cultural particularities of the archipelago. In this context, Indonesian Islamic legal thinkers have developed a methodology that allows for constructive dialog between *fiqh*'s normativity and the archipelago's cultural reality. This approach is based on the understanding that Islamic law has flexibility and elasticity, allowing it to adapt to various sociocultural contexts (Rajafi, 2023).

One manifestation of this harmonization is customary marriage practices that have been accommodated in the Islamic legal system in Indonesia.

Various local marriage traditions that do not conflict with the principles of sharia have been integrated into Islamic marriage practices in Indonesia (Ishaq et al., 2023). This shows that *fiqh* can constructively dialogue with local traditions.

The harmonization process between *fiqh* and Nusantara culture has produced a unique interaction pattern in the Indonesian context. One of the most prominent forms of harmonization is the practice of inheritance, where the Islamic inheritance system has adapted to the customary inheritance system in various regions (Hasballah et al., 2021). For example, in Minangkabau, there is a combination of the matrilineal system and the principles of Islamic inheritance, which results in unique inheritance practices (Ismail & Nofiardi, 2024).

In religious rituals, the harmonization of *fiqh* and local culture is reflected in various practices, such as *tahlilan*, *selamatan*, and the prophet's *maulid* tradition. Indonesian scholars have developed a methodology that accommodates these traditions within the framework of valid *fiqh* (Kasdi, 2019). This approach is based on the understanding that traditions that do not contradict the principles of Sharia can be accepted and even enrich the Islamic treasury.

Implementing *fiqh* in Islamic architecture in the archipelago is reflected through applying Islamic legal principles to the spatial layout and function of mosque buildings (Ahsani et

al., 2024). The most prominent aspects of fiqh are seen in the separation of the worship space between men and women (hijab) (Siraj, 2011), the determination of the exact qibla direction (Budiwati et al., 2022), and the provision of ablution places that meet the purity requirements (Muliadi et al., 2022). Local architectural innovations such as the mosque's spacious porch (pendopo) not only function as a transitional space but also accommodate the socio-religious needs of the community for recitation and deliberation, which is in line with the fiqh principle of the mosque as the center of community activities. This architectural adaptation shows how the fiqh principles of worship and muamalah are creatively translated into physical forms that suit the cultural context of the archipelago. This adaptation process emphasizes that the application of Islamic law in architecture is not limited to ritual aspects alone but also includes a broader social dimension.

In the field of economy and trade, Islamic economic practices in Indonesia have undergone significant contextualization. For example, the mudharabah and musyarakah systems have been adapted to suit the traditional trading patterns of the archipelago (Rahman, 2022). This shows the flexibility of the muamalah fiqh in accommodating local economic practices that have taken root.

Harmonization also occurs in the context of family law, where customary practices have been integrated into the

Islamic family law system in Indonesia. The concept of the gono-gini property in marriage, for example, has been adopted and recognized in the Indonesian Islamic legal system through the Compilation of Islamic Law (Bainon et al., 2024). This indicates a productive dialogue between fiqh and adat in the regulation of Indonesian Muslim family life. The role of local religious leaders such as *kyai*, *ajengan*, and *tuan guru* in this harmonization process is also very significant. They have succeeded in building a bridge between the normativity of fiqh and the sociocultural reality of the community (Najib, 2020). Through cultural approaches and a deep understanding of the local context, these figures have contributed to creating a moderate contextual model of Islam.

In the aspect of Islamic education, Pesantren and Madrasah have developed a curriculum that combines the study of classical fiqh with an understanding of local culture. This educational model has produced generations of scholars with a comprehensive understanding of the complexity of the relationship between *fiqh* and culture (Hanif et al., 2024). The alumni of these educational institutions then become important agents in the harmonization process in society. The political dimension in the harmonization of *fiqh* and Nusantara culture cannot be ignored. Indonesian Muslim thinkers have developed a political concept that combines Islamic principles with democratic values and local wisdom

(Syarif et al., 2024). This is reflected in various thoughts on the relationship between Islam and the state developed by figures such as Mohammad Natsir and Munawir Sjadzali.

The aspect of conflict resolution in Indonesian society also shows the success of harmonization between fiqh and the local culture. Custom-based dispute resolution practices have been integrated into the principles of *ishlah* in *fiqh* (Ramli et al., 2024). This conflict-resolution model has proven effective in maintaining social harmony in various regions of Indonesia. The development of technology and social media also provides new color in the process of harmonizing fiqh and culture. Digital platforms have become a new means of disseminating an understanding of the relationship between fiqh and culture to the younger generations (Wahid, 2024). This allows for a more dynamic and inclusive dialogue on issues of the harmonization of *fiqh* and culture.

In the context of marriage rituals, the harmonization between fiqh and Nusantara culture has resulted in unique practices. Various traditions, such as *seserahan*, *tepung tawar*, and *midodareni*, have been integrated into a series of Islamic wedding ceremonies without reducing the validity of the marriage contract (Darussamin et al., 2020). This demonstrates the flexibility of fiqh in accommodating local cultural expressions. Harmonization also occurs in the context of natural resources and environmental management. Local

wisdom in preserving nature has been combined with fiqh concepts on environmental preservation (Insani et al., 2024). Practices such as *sasi* in Maluku and *awig-awig* in Bali show a meeting point between Islamic values and local wisdom in environmental management.

The gender dimension in the harmonization of fiqh and Nusantara culture also shows interesting developments. Indonesian Muslim thinkers have developed a more gender-sensitive interpretation of fiqh by considering the position of women in Nusantara culture (Faizah et al., 2024). This has resulted in a more accommodating understanding of fiqh towards the role of women in social and public life. The arts and entertainment aspects were also not spared from the harmonization process. Various traditional art forms such as *wayang*, *gamelan*, and *qasidah* have undergone Islamization without losing their artistic essence (Setiawan 2022). Muslim artists have succeeded in developing artistic expressions that combine Islamic values with local aesthetics.

