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THE ROLE OF CIVILIZATIONAL JURISPRUDENCE IN ENHANCING WASATHIYYAH ISLAM AND RELIGIOUS MODERATION IN INDONESIA: A Critical-Transformative Perspective

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Abstract: *Civilizational Jurisprudence has emerged as a crucial topic of discussion in Indonesia in recent years. Rapid global transformations and national dynamics have driven PBNU to introduce this discourse. Key global and national concerns include prolonged armed conflicts, radicalism and terrorism, climate change, geopolitical shifts, economic disparity, counter-discourses against the Republic of Indonesia and Pancasila, equitable economic distribution, and the reinforcement of Indonesian cultural identity. Against this socio-global backdrop, this study aims to conceptualize a Critical-Transformative Civilizational Jurisprudence framework to strengthen Wasathiyah Islam and religious moderation in Indonesia. This research employs a literature review method, utilizing the latest data from various media sources. The analysis is conducted through a descriptive-analytical approach with a discourse analysis technique (content analysis) to examine the emerging narratives and conceptual developments. The findings indicate that Civilizational Jurisprudence plays a significant role in reinforcing Wasathiyah Islam and religious moderation in Indonesia through two primary channels: cultural and structural strategies.*

Keywords: *Civilizational Jurisprudence; Critical-Transformative Framework; Wasathiyah Islam; Religious Moderation.*

INTRODUCTION

In the last two years, the discourse on the Civilizational Jurisprudence (Fikih Peradaban) has been intensively carried out by the Nahdlatul Ulama (NU) Executive Board (Fauzi Nazar & Fahmi Abdul Hamid, 2022). The discourse on the Civilizational Jurisprudence is carried out by holding halaqah in Islamic boarding schools affiliated with NU (Nasruddin, 2022). In the first year, PBNU succeeded in holding 250 halaqahs with different themes and topics related to current issues at the national and global levels (Bahri dkk., 2023). Current issues that are responded to include discourses and concepts such as the existence of a nation-state, the issue of the rise of Islamic state discourse (*Khilafah Islamiyah*), relations between Muslims and non-Muslims in the context of a nation-state, the Republic of Indonesia as an infidel state (*taghut*), un-Islamic Pancasila, and other destructive behaviors and discourses that disrupt the life patterns of religious communities in Indonesia (Achmad & Jannah, 2022).

In this second year, PBNU plans to hold 210 halaqahs in various Islamic boarding schools in Indonesia (Robingun Suyud El Syam dkk., 2023). The kick-off of the second volume of the Civilizational Jurisprudence was launched some time ago at the Salafiyah Syafl'iyah Islamic Boarding School, Sukorejo, Situbondo. In this second volume of Halaqah the Civilizational Jurisprudence, PBNU collaborates with the Indonesian Ministry of Religion to achieve maximum and effective results for the development of a moderate, inclusive, and open pattern of religious life (Fauzi Nazar & Fahmi Abdul Hamid, 2022).

The Civilizational Jurisprudence Halaqah was held in response to several internal and external factors emerging at this time. Internal factors are related to the dynamics within NU itself in its efforts to realize Syariah supremacy and produce thought leaders within NU (Taufiq & Tsauro, 2024). Meanwhile, external factors are related to the current global situation which is increasingly uncertain with acute humanitarian crises occurring in several countries in the world. Russia's war with Ukraine and the endless conflict between Israel and Palestine are of particular concern for NU to participate in world peace efforts (Maulana, 2024). Another interesting thing is related to the discussion about the existence and legitimacy of the UN within the framework of fiqh which is the spearhead of the benefit of the Muslim community (Muluk dkk., 2023).

Halaqah the Civilizational Jurisprudence seeks to dismantle the diverse discourses in the works of classical scholars to contextualize them in the contemporary era (Shaukat dkk., 2024). An effort that is not easy to carry out considering that the reading tradition in Islamic boarding schools still revolves around textualistic-normative reading reasoning (Ritonga, 2020). Dismantling the patterns and reasoning of reading classical turast is considered very urgent because it can give birth to a system of thinking that perpetuates tradition or reads tradition critically (Hikmah dkk., 2021).

The first reading pattern will only give birth to traditions that are repetitive and unresponsive to current situations (Muhammad, 2001). Meanwhile, the second reading pattern is expected to give rise to critical thinking because it is supported by social analysis

and reading concrete realities in society (Jamil, 2009). Moreover, through critical-transformative reading, it is hoped that policies will emerge that are responsive to the socio-religious problems that occur in the current era (Imdadun Rahmat (ed)., 2002).