The development of the halal industry in Indonesia also reflects the successful harmonization of fiqh and culture. The halal products developed not only meet Sharia standards but also accommodate the tastes and preferences of local consumers (Madjid et al., 2024). This shows that the halal principles in fiqh can be implemented flexibly according to the cultural context.

The Dynamics of Transformation of Islamic Legal Thought in the Indonesian Socio-Cultural Context

The transformation of Islamic legal thought in Indonesia has undergone significant development over several historical periods that reflect different sociocultural dynamics. In the colonial era (1800-1945), the transformation was characterized by efforts to maintain the existence of Islamic law amid Dutch political policies, especially in response to issues such as marriage, inheritance, and trust. In the early period of independence (1945-1965), the focus shifted to efforts to integrate Islamic law into the national legal system, with the main issues surrounding the unification of family law and the strengthening of religious courts.

The New Order period (1966-1998) marked a more systematic phase of transformation, where Islamic legal thought began to respond to issues of modernity such as gender equality in family law, the Islamic economic system, and Islamic education reform. Thinkers such as Hazairin developed the reception-exit theory, while Hasbi Ash-Shiddieqy initiated a more contextualized concept of "Indonesian Fikih."

The Reformation era (1998-present) brought about a more progressive transformation, marked by the emergence of contemporary issues such as human rights, democracy, legal pluralism, and the digitization of Islamic legal services. Contemporary thinkers

such as Abdurrahman Wahid developed a more inclusive and responsive *ijtihad* methodology, considering the aspects of *mashlahat* and *maqashid sharia* in the context of modern Indonesia (Ainol Yaqin et al., 2022).

The dynamics that occur in each period reflect a paradigm shift from a textual-literalistic approach to contextual-substantive understanding. This transformation not only responds to socio-cultural changes but also accommodates the increasingly complex needs of Indonesian Muslim society, ranging from classical issues such as worship and muamalah to contemporary challenges such as bioethics, Sharia fintech, and environmental protection from the perspective of Islamic law.

An analysis of the development of Islamic legal thought in Indonesia shows a paradigm shift from a formalistic approach to a substantive-contextual approach. Thinkers such as Hasbi Ash-Shiddieqy and Hazairin have laid strong methodological foundations for the development of benefit-based Indonesian *fiqh* (Rajafi, 2023). This approach emphasizes the importance of understanding the sociocultural context in the formulation of Islamic law.

In the institutional context, the role of Islamic organizations such as Nahdlatul Ulama and Muhammadiyah is very significant in shaping the style of Islamic legal thought, which is moderate and contextual. Through various *Bahtsul Masail* and *Tarjih* forums, these two

organizations have produced legal thinking products that are responsive to contemporary problems (Am et al., 2024). This indicates that Islamic institutions play a strategic role in the development of Islamic legal thought in Indonesia.

The development of *ijtihad* methodology in Indonesia shows significant innovation in the development of Islamic law. Contemporary thinkers have developed an approach that combines classical *ushul-fiqh* methods with modern social analyses (Sulthon et al., 2024). This approach not only considers normative aspects, but also the empirical reality of Indonesian society, resulting in legal products that are more applicable and contextual.

In the context of higher education, the transformation of Islamic legal thought is reflected in the development of curricula and teaching methodologies in the faculty of Sharia. Islamic law study programs no longer only teach classical *fiqh* doctrines but also integrate an interdisciplinary approach in the study of Islamic law (Faidah & Juwantri, 2024). This has produced a new generation of Islamic law scholars with comprehensive insights into the complexities of applying Islamic law in a modern context.

Integration of *Fiqh* Values in the National Legal System: From the Marriage Law to the Compilation of

Islamic Law and Sharia Economic Regulations

The process of integrating *fiqh* values into Indonesia's national legal system has taken place through a series of systematic stages since the era of independence. In the period 1945-1974, integration efforts focused on strengthening the position of Religious Courts and preparing for the unification of family law. Important momentum occurred in 1974 with the enactment of Law No. 1/1974 on Marriage, which accommodated the principles of *fiqh munakahat* in the context of national law.

The 1980s and the 1990s marked the consolidation phase with the birth of Law No. 7 of 1989 on Religious Courts and Presidential Instruction No. 1 of 1991 on the Compilation of Islamic Law (KHI). KHI became an important breakthrough that codified Islamic marriage, inheritance, and trust laws in the format of national legislation (Zayyadi et al., 2023). The Reformation era opened a new chapter with the enactment of various Sharia-based regulations, including Law No. 38 of 1999 on Zakat Management (updated with Law No. 23 of 2011), Law No. 41 of 2004 on Waqf, and Law No. 21 of 2008 on Islamic Banking.

The latest development was marked by the birth of the Compilation of Sharia Economic Law (KHES) through Supreme Court Regulation No. 2 of 2008, which expanded the scope of the integration of *muamalah fiqh* into the national legal system. This series of

systematic efforts demonstrates the success of the dialog between the Islamic legal system and the national legal system in accommodating the legal needs of the Indonesian Muslim community.

An analysis of the application of Islamic law in the religious court system reveals interesting dynamics. Religious judges not only apply *fiqh* provisions textually, but also consider sociological aspects and local wisdom in making decisions (Diab et al., 2022). This reflects the continuous contextualization of Islamic law in judicial practice. In the context of family law, the integration of *fiqh* into the national legal system can be seen in the implementation of the Compilation of Islamic Law, which has undergone various contextual adjustments. Religious judges have developed progressive interpretations of KHI provisions by considering the social dynamics of Indonesian society (Rohmadi et al., 2024). This approach has resulted in decisions that are more responsive to societal needs (Dikuraisyin et al., 2024).

The development of Islamic banking regulations also shows the successful integration of the principles of *Muamalah fiqh* into the national financial system. Law No. 21 of 2008 on Islamic Banking has provided a strong legal basis for the operationalization of Islamic banking in Indonesia (Fauzi & Wulandari, 2023). This encouraged significant growth in the Islamic finance industry. In the field of waqf, the integration of *fiqh* into the

national legal system can be seen in the development of regulations that support the optimization of productive waqf management. Law No. 41/2004 on waqf has opened up opportunities for innovation in the management of waqf assets (Rimanto et al., 2021). This regulation has encouraged the transformation of waqf management from a traditional paradigm to professional management (Rosadi et al., 2018).

Halal certification also shows the successful integration of *fiqh* into the national legal system. Law No. 33/2014 on the Halal Product Guarantee has provided a comprehensive legal framework for implementing the halal assurance system in Indonesia (Mawardi & Ichsan, 2023). This regulation has encouraged standardization and professionalization in the halal industry. The integration of *fiqh* into the labor law system can be seen in the development of regulations that accommodate the rights of Muslim workers. Various regulations have been developed to protect workers' religious rights, including the right to worship and wear Sharia-compliant clothing (Rohidin et al., 2023). This reflects the sensitivity of the national legal system to Muslim workers' needs.

In the context of the Sharia economic dispute resolution, *fiqh* integration can be seen in developing the Sharia arbitration system through the National Sharia Arbitration Board (BASYARNAS). This institution has

developed a dispute resolution procedure combining *Fiqh* principles with modern arbitration mechanisms (Bhatti, 2018). This model offers an alternative dispute resolution that follows the principles of Sharia. The zakat regulations' development also shows *fiqh* integration into the national legal system. Law No. 23/2011 on Zakat Management has provided a legal basis for the professionalization of zakat management in Indonesia (Yahya, 2020). This regulation has encouraged optimizing Zakat's potential to empower the economy.

Harmonization of Jurisprudence and Local Wisdom: A Model of Islamic Law Reform

The harmonization between *fiqh* and local wisdom in Indonesia has undergone dynamic development throughout the nation's history (Shuhufi & Purkon, 2023). In the pre-independence period, this harmonization process was seen in the form of accommodation of Islamic values into the Nusantara's customary and sultanate structures, as reflected in the Minangkabau philosophy of "*Adat basandi syara', syara' basandi Kitabullah*" (Darwis & Muslim, 2024). This period was also characterized by establishing informal religious courts that integrated elements of Islamic law with traditional dispute-resolution practices.

Entering the Old Order period, harmonizing *fiqh* and local wisdom increasingly received formal recognition

through institutionalizing religious courts in the national legal system (Sebyar, 2023). This period witnessed creative efforts to harmonize Islamic inheritance law with matrilineal kinship systems in some regions and apply principles of deliberation rooted in local traditions for the resolution of various family disputes. The New Order era marked an important phase in the codification of Islamic law that considered Indonesia's sociocultural realities, embodied in the Compilation of Islamic Law. This period was also marked by the development of an Islamic economic system adapted to the Indonesian context (Yanti & Addirrahman, 2021) and strengthening institutions such as the KUA and Religious Courts that accommodated local practices in their services (Kharlie et al., 2021).

The harmonization of *fiqh* and local wisdom in the reform era faced more complex and diverse challenges. Zakat and waqf systems have been developed and integrated in the economic field with local community empowerment programs (Yusroni & Chadhiq, 2021). The sociocultural aspect shows an effort to reconcile customary practices with Sharia provisions, especially regarding marriage and traditional rituals (Hasse Jubba et al., 2024). Environmental awareness gave birth to environmental *fiqh*, which combines with local wisdom in nature conservation, as reflected in the development of eco-Pesantren (Purnomo et al., 2024). A model of

Sharia governance emerged that considers local social structures and strengthens the role of ulama and traditional leaders in regional development (Solikhudin & Zainullah, 2022).

This development shows that harmonizing *fiqh* and local wisdom in Indonesia is not just a simple process of syncretism but a creative synthesis that continues to develop according to the needs of the times. The resulting model of Islamic legal reform reflects the success of the dialog between the universality of Islam and the particularity of local culture, resulting in a legal system that is responsive to the needs of contemporary Indonesian society (Yasa, 2015).

The harmonization between *fiqh* and local wisdom in Indonesia has produced a unique model of Islamic law reform. Research shows that this harmonization process produces syncretism and a creative synthesis that enriches the treasury of Islamic legal thought (Faiz et al., 2024). This model allows for constructive dialog between Islam's universality and local culture's particularity. Harmonization in the Islamic education system can also be seen in the learning model developed in pesantren and madrasah. The *Sorogan* and *Bandongan* methods, the heritage of the Nusantara education tradition, have been integrated with the classical *fiqh* teaching system (Fatahillah et al., 2023). This model has been proven effective in

transmitting knowledge while maintaining local wisdom values.

Muslim fashion in Indonesia also successfully harmonizes the *fiqh* provisions on *aurat* and local fashion traditions. The development of Muslim fashion models that adapt traditional elements such as *kebaya* and *songket* has enriched the treasures of Indonesian Muslim fashion (Ratuannisa, 2024). This reflects the creativity of harmonizing Sharia with local aesthetics. In the context of the kinship system, harmonization between family *fiqh* and customs has resulted in a unique pattern of social relations. The Islamic values of friendship and kinship have enriched Indonesian society's strong extended family system (Hudayana, 2022). This harmonization has created a social system that supports family and community cohesion.