In this context, dismantling the reasoning of Civilization Jurisprudence occupies a significant position in the formation of Islamic civilization in the contemporary era (NU *Kenalkan Fiqih Peradaban untuk Solusi Global, Libatkan Ulama 30 Negara - Islami Liputan6.com*, t.t.). The current situation is very complex with various socio-religious problems. If it is not read with critical-transformative reasoning, it will only perpetuate conservative traditions and culture that deny contemporary reality (MK Ridwan, 2018). As a result, what happens is the creation of a repetition of past civilizations to be brought to life in the current era which is of course very different both in terms of religious thought and practice (Rasyidi, 2017).

Religious thought and practice are an inseparable unity (Mudzhar, 2000). In Indonesia, one of the religious practices that is an important concern is related to the discourse and movement of religious moderation (Lintang, 2023). From here, the existence of transformative critical reasoning in the Civilizational Jurisprudence is a necessity in efforts to strengthen the building of religious moderation that has been pioneered in recent years.

One of the primary objectives of the Civilizational Jurisprudence is to critically examine classical Islamic texts and contextualize them for the modern era. Traditional Islamic scholarship has often been limited by a textualist-normative reading approach, which perpetuates static interpretations of religious thought. However, a critical-transformative reading approach—one that incorporates social analysis and real-world applications—enables scholars to produce responsive and adaptive jurisprudence. Without such an approach, Islamic civilization risks stagnation by merely replicating past traditions that may no longer align with contemporary realities. Therefore, dismantling conventional jurisprudential reasoning and reformulating it within the framework of the Civilizational Jurisprudence is crucial for developing an Islamic jurisprudence that is both dynamic and relevant in today's world.

The urgency of this research is underscored by the tangible effects of radical and exclusive religious interpretations on social cohesion. In many parts of the world, including Indonesia, rigid and intolerant understandings of religion have led to social polarization, identity conflicts, and fragmentation within Muslim communities. For instance, the rise of extremist groups advocating for an Islamic state has contributed to sectarian tensions and distrust among different religious and ethnic groups. Such movements not only challenge the legitimacy of the Indonesian state but also threaten the foundational principles of Pancasila, which emphasizes unity in diversity.

Empirical evidence further highlights the dangers of religious extremism. The increasing number of religiously motivated violent incidents in Indonesia, such as the Surabaya church bombings in 2018 and the persecution of minority Muslim sects like the Ahmadiyya and Shia communities, underscores the pressing need for a counter-narrative rooted in moderate,

inclusive Islamic jurisprudence. The systematic dissemination of radical ideology through digital platforms has also exacerbated the spread of exclusivist religious views, creating an urgent need for a structured response like Civilizational Jurisprudence to promote religious moderation and peace-building efforts.

If this research is not conducted, several critical consequences may arise. Firstly, the absence of scholarly efforts to develop a contextualized Islamic jurisprudence will allow radical ideologies to continue proliferating unchecked, further deepening societal divisions. Secondly, without a well-defined framework for moderate Islamic thought, government and civil society initiatives aimed at countering extremism may lack religious legitimacy, making them less effective. Finally, failing to address these jurisprudential challenges will hinder NU's role in shaping a progressive and globally relevant Islamic discourse, potentially diminishing Indonesia's contribution to international discussions on religious moderation and civilization-building.

By addressing these issues, this research not only contributes to the academic discourse on the Civilizational Jurisprudence but also provides a vital intellectual foundation for fostering religious tolerance and social harmony in Indonesia and beyond. The previous study in this research was divided into two parts, namely the Civilizational Jurisprudence and Religious Moderation. In the researchers' research, there are still very few scientific articles discussing the Civilizational Jurisprudence. In this regard, researchers found two scientific articles in journals that discussed the Civilizational Jurisprudence, namely *first*, Muhammad Nasruddin, wrote an article entitled "*Halaqah Fikih Peradaban dan Relevansinya Terhadap Penguatan Nilai Moderasi Beragama di Pesantren*" (Nasruddin, 2022). This article can be a primary reference in discussing critical-transformative reasoning in the Civilizational Jurisprudence because there is a flow of description regarding religious moderation. The Contextual Jurisprudence discussed in the article is a development of the ideas of Social Jurisprudence initiated by KH. Sahal Mahfudh. Meanwhile, the Social Jurisprudence initiated by Kiai Sahal led to the creation of Critical-Transformative Jurisprudence reasoning.