Traditional arts also show successful harmonization between *fiqh* and the local culture. Arts such as *Wayang Kulit* and *Qasidah* have undergone a creative process of Islamization without losing their artistic essence (Suhardjono, 2016). This process has produced art forms that have become effective media for da'wah. The practices of corpse care in various regions also reflect the harmonization between *fiqh* provisions and local traditions. Rituals such as seven-day *tahlilan* and death commemoration have been harmonized with Islamic teachings on respect for the dead (Mubarok, 2021). This harmonization has resulted in practices that meet Sharia requirements

while accommodating the socio-psychological needs of the community.

CONCLUSIONS

The development of Islamic law in Indonesia has unique and complex characteristics that reflect the dynamic interaction between Sharia's universality and the archipelago's cultural particularities. In practice, customary law and Islamic law in Indonesia are complementary rather than negating each other. This can be seen from various customary practices that are in line with the principles of Islamic law, such as the system of inheritance distribution in Aceh that integrates the concept of heirloom property with *faraid* or the tradition of *tepung tawar* in Malay traditional weddings that reflect the values of prayer and blessing in Islam. Due to several underlying factors, Indonesian society actively seeks harmonization between *adat* and Islamic law. First, there is a collective awareness that both legal systems have the same goal: to benefit the people. Second, the historical fact that Islam entered the archipelago through an adaptive cultural approach, as seen in Wali Songo's method of proselytizing, which accommodated local traditions. Third, the community's practical need for a grounded legal system that follows their sociocultural context.

This harmonization is manifested in various forms of practice in the community. In the economic field, for example, agricultural production

sharing systems such as *paroan* in Java and *tesang* in Sulawesi are compatible with the muzara'ah principle in *muamalat fiqh*. In dispute resolution, customary institutions such as *runggun* in Karo and *kerapatan adat* in Minangkabau apply the mediation principle, which aligns with the concept of *ishlah* in Islam. Customary marriage practices integrated with Islamic marriage contracts demonstrate harmony between the two legal systems. This study reveals that harmonizing Islamic law and customary law in Indonesia has produced a contextual and sustainable model of Islamic law reform. This model not only enriches the treasury of Islamic legal thought but also strengthens the social cohesion of Indonesian society. The success of this model lies in its ability to bridge the need for sharia legal certainty with the flexibility needed to accommodate the cultural diversity of the archipelago.

These findings make an important contribution to developing contemporary Islamic legal methodology responsive to sociocultural dynamics. Furthermore, this research confirms that harmonizing *fiqh* and local wisdom is not just a methodological choice but a fundamental need in a multicultural society such as Indonesia. Thus, the map of Islamic legal thought in Indonesia shows success in building a synthesis between Islamic law and the socio-cultural realities of society. This model can be an example of how religion and culture can engage in

dialogue constructively in modern society without sacrificing the authenticity of religious teachings or eliminating local wisdom that has taken root in society.

BIBLIOGRAPHY

- Abd Razak, M. I., Ramli, M. A., Abdul Rahim, R. A., Awang Pawi, A. A., Yusof, M. Y., & Hassan, P. (2019). The Fiqh Wasatīyyah Approach Towards the Involvement of Malaysian Women in Religious Extremism Phenomenon. *Al-Risalah: Forum Kajian Hukum Dan Sosial Kemasyarakatan*, 19(2), 105–124. <https://doi.org/10.30631/al-risalah.v19i2.479>
- Abdul Kodir, F., Nor Ismah, Samia Kotele, Wakhit Hasyim, & Fadzila Din. (2025). Maqāṣid cum-Mubādalah Methodology of KUPI: Centering Women's Experiences in Islamic Law for Gender-Just Fiqh. *AL-IHKAM: Jurnal Hukum & Pranata Sosial*, 19(2), 519–545. <https://doi.org/10.19105/al-lhkam.v19i2.16617>
- Abdullah, M. A. (2017). Islamic Studies in Higher Education in Indonesia: Challenges, Impact and Prospects for the World Community. *Al-Jami'ah: Journal of Islamic Studies*, 55(2), 391–426. <https://doi.org/10.14421/ajis.2017.552.391-426>
- Afdal, W. (2017). Islamic Law Codification: The Friction on Authority of Islamic Law Establishment. *Journal of Indonesian Legal Studies*, 1(1), 35–46. <https://doi.org/10.15294/jils.v1i01.16567>
- Ahsani, M., Ismail, S. B., Fallah, S. N., Ismail, N. A., & Al-Ameen, A. (2024). The Relationship Between Islamic Principles and Architectural Sacredness in Islam. *Journal of Islamic Architecture*, 8(2), 530–544. <https://doi.org/10.18860/jia.v8i2.23918>
- Ainol Yaqin, Moch. Cholid Wardi, & Achmad Mulyadi. (2022). Actualization of Moderation in Reasoning at Ma'had Aly Salafiyah Syafi'iyah Sukorejo Situbondo and Its Influence on Istinbâth of Islamic Law. *AL-IHKAM: Jurnal Hukum & Pranata Sosial*, 17(2), 434–457. <https://doi.org/10.19105/al-lhkam.v17i2.5962>
- Am, S., Fitra, T. R., Kasdi, A., Istiqomah, K., Abdurrahman, A., & Ahmad, H. (2024). Collective Ijtihad Practice in Indonesia: The Role of Isbat Sessions in Addressing Legal Paradigm Differences Between Hisab-Rukyat. *Al-Risalah: Forum Kajian Hukum Dan Sosial Kemasyarakatan*, 24(2), 105–123. <https://doi.org/10.30631/alrisalah.v24i2.1537>
- Amin, F. (2024). The Typologies of Islamic Thought: Mapping The Contemporary Intellectual Movements in Indonesia. *Jurnal Theologia*, 35(1), 15–38. <https://doi.org/10.21580/teo.2024.35.1.19551>
- Anggraeni, R. D. (2023). Islamic Law and Customary Law in Contemporary Legal Pluralism in Indonesia: Tension and Constraints. *Ahkam: Jurnal Ilmu Syariah*, 23(1), 49. <https://doi.org/10.15408/ajis.v23i1.32549>
- Arsadani, Q., Djamil, F., Jahar, A. S., & Sholeh, M. A. N. (2024). The

- Progressiveness of Sharia Economic Fatwas: Direction of Islamic Legal Thoughts within NU and Muhammadiyah. *AHKAM: Jurnal Ilmu Syariah*, 24(1). <https://doi.org/10.15408/ajis.v24i1.37775>
- Asmoro*, D., & Saptomo, A. (2024). Islamic Law in the Development of Indonesian Law. *Riwayat: Educational Journal of History and Humanities*, 7(1), 138–147. <https://doi.org/10.24815/jr.v7i1.36816>
- Bainon, M., Fautanu, I., Solihin, D., Khosyi'ah, S., & Hasan Ridwan, A. (2024). THE ROLE OF ISLAMIC LAW IN THE EQUITABLE DIVISION OF JOINT ASSETS POST-DIVORCE WITHIN URBAN SOCIETY: A DESCRIPTIVE STUDY OF ITS APPLICATION IN BANDUNG HIGH RELIGIOUS COURT. *Akademika: Jurnal Pemikiran Islam*, 29(2), 255–272. <https://doi.org/10.32332/akademika.v29i2.9229>
- Barton, G. (1970). Indonesia's Nurcholish Madjid and Abdurrahman Wahid as Intellectual 'Ulamā': The Meeting of Islamic Traditionalism and Modernism in Neo-Modernist Thought. *Studia Islamika*, 4(1). <https://doi.org/10.15408/sdi.v4i1.786>
- Bhatti, M. (2018). *Islamic Law and International Commercial Arbitration* (1st ed.). Routledge. <https://doi.org/10.4324/9780429468612>
- Budiwati, A., Firdaus, M. W., & Raharjo, G. C. (2022). INTEGRATION METHOD FOR MEASURING QIBLA DIRECTION (COMPARATIVE ANALYSIS OF GOOGLE EARTH AND MIZWALA). *Indonesian Journal of Interdisciplinary Islamic Studies*, 147–164. <https://doi.org/10.20885/ijis.vol.5.iss3.art2>
- Bustamam-Ahmad, K. (2011). CONTEMPORARY ISLAMIC THOUGHT IN INDONESIAN AND MALAY WORLD: Islam Liberal, Islam Hadhari, and Islam Progresif. *JOURNAL OF INDONESIAN ISLAM*, 5(1), 91. <https://doi.org/10.15642/JIIS.2011.5.1.91-129>
- Darussamin, Z., Rahman, R., & Ghozali, I. (2020). The Relationship Between Islam and Traditional Marriage of Siak Malay. *Justicia Islamica*, 17(2), 323–342. <https://doi.org/10.21154/justicia.v17i2.2152>
- Darwis, D. A., & Muslim, N. (2024). Minangkabau Cultural Identity: History and Development. *International Journal of Religion*, 5(10), 794–805. <https://doi.org/10.61707/fbvrvmv21>
- Diab, A. L., Pabbajah, M., Nurina Widyanti, R., Muthalib, L. M., & Fajar Widyatmoko, W. (2022). Accommodation of local wisdom in conflict resolution of Indonesia's urban society. *Cogent Social Sciences*, 8(1), 2153413. <https://doi.org/10.1080/23311886.2022.2153413>
- Dikuraisyin, B., Sumarkan, Fatwa, A. F., & Ghozali, M. L. (2024). Reconstruction of Marriage Law: Judges' Progressive Reasoning Based on Maqāṣid in Addressing Divergent Interpretations in Indonesian Courts.

- Al-Manahij: Jurnal Kajian Hukum Islam*, 219–236.
<https://doi.org/10.24090/mnh.v18i2.9436>
- Faidah, N., & Juwantri, F. (2024). State Islamic Institute of Kendari Legal Convergence: Bridging Classical Fiqh School with Contemporary Legal Theory. *Borneo International Journal of Islamic Studies (BIJIS)*, 6(2).
<https://doi.org/10.21093/bijis.v6i2.9218>
- Faiz, M. F., Dakhoir, A., Ali, Z. Z., & Amal, M. K. (2024). Living Ihya and Harmonizing the Spiritual Essence: Sheikh Washil's Fiqh-Sufistic as the Bedrock of Spiritual-Based Islamic Law in Nusantara. *El-Mashlahah*, 14(2), 431–450.
<https://doi.org/10.23971/el-mashlahah.v14i2.8551>
- Faizah, N., Rezy Meidina, A., Lubabul Chadziq, A., Iqbal, Moch., & Umam, M. S. (2024). The Role of Indonesian Women's Ulama Congress (KUPI) in the Search for Gender Equality-Based Islamic Law. *Al-'Adalah*, 21(2), 323.
<https://doi.org/10.24042/adalah.v21i2.23698>
- Fatahillah, A., Chuanchen, C., & Zaini, A. W. (2023). CULTIVATING CULTURAL SYNERGY: UNIFYING BOARDING SCHOOLS, LOCAL WISDOM, AND AUTHENTIC ISLAMIC VALUES FOR THE ENHANCEMENT OF ISLAMIC IDENTITY. *Managere: Indonesian Journal of Educational Management*, 5(2), 187–197.
<https://doi.org/10.52627/managere.v5i2.339>
- Fauzi, W., & Wulandari, R. A. (2023). Collateral Binding Principles in Sharia Banking Financing Agreements. *Media Syari'ah: Wahana Kajian Hukum Islam Dan Pranata Sosial*, 25(1).
<https://dx.doi.org/10.22373/jms.v25i1.17987>
- Feener, R. M. (2007). *Muslim Legal Thought in Modern Indonesia* (1st ed.). Cambridge University Press.
<https://doi.org/10.1017/CBO9780511495540>
- Hanif, Muh., Mukhroji, Suwito, H., Mubaroq, A. C., & Dharin, A. (2024). Pesantren Resistance to Indonesia's National Curriculum to Defend Its Curriculum Model. *Revista de Gestão Social e Ambiental*, 18(7), e05473.
<https://doi.org/10.24857/rgsa.v18n7-049>
- Hasballah, K., Nurdin, R., Zainuddin, M., & Fahmi, M. (2021). Patah Titi and Substitute Heirs: A Study of Legal Pluralism on the Inheritance System in Aceh Community. *Ahkam: Jurnal Ilmu Syariah*, 21(2).
<https://doi.org/10.15408/ajis.v21i2.22792>
- Hasse Jubba, Sudirman, S., Suparto Iribaram, Wan Khairul Aiman Bin Wan Mokhtar, & Rusdi Rasyid. (2024). Compromise of Islam and customary practices in the religious practices of the muslim community in Papua: A study of maqāsid syari'ah. *Ijtihad: Jurnal Wacana Hukum Islam Dan Kemanusiaan*, 24(2), 305–330.
<https://doi.org/10.18326/ijtihad.v24i2.305-330>
- Hudayana, B. (2022). Identity Shift: From Javanese Islam to Shari'ah-Centric Muslims in the Trah, a kinship-based social organisation. *Contemporary*