Second, Jamal Ma'mur Asmani et al wrote an article entitled "*Fikih Sosial Kiai Sahal sebagai Fikih Peradaban*" (Ma'mur dkk., 2014). This article discusses in-depth fiqh with several derivative nomenclatures such as conservative fiqh, social jurisprudence, and civilizational jurisprudence. All three have their own definitions and different tendencies in interpreting and interpreting the social reality of society that occurs. Theoretically, the terms *manhaji fiqh* and *maqasidi fiqh* are also presented, which have recently been widely developed by several Islamic thinkers with a critical-transformative style. That's why this article is a reference in this research. In this article, there is no discussion of religious moderation. This is understandable because it seems the author only discusses the jurisprudence side.

Third, Muhammad Fauzinuddin Faiz, in his writings in the Indonesian Media, wrote an article entitled "*Titik Jumpa Fikih Peradaban NU dengan Pancasila*". Even though it was written in national media, this article is important as a reference. Apart from explicitly mentioning the term of Civilizational Jurisprudence, the discussion also focuses on national social

problems - Pancasila - which has become an interesting debate among NU Kiai regarding the validity of accepting this ideology for Muslims. However, in this article, there is no critical-transformative reasoning in the Civilizational Jurisprudence related to strengthening religious moderation (Taufiq & Tsauro, 2024).

Research on Civilizational Jurisprudence can be categorized into three main trends. First, studies that explore Civilizational Jurisprudence as a new concept in contemporary Islamic thought. Within this category, some research traces the conceptual foundation of Civilizational Jurisprudence and how it has evolved from previous ideas, such as Social Fiqh pioneered by KH. Sahal Mahfudh. Studies by Nasruddin (2022) and Ma'mur et al. (2014) serve as key references in understanding the development of this discourse.

Second, research on religious moderation and institutional efforts to prevent radicalism. These studies focus more on how the government and Islamic organizations, including NU, promote moderate Islam as a response to the rise of radicalism in Indonesia. Studies such as those conducted by Akhmadi (2019) and Thadi (2022) highlight various strategies for religious moderation campaigns, both through digital platforms and public policies implemented by the government.

Third, research linking Civilizational Jurisprudence with socio-contextual challenges in Indonesia. This category includes studies discussing how the concept of Civilizational Jurisprudence can contribute to addressing social, political, and economic challenges faced by Muslims in Indonesia. Some studies, such as those by Faiz (n.d.) and Anzaikhan et al. (2023), examine the relationship between Civilizational Jurisprudence and Pancasila as well as the challenges of implementing religious moderation in Aceh society.

Despite numerous studies on Civilizational Jurisprudence, several gaps still need to be addressed. First, much of the existing research remains normative, lacking an in-depth analysis of its practical implementation. Most studies discuss Civilizational Jurisprudence as a theoretical concept without exploring how it can be applied in public policy or the Islamic education system in Indonesia.

Second, there has yet to be a study explicitly testing the validity of the Civilizational Jurisprudence concept within the context of public policy or Islamic education. The implementation of Civilizational Jurisprudence in these two domains is crucial to ensure that the concept is not merely an academic discourse but also has a tangible impact on religious and national life.

Third, research on religious moderation remains limited in explaining the role of Civilizational Jurisprudence as a primary strategy in countering radicalism. Most studies on religious moderation focus more on government policies or social media campaigns without discussing how Islamic thought developed in pesantrens can serve as the main instrument in shaping a moderate mindset among Muslims.

This study aims to bridge the existing gaps by adopting a more in-depth and practical approach. Unlike previous studies that are more normative, this research will examine

Civilizational Jurisprudence using a critical-transformative approach. This means that the study will not only explore Civilizational Jurisprudence in an academic context but also analyze how it can be integrated into public policy and the Islamic education system in Indonesia.

Furthermore, this study will investigate how Civilizational Jurisprudence can become a primary instrument in strengthening religious moderation. By examining Islamic thought that develops within the pesantren environment, this research will illustrate how pesantren-based Islamic thinking can provide solutions to the challenges of radicalism and intolerance in Indonesia. Thus, this study is expected to contribute significantly to the development of the Civilizational Jurisprudence discourse while offering a new perspective on the role of Islam in building an inclusive and moderate civilization in the contemporary era.

RESEARCH METHOD

This research is a qualitative study in the form of library research. Qualitative research is used to describe and analyze phenomena, events, social activities, attitudes, beliefs, perceptions, and thoughts of people both individually and in groups using several descriptions that are used to find principles and explanations that lead to conclusions (Sugiyono, 2017). The library method is a collection method that is directed at searching for data and information through documents, both written documents and photographs, drawings and electronic documents that support the writing process (Zed, 2003).