- Islam*, 16(2–3), 401–426.
<https://doi.org/10.1007/s11562-022-00487-5>
- Insani, N., B., S., Karimullah, S. S., Gönan, Y., & Sulastri, S. (2024). ISLAMIC LAW AND LOCAL WISDOM: EXPLORING LEGAL SCIENTIFIC POTENTIAL IN INTEGRATING LOCAL CULTURAL VALUES. *Kanun Jurnal Ilmu Hukum*, 26(1), 101–124.
<https://doi.org/10.24815/kanun.v26i1.32930>
- Ishaq, Asmuni, & Suparmin, S. (2023). Traditional Marriage Practices of the Javanese Community in Langkat District, North Sumatra: An Islamic Legal Perspective. *ULUL ALBAB: Jurnal Studi Dan Penelitian Hukum Islam*, 7(1).
<https://doi.org/10.30659/jua.v7i1.36940>
- Ismail, I., & Nofiardi, N. (2024). Shifting Inheritance Patterns in the Minangkabau Tribe in Negeri Sembilan, Malaysia. *El-Ussrah: Jurnal Hukum Keluarga*, 7(1), 294.
<https://doi.org/10.22373/ujhk.v7i1.23998>
- Jubba, H., Awang, J., Qodir, Z., Hannani, & Pabbajah, M. (2022). The contestation between conservative and moderate Muslims in promoting Islamic moderatism in Indonesia. *Cogent Social Sciences*, 8(1), 2116162.
<https://doi.org/10.1080/23311886.2022.2116162>
- Karimullah, S. S. (2022). Pursuing Legal Harmony: Indonesianization of Islamic Law Concept and Its Impact on National Law. *Mazahib*, 21(2), 213–244.
<https://doi.org/10.21093/mj.v21i2.4800>
- Kasdi, A. (2019). Reconstruction of Fiqh Nusantara: Developing the Ijtihad Methodology in Formulating Fiqh from Indonesian Perspective. *QIJIS (Qudus International Journal of Islamic Studies)*, 7(2), 239.
<https://doi.org/10.21043/qijis.v7i2.4797>
- Kharlie, A. T., Fathudin, F., & Triana, W. (2021). Reforming Islamic Marriage Bureaucracy in Indonesia: Approaches and Impacts. *Al-Jami'ah: Journal of Islamic Studies*, 59(2), 255–286.
<https://doi.org/10.14421/ajis.2021.592.255-286>
- Madjid, S. S., Nurwahidin, P., Jan, R. H., & Yama, A. (2024). Opportunities and Challenges in Developing Halal Food for Muslim Tourists in Tana Toraja: A Study on Sustainable Tourism. *Jurnal Ilmiah Al-Syir'ah*, 22(2), 170.
<https://doi.org/10.30984/jis.v22i2.3276>
- Maulidizen, A., & Raihanah, A. (2019). The Technique of Determining Ijtihad and Its Application In Life: Analysis Of Istihsan, Maslahah Mursalah, 'Urf, and Syar'u Man Qablana. *Al-Ahkam Jurnal Ilmu Syari'ah Dan Hukum*, 4(1).
<https://doi.org/10.22515/alahkam.v4i1.1600>
- Mawardi, W., & Ichsan, M. (2023). Regulation of Halal Product Certification in The Dynamics of Indonesian Legal Politics. *Justicia Islamica*, 20(1), 155.
<https://doi.org/10.21154/justicia.v20i1.5336>
- Mubarok, A. N. (2021). Tahlilan Tradition as Media for National Character