This study adopts a descriptive-analytical approach with discourse analysis techniques (content analysis). Content analysis allows researchers to examine emerging narratives, concepts, and the evolution of the Civilizational Jurisprudence (Fikih Peradaban) discourse (Krippendorff, 2018). The study collects and analyzes data from journal articles, books, reports, news articles, and other relevant sources. Data sources include publications from Nahdlatul Ulama (NU), the Ministry of Religious Affairs, and academic discussions on Wasathiyah Islam and religious moderation (Asy'ari, 2021; Hidayat, 2020).

The research process consists of several stages: data collection, content categorization, analysis, and interpretation. The data collection phase involves searching for relevant texts and categorizing them based on themes such as Civilizational Jurisprudence, religious moderation, and critical-transformative reasoning (Fairclough, 1995). The analysis phase applies a discourse analysis framework to understand the development and implications of these concepts in contemporary Indonesian society. Finally, the interpretation stage synthesizes the findings to formulate a theoretical framework for Civilizational Jurisprudence that aligns with the objectives of strengthening Wasathiyah Islam and religious moderation (Azra, 2004).

By employing this methodology, the study aims to provide a comprehensive and systematic understanding of how Civilizational Jurisprudence contributes to religious moderation and inclusive Islamic thought in Indonesia. The research findings are expected

to offer insights that can serve as the basis for policy recommendations and practical applications in fostering a more harmonious religious and social landscape. This qualitative research has two main objectives, namely: *first*, to describe and explore and *second* to describe and explain. Most qualitative research is descriptive and explanatory (Creswell, 2014). This research was deliberately chosen to make the phenomena discovered from experience and existing data scientific and philosophical. Qualitative is used to formulate generalizations from the data analyzed based on the phenomena found. It is hoped that this generalization can find the meaning of critical-transformative reasoning in civilizational jurisprudence and develop existing data. The data found is analyzed in an inductive manner which ends in a general or generative formulation of the phenomena discovered from the data analyzed (Al-Rasyid, 2016).

This literature review uses primary and secondary data. Primary data comes from several social media platforms, for example, YouTube and national media that explicitly and specifically focus on the topics studied (transformative critical reasoning, the Civilizational Jurisprudence, and Religious Moderation) (Saeed, 2017). Secondary data was obtained from several books and scientific articles in journals that support the interpretation and meaning of the study topics (Rahman, 2018).

The data collection technique used in this research is documentation studies. The researchers collect data by exploring various references such as books, articles, and mass media opinions relevant to the themes of Civilizational Jurisprudence, religious moderation, and transformative critical reasoning (Yin, 2011). The selection of sources follows strict credibility criteria: Primary data includes authoritative sources such as official statements, scholarly publications, and digital content from highly reputable media, including national newspapers, university research centers, and verified YouTube channels that explicitly discuss the research topics. Only sources from the last ten years are included to ensure contemporary relevance. Secondary data consists of supporting literature such as books, scientific articles, and research reports that contribute to the contextualization of Civilizational Jurisprudence within Islamic discourse. The selection criteria prioritize peer-reviewed journal articles and books published by reputable academic publishers (Miles & Huberman, 2014).

To enhance the validity of findings, this study employs triangulation through multiple theoretical perspectives and diverse sources. The triangulation process involves theoretical and source triangulation. Theoretical triangulation combines multiple theoretical frameworks such as Fairclough's Critical Discourse Analysis (CDA) for analyzing media narratives, hermeneutical approaches for interpreting Islamic jurisprudential texts, and Wasathiyah Islamic perspectives to examine religious moderation (Fairclough, 2013; Arkoun, 2006). Source triangulation compares findings from different types of sources, including academic papers, policy documents, religious discourses, and media reports, to verify consistency and detect potential biases. The analysis follows a discourse analysis framework, particularly Fairclough's Critical Discourse Analysis (CDA), to examine how Civilizational Jurisprudence

is constructed and negotiated in contemporary Islamic discourse. The analysis consists of textual analysis, discursive practice analysis, and social practice analysis (van Dijk, 2008).

Textual analysis identifies key terminologies, linguistic patterns, and framing of Civilizational Jurisprudence within texts. Discursive practice analysis examines how discourse is produced, circulated, and consumed in different contexts, including social media and formal publications. Social practice analysis investigates the broader socio-political and religious implications of the discourse on Civilizational Jurisprudence, particularly in shaping policies and public perceptions of religious moderation (Wodak & Meyer, 2016).

RESULT AND DISCUSSION

Typology of Fiqh Reasoning

Fiqh is considered by some circles to be a barometer of the development of Islam in the world (Al-Turabi, 1997). Because fiqh is a scientific dimension of Islam that is in practical contact with the religious practices of a Muslim from the external side (Hallaq, 1987). Fiqh seeks to answer social and humanitarian problems in all aspects of people's lives, starting from the political, economic, cultural, and religious realms (Rahman, 2016). That is why the terms individual jurisprudence and social jurisprudence are known (Mahfudh, 2004).

Fiqh is an integral part of Islamic civilization that continues to evolve in accordance with the dynamics of the times. It not only serves as an Islamic legal science that regulates worship and transactions but also as an instrument that reflects the social realities of Muslims. Therefore, understanding the typology of fiqh is essential in addressing the challenges of modern life. By comprehending the various approaches in fiqh, Muslims can be more adaptive and responsive to changing times without losing the essence of Sharia.

Along with the advancement of knowledge and social changes, the understanding of fiqh has also diversified. Fiqh is no longer understood solely in a normative-textual manner but also within social and critical contexts. This necessitates Muslims to understand the evolving categories of fiqh to formulate solutions for contemporary issues. Thus, mapping the typology of fiqh becomes crucial in fostering intellectual awareness and a more holistic Islamic praxis.

Understanding the typology of fiqh in the current social and intellectual context is an urgent necessity. In the era of globalization, which is filled with multidimensional challenges—ranging from politics and economy to environmental issues—fiqh must offer relevant and applicable solutions. The three fiqh paradigms, namely the formalistic-textual paradigm, the social-contextual paradigm, and the critical-transformative paradigm, serve as the primary lenses in interpreting Islamic legal realities amidst the dynamics of modern life.

These three fiqh paradigms are interrelated, despite each having distinct characteristics. First, Formalistic-Textual Fiqh. Paradigm of this fiqh are oriented towards a literal understanding of Islamic legal texts, emphasizes adherence to fiqh rulings as stated in

classical jurisprudence books, tends to be less responsive to social changes due to prioritizing continuity in Islamic legal traditions and its weakness lies in its limited adaptability to new issues that lack explicit references in classical sources.

Second, Social-Contextual Fiqh. This paradigm fiqh has a few characteristic, develops a more flexible approach by considering social realities in understanding Islamic law, encourages the use of ijtihad methods based on maqashid syariah to align fiqh with modern societal needs, more dynamic than formalistic fiqh, yet still maintains the authority of texts within contextualizable boundaries, and its weakness is the risk of excessive reliance on contextual interpretation, which may lead to subjectivity.

Third, Critical-Transformative Fiqh. This typology fiqh has characteristic, offers an approach that not only understands fiqh in legal and social contexts but also in a critical dimension that highlights social inequality and injustice, adopts critical thinking methods influenced by the Frankfurt School theorists, such as Habermas and Horkheimer, oriented toward social change by giving the community a greater role in interpreting Islamic law based on justice and equality values, and its weakness is that this approach often faces resistance from conservative circles who see it as an attempt to radically deconstruct Islamic law.

From these three paradigms, it can be concluded that none stands entirely alone without interconnection with the others. Formalistic fiqh provides a strong legal foundation, social-contextual fiqh makes it more relevant to modern life, and critical-transformative fiqh encourages Muslims to be more progressive in addressing social issues. Therefore, the ideal approach is to combine all three according to the needs and contexts faced by Muslims across different regions.

In understanding the typology of fiqh, it is important not to fall into a rigid dichotomy between tradition and modernity. Fiqh must be able to serve as a contextual guideline without losing the substance of Islamic teachings. The evolving paradigms of fiqh must continue to be studied in-depth to provide more just, inclusive, and relevant Islamic legal solutions. Thus, a comprehensive understanding of these three fiqh paradigms will significantly contribute to the development of Islamic thought and the application of Islamic law in a more humanistic and solution-oriented manner.

Jurisprudence is tentative and relatively in accordance with developments in time and place (A. Qodri Azizy, 2003). This dynamic of jurisprudence makes it a science that is very responsive to developing social realities. This is what Ali Shariati said, that fiqh issues are very broad in the contemporary era and include various matters such as issues of *siyasah* (politics), *al-ijtima wal adabi* (social society and civilization), and even *muzara'ah* (planting) (Robi'ah Robi'ah dkk., 2025).