- Education. *Journal of Nahdlatul Ulama Studies*, 2(1), 1–16. <https://doi.org/10.35672/jnus.v2i1.1-16>
- Muliadi, M., Ruslan, R., Maulana, R., & Widyanto, A. (2022). THE PURITY CONCEPT OF AL-FALIMBĀNI AND ITS CORRELATION WITH THE ISLAMIC MALAY SOCIETY: THE CONTENT ANALYSIS ON SAYR AL-SĀLIKĪN ILĀ IBĀDATI RABB AL-ĀLAMĪN'S SCRIPT. *Jurnal Ilmiah Islam Futura*, 22(1), 105. <https://doi.org/10.22373/jiif.v22i1.12326>
- Muqtada, M. R., Istianah, Ahmad Sharifuddin Bin Mustapha, & Mufid, A. (2024). Fiqh Contestation on Women's Public Leadership in Indonesia and Malaysia: Reproducing Qur'anic and Hadith Interpretations. *AL-IHKAM: Jurnal Hukum & Pranata Sosial*, 19(1), 221–248. <https://doi.org/10.19105/al-lhkam.v19i1.13163>
- Mustofa, I., Hefni, W., Maliki, I. A., & Chamdan, U. (2024). Fiqh of Civilization at Traditional Islamic Boarding School: Contextualizing of Islamic Jurisprudence through Classical Texts of Mu'amalat. *JURIS (Jurnal Ilmiah Syariah)*, 23(2), 351. <https://doi.org/10.31958/juris.v23i2.12245>
- Naim, N., & Huda, Q. (2021). Pendekatan Interdisipliner dalam Studi Hukum Islam Perspektif M. Atho Mudzhar. *Al-Istinbath : Jurnal Hukum Islam*, 6(1), 41. <https://doi.org/10.29240/jhi.v6i1.2253>
- Najib, A. M. (2020). Reestablishing Indonesian Madhhab: 'Urf and the Contribution of Intellectualism. *Al-Jami'ah: Journal of Islamic Studies*, 58(1), 171–208. <https://doi.org/10.14421/ajis.2020.581.171-208>
- Nur, F. M. (2024). Modern Challenges in Islamic Practice: The Role of Morality and Ethics. *Abrahamic Religions: Jurnal Studi Agama-Agama*, 4(1), 98. <https://doi.org/10.22373/arj.v4i1.23661>
- Nurlaelawati, E. (2010). *Modernization, Tradition and Identity: The Kompilasi Hukum Islam and Legal Practice in the Indonesian Religious Courts*. Amsterdam University Press. <https://www.jstor.org/stable/j.ctt46msj2>
- Nurlaelawati, E., & Rahim, A. (2012). The Training, Appointment, and Supervision of Islamic Judges in Indonesia, The Training, Appointment, and Supervision of Islamic Judges in Indonesia. *Special Issue: Islamic Law and Islamic Legal Professionals in Southeast Asia*, 42(21). <https://digitalcommons.law.uw.edu/wilj/vol21/iss1/6>
- Pham, K. T., Dung, B. X., & Ngo, T. Q. (2022). The impact of globalization and modernization of laws and theories on the modernization of philosophy in Vietnam: Mediating role of modern societies. *Heliyon*, 8(9), e10680. <https://doi.org/10.1016/j.heliyon.2022.e10680>
- Purnomo, J., Anantanyu, S., Saptaningtyas, H., & Mangunjaya, F. M. (2024). Prophetic Approach in Environmental Education and Community Empowerment: A Case Study of Sustainable Pesantren Development. *Revista de Gestão Social*

- e Ambiental*, 18(8), e06259.
<https://doi.org/10.24857/rgsa.v18n8-047>
- Rajafi, A. (2023). The Contemporary Ushul Fiqh in Indonesia: An Idea and Practice. *Jurnal Ilmiah Al-Syir'ah*, 21(1), 19.
<https://doi.org/10.30984/jis.v21i1.2260>
- Ramli, M., Rijal, S., Surya, R., & Malika, I. (2024). State, Custom, and Islamic Law in Aceh: Minor Dispute Resolution in the Perspective of Legal Pluralism. *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam*, 8(2), 872.
<https://doi.org/10.22373/sjkh.v8i2.15924>
- Ratuannisa, T. (2024). The Generalization of Muslim Wear to Modest Wear in 2010s Indonesia's Fashion Trend. *Practice of Fashion and Textile Education Journal*, 4(2), 1–10.
<https://doi.org/10.21009/pftej.v4i2.47898>
- Rimanto, R., Zuhuda, S., & Hermanto, A. (2021). Repositioning the Independence of The Indonesian Waqf Board in the Development of National Waqf: A Critical Review of Law No. 41 of 2004 Concerning Waqf. *Justicia Islamica*, 18(1), 59–78.
<https://doi.org/10.21154/justicia.v18i1.2303>
- Rohidin, R., Syafi'ie, M., Heryansyah, D., Hadi, S., & Ali, M. (2023). Exclusive policy in guaranteeing freedom of religion and belief: A study on the existence of sharia-based local regulations in Indonesia and its problems. *Cogent Social Sciences*, 9(1), 2202939.
<https://doi.org/10.1080/23311886.2023.2202939>
- Rohmadi, Ali, Z. Z., Apriani, F., Octavianne, H., & Permata, C. (2024). Judges' Considerations in Granting Marriage Dispensation Licenses in Indonesia: Islamic Family Law Perspective. *El-Ussrah: Jurnal Hukum Keluarga*, 7(1), 326–345.
<http://dx.doi.org/10.22373/ujhk.v7i1.22597>
- Rokhmad, A. (2021). Institutions and Contributions to Islamic Law in Indonesia's Legal System. *Walisongo Law Review (Walrev)*, 3(1), 21–44.
<https://doi.org/10.21580/walrev.2021.3.1.7282>
- Rosadi, A., Effendi, D., & Busro, B. (2018). The Development of Waqf Management Through Waqf Act in Indonesia (Note on Republic of Indonesia Act Number 41 of 2004 regarding Waqf). *MADANIA: JURNAL KAJIAN KEISLAMAN*, 22(1), 1.
<https://doi.org/10.29300/madania.v22i1.881>
- Sebyar, M. H. (2023). Harmonization of Islamic Legal Institutions and Customary Law in Marriage Dispensation Cases at the Panyabungan Religious Court. *MILRev: Metro Islamic Law Review*, 2(2), 155.
<https://doi.org/10.32332/milrev.v2i2.7809>
- Setiawan, A. (2022). Polemic and Reasons for Reusing Wayang and Gamelan as a Medium for Contemporary Preaching Islam Religion in Central Java, Indonesia. *Harmonia: Journal of Arts Research and Education*, 22(2), 254–267.
<https://doi.org/10.15294/harmonia.v22i2.37525>