For this reason, the nomenclature of jurisprudence has also developed and given rise to new terms such as women's jurisprudence (Muhammad, 2001), labor jurisprudence, mining jurisprudence, environmental jurisprudence, feminist jurisprudence (Badran, 2009), social jurisprudence (Asmani, 2014), Indonesian jurisprudence (Mochamad Sodik, 2014) and

recently the trend, Civilization jurisprudence. From here, to facilitate analysis and understanding, several Islamic thinkers divide the fiqh paradigm into three categories, namely the formalistic-textual fiqh paradigm, the social-contextual paradigm, and the critical paradigm (Arifi, 2009).

The formalistic-textual fiqh paradigm is understood as an understanding of fiqh texts in a normative-textual and legalistic way (Solahudin, 2016). The meaning of fiqh is what is contained in the sound and text of fiqh outwardly (Munawir Haris, 2012). This fiqh paradigm tends to be less responsive to social changes occurring in society. Because the orientation is around the outward-normative meaning of the text (Ahmad Arifi, 2010). In this context, fixed and stagnant fiqh texts are unable to bring about meaningful change in society.

The social-contextual fiqh paradigm moves more advanced than the first fiqh paradigm. In the meaning of the social-contextual jurisprudence paradigm, the social reality of humanity is part of the development of jurisprudence which requires it to continue to be able to solve problems that arise and arise one after another. Kiai Sahal Mahfudh is the originator of the popular idea of social-contextual jurisprudence (Mahfudh, 2004). In its performance, this model of fiqh perspective has five methods, namely contextualizing fiqh doctrine, switching from the *qauli* school to *manhaji*, verifying ashal and yang furu' doctrines, presenting fiqh as social ethics, and introducing philosophical thinking, especially socio-cultural issues (Asmani, 2014).

Meanwhile, the transformative fiqh paradigm is fiqh that is built from the critical-emancipatory paradigm (*Moeslim Abdurrahman: Penggagas Islam Transformatif - IBTimes.ID*, t.t.). It is not fiqh that is built based on a formalistic-textual mindset or a social-contextual paradigm. This third fiqh paradigm was driven by Muhammad Syahrur (Syria) (Fermadi, 2018). The Indonesian Muslim intellectual who is focused on this paradigm is Masdar F Mas'udi (Mushthafa & Khunaini, 2020). It must be admitted that the critical paradigm in fiqh is the least popular compared to the other two paradigms. This model of fiqh paradigm is known as the progressive-revolutionary paradigm. According to Masdar F. Mas'udi, the transformative fiqh paradigm offers three ways of working, *First*, capturing the value system of the Qur'an and Sunnah; *Second*, revitalizing maqashid sharia which consists of *al-daruriyat khamsah* (protecting religion, soul, reason, honor and property); *Third*, revitalizing critical rational thinking towards non-hegemonic material reality (Carroll, 2009).

Theoretically, this paradigm is committed to the revitalization of a transformative vision or commitment to structural change (power relations in the world of production (employer-labor), narrative hegemony relations (ulama-ummah), and relations (ruler-people) (Ahmad Baso, 2006). This participatory critical thinking model itself will lead society to develop a transformative vision. In the end, a transformative vision gives humans a reflective nature regarding all the circumstances surrounding them to make real changes in society (Mezirow, 1977).

According to Muhyar Fanani, these fiqh thinkers adopted a way of critical thinking that emerged in Germany in 1923 through social thinkers who were members of the Frankfurt school such as Max Horkheimer, Theodor Adorno (1903-1969), Herbert Marcuse (1898-1979), Walter Benjamin (1903-1969), 1892-1940, and Jurgen Habermas (1929-2009). In the 1980s to 1990s, this way of thinking became popular because of its ability to examine social reality more objectively (Fajarni, 2022).

In the realm of practice, this way of thinking directs society to side with those who are marginalized. The philosophy introduced is an action agenda for reform and change, empowerment, and political discussion for change (Abdullah, 2020). Thus, transformative jurisprudence is an approach to jurisprudence that is based on the awareness of transformative critical thinking in responding to all forms of social inequality in society (Ahmad Arifi, 2010). In this way, the critical-transformative jurisprudence reasoning implies what Jamal Banna, an Egyptian Islamic thinker—as quoted by KH Husein Muhammad—calls a new jurisprudence that seeks to optimize *ijtihad* as a necessity (KH Husein Muhammad, 2020). *Ijtihad* is emphasized by being based on social reality and moving progressively – transformatively with real work in society.

Critical theory significantly contributes to the methodology of transformative fiqh by providing a framework for analyzing the power dynamics within Islamic legal discourse. This perspective challenges the hegemonic interpretations of fiqh and seeks to reconstruct Islamic jurisprudence in a way that prioritizes justice and emancipation. Specifically, critical theory influences transformative fiqh in the following ways. First, it encourages an active engagement with Islamic texts through a socio-historical lens rather than a rigid, decontextualized approach. Second, it expands the understanding of *maqashid shariah*, incorporating contemporary human rights, environmental sustainability, and economic justice. Third, it examines the role of religious authorities and how traditional interpretations may reinforce social inequalities.

Transformative fiqh is not just theoretical; it has concrete applications in contemporary Muslim societies. In Islamic economic law, transformative fiqh can be used to challenge exploitative economic structures, such as advocating for ethical banking systems and fair labor rights. In the realm of women's rights, this approach reformulates traditional gender roles within Islamic jurisprudence to ensure greater gender equality in marriage, inheritance, and public leadership. Additionally, in Sharia-based public policy, transformative fiqh contributes to developing policies that align with *maqashid shariah*, such as environmental protection laws based on Islamic ethical principles.

Despite its progressive aspirations, transformative fiqh is not without its challenges and criticisms. One major issue is resistance from traditional scholars, who argue that transformative fiqh undermines the authority of classical jurisprudence and disrupts religious continuity. Another challenge is the potential for subjectivity, as the flexibility of transformative fiqh may lead to inconsistent interpretations, making it difficult to establish a unified legal framework. Lastly, there are implementation challenges, particularly in legal and

political systems dominated by conservative jurisprudence, which remains a major obstacle to its widespread adoption.

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Transformative Jurisprudence-Critical Reasoning: A Distinct Approach in Islamic Law

The Transformative Jurisprudence-Critical Reasoning approach is a method that does not solely focus on texts (Bayani) but also considers social-empirical realities (Burhani) and the main objectives of Islamic law (Maqasid Al-Shariah). This approach differs from classical fiqh, which emphasizes strict adherence to texts in a literal and rigid manner. Traditional fiqh often employs the Bayani method, which is predominantly textualist, whereas transformative fiqh is more open to social and humanitarian developments (Kamali, 2012). Additionally, transformative fiqh differs from contextual fiqh, which aims to adapt Islamic law to specific socio-cultural conditions. While contextual fiqh only adjusts Islamic law to existing realities, transformative fiqh actively shapes and directs social change based on inclusive and humanistic Islamic principles (Makhlouf, 2023).

Within the framework of Civilizational Jurisprudence, this approach seeks not only to acknowledge social realities but also to respond to them with progressive Islamic legal solutions. One of the key arguments in Civilizational Jurisprudence is the reinterpretation of Islamic values in the modern context (Kamali, 2023). Civilizational Jurisprudence is not only based on texts but also emphasizes Maqasid Al-Shariah in assessing social realities. A notable example is the acceptance of Pancasila and the Unitary State of the Republic of Indonesia (NKRI), which is justified based on Maqasid Al-Shariah principles, particularly in protecting religion, life, intellect, lineage, and wealth (Al-Daruriyat Al-Khamsah) (Halal Foundation, 2025).

The transformative approach also critiques the hegemony of textualism in Islamic law. In this view, Islamic law should not be rigidly understood solely based on texts but must consider the evolving socio-political dynamics. By using an empirical approach, Islamic law

can remain relevant and responsive to the needs of modern society. Furthermore, the contextualization of Islamic law in global issues is an essential aspect of Civilizational Jurisprudence. This approach asserts that Muslims should not merely be passive recipients of outdated laws but should actively participate in building global civilization. One example is PBNU's role in international conferences, demonstrating how Islam can offer solutions to various global crises through a more flexible and adaptive approach (Ghofur, 2024).

Transformative-critical fiqh is rooted in several intellectual approaches, including critical hermeneutics, Maqasid Al-Shariah theory, and Ibn Khaldun's social theory. Ibn Khaldun, through his concept of civilization (*al-umran*), emphasized that societies constantly undergo change and development. Consequently, Islamic law must respond to these changes with flexibility while maintaining its core principles (Qambarov, 2025). Meanwhile, Maqasid Al-Shariah theory, developed by Al-Ghazali and Al-Shatibi, provides the foundation for viewing Islamic law as a means to achieve comprehensive human welfare. This approach underscores that Islamic law is not merely a set of legal-formal rules but also aims to uphold social balance and justice (Kamali, 2023).