- Shuhufi, M., & Purkon, A. (2023). Harmonization of Islamic Law and Local Culture: A Study of Indonesian Sundanese Ethnic Culture. *Jurnal Ilmiah Al-Syir'ah*, 21(1), 138. <https://doi.org/10.30984/jis.v21i1.1870>
- Siraj, A. (2011). Meanings of modesty and the *hijab* amongst Muslim women in Glasgow, Scotland. *Gender, Place & Culture*, 18(6), 716–731. <https://doi.org/10.1080/0966369X.2011.617907>
- Solikhudin, M., & Zainullah, Moh. (2022). The Formulation of Good Governance Fiqh for Indonesia as a Welfare State. *Al-Qisthu: Jurnal Kajian Ilmu-Ilmu Hukum*, 20(2), 166–181. <https://doi.org/10.32694/qst.v20i2.1718>
- Sonafist, Y. (2022). Configuration the Thought of Islamic Law Throught Social Media in Indonesia. *International Journal of Law and Society (IJLS)*, 1(2), 125–143. <https://doi.org/10.59683/ijls.v1i2.21>
- Suhardjono, L. A. (2016). Wayang Kulit and The Growth of Islam in Java. *Humaniora*, 7(2), 231. <https://doi.org/10.21512/humaniora.v7i2.3526>
- Sulthon, M., Syafi'i, I., & Nizami, A. G. (2024). Contemporary Fiqh in Indonesia: The Dynamics of Istinbat al-Aḥkām at Ma'had Aly Salafiyah Shafi'iyah Sukorejo Situbondo. *AHKAM: Jurnal Ilmu Syariah*, 24(1). <https://doi.org/10.15408/ajis.v24i1.32174>
- Syarif, N., Zulbaidah, & Septiadi, M. A. (2024). Political theology: How God's law is applied in the context of Indonesian democracy based on Pancasila. *Cogent Arts & Humanities*, 11(1), 2407104. <https://doi.org/10.1080/23311983.2024.2407104>
- Ulum, B., & Arifullah, M. (2024). Contextualizing Fiqh al-Siyāsah in Indonesia: A Proposed Typology of Islamic Populism. *AHKAM: Jurnal Ilmu Syariah*, 24(2). <https://doi.org/10.15408/ajis.v24i2.37747>
- Wahid, S. H. (2024). Exploring the intersection of Islam and digital technology: A bibliometric analysis. *Social Sciences & Humanities Open*, 10, 101085. <https://doi.org/10.1016/j.ssaho.2024.101085>
- Wahyudi, Y. (2021). The Position of Islamic Law in The Indonesian Legal System (1900-2003). *Nusantara Journal for Southeast Asian Islamic Studies*, 5(1). <http://dx.doi.org/10.24014/apjrs.v5i1.1148>
- Wibowo, G. A., Hanna, Ruhana, F., Arif, F. M., & Usmaedi. (2023). The Influence of Social-Media on Cultural Integration: A Perspective on Digital Sociology. *International Journal of Science and Society*, 5(4), 363–375. <https://doi.org/10.54783/ijsoc.v5i4.792>
- Yahya, I. (2020). Zakat Management in Indonesia: A Legal Political Perspective. *Al-Ahkam*, 30(2), 195–214. <https://doi.org/10.21580/ahkam.2020.30.2.6420>
- Yanti, I. & Addirrahman. (2021). *Sustainability of the Development of Sharia Economic Law in Indonesia: A Social History Approach*: 2nd Southeast Asian Academic Forum on Sustainable Development (SEA-

- AFSID 2018), Jogjakarta, Indonesia.
<https://doi.org/10.2991/aebmr.k.210305.085>
- Yasa, A. (2015). THE DEVELOPMENT OF INDONESIAN ISLAMIC LAW: A Historical Overview. *JOURNAL OF INDONESIAN ISLAM*, 9(1), 101. <https://doi.org/10.15642/JIIS.2015.9.1.101-122>
- Yasmin, A. D., Umam, F., & Faizin, M. K. (2024). The Concept of Progressive Islam and the Pribumization of Islam in the Locality of Islam in Indonesia. *Islamika Inside: Jurnal Keislaman Dan Humaniora*, 10(2), 203–219. <https://doi.org/10.35719/islamikainside.v10i2.285>
- Yusrani, N. & Chadhiq, U. (2021). Understanding the impact of zakat and waqf as economic development of the community in rural areas. *International Research Journal of Management, IT and Social Sciences*, 8(6), 639–647. <https://doi.org/10.21744/irjmis.v8n6.1966>
- Zayd, N. H. A., Amirpur, K., Setiawan, M. N. K., & Regeringsbeleid, W. R. voor het. (2006). *Reformation of Islamic Thought: A Critical Historical Analysis*. Amsterdam University Press. <http://www.jstor.org/stable/j.ctt46mt56>
- Zayyadi, A., Ridwan, Hidayat, A., Ubaidillah, & Masuwd, M. A. (2023). Understanding of Legal Reform on Sociology of Islamic Law: Its Relevance to Islamic Family Law in Indonesia. *Al-Manahij: Jurnal Kajian Hukum Islam*, 249–262. <https://doi.org/10.24090/mnh.v17i2.7584>