In the discussion of Civilizational Jurisprudence, several interrelated topics can be linked to critical-transformative reasoning. One of them is the acceptance of Pancasila and NKRI in the context of Islamic law. This acceptance aligns with the principle of Maqasid Al-Shariah in maintaining social stability and can also be understood through the Burhani approach, which emphasizes analysis of Indonesia's socio-political realities (Halal Foundation, 2025). Additionally, the concept of Islam Wasathiyah and Religious Moderation is a significant part of transformative fiqh. This approach integrates Bayani, Burhani, and Maqasidi methodologies to view Islam as a moderate religion, promoting an inclusive rather than judgmental perspective (Ghofur, 2024).

This highlights that Islam, within the framework of civilization, must be open to diversity and adaptable to societal complexities. On a global scale, the role of NU in building world civilization is also crucial. As Indonesia's largest Islamic organization, PBNU actively develops Islamic discourse relevant to contemporary challenges. PBNU's initiatives in organizing the Civilizational Jurisprudence halaqah demonstrate the transformation of Islamic thought from a local to a global perspective (Qambarov, 2025).

The transformative-critical fiqh approach is based on three major methods within the Islamic intellectual tradition: Bayani (textual-interpretative), Burhani (rational-empirical), and Maqasid Al-Shariah (objectives of Islamic law). The Bayani (textual-interpretative) approach is used to understand the primary sources of Islamic law: the Qur'an and Hadith. However, in transformative fiqh, interpretation does not remain literal but is open to reinterpretation based on contemporary needs (Kamali, 2012). Meanwhile, the Burhani (rational-empirical) approach uses rational reasoning and empirical analysis to understand social realities. This approach incorporates social sciences such as sociology, anthropology, and philosophy to comprehensively address community issues (Makhlouf, 2023).

Finally, Maqasid Al-Shariah (Objectives of Islamic Law) serves as the primary guideline to ensure that Islamic laws bring real benefits to society. This approach functions as a benchmark to assess whether legal decisions align with principles of justice and humanity. By integrating these three approaches, transformative-critical fiqh can offer relevant and contextual Islamic legal solutions while maintaining the core essence of Islamic teachings. This approach ensures that Islam remains dynamic, responsive, and capable of addressing modern challenges without losing its fundamental identity (Kamali, 2023).

The active-transformative response shown by PBNU cannot be separated from the critical reasoning it uses in its efforts to solve the problems that occur. PBNU's active-transformative response can be seen from its role on the global stage by holding several important events at the international level. The critical-transformative reasoning of the Civilizational Jurisprudence was initiated in the context of realizing Wasathiyah Islam which values and respects fellow citizens without ethnic, ethnic, cultural, and religious differences (A. M. Siroj dkk., 2023). Quraish Shihab defines Wasathiyah Islam as Islam which in its preaching pattern uses polite and soothing methods, embracing and not hitting, respecting and not insulting (Wildan & Muttaqin, 2022). Indonesian Al-Qur'an Tafsir expert, Quraish Shihab, put forward three keys for someone to implement wasathiyah or religious moderation. The three keys are knowledge, replacing religious emotions with religious love, and always being careful (Arif, 2020).

The critical reasoning of the Civilizational Jurisprudence in the context of religion and global life is realized by initiating several themes that are actual and responsive to current global problems. Some of these themes can be seen in the image below:



Picture 1. Several major themes of the Civilizational Jurisprudence

Source: Processed by Researcher, 2024

It is from several major themes of the Civilizational Jurisprudence that critical reasoning can be discovered and explained. The critical reasoning of the Civilizational Jurisprudence can be seen from the mindset and paradigm used by researchers in answering the social and humanitarian problems presented (NU, *Pesantren, dan Nalar Fikih Peradaban - TIMES Indonesia*, t.t.-a). The mindset and paradigm used are not only based on a textual approach (Bayani) but

also emphasize an empirical fact approach (Burhani). The dialectic between text and context is a characteristic of studies carried out in various areas of the Civilizational Jurisprudence (Bahar & Harnadi, 2021). Not only that, other approaches such as historical, sociological, anthropological, and other approaches are also appreciated. Not to forget, the *maqasid al-shariah* approach is a powerful weapon in unraveling and explaining social and humanitarian problems that occur when texts are unable to answer them (Asofik & Khafidh, 2023).

Based on the description above, the critical-transformative reasoning initiated by the Civilizational Jurisprudence in strengthening Wasathiyah Islam and Religious Moderation can be observed in the scheme below:

Table 1. Critical Reasoning-Transformative Fiqh of Civilization

Source: Processed by Researcher, 2024

Critical Reasoning-Transformative Civilizational Jurisprudence	
Islamic Texts (Primary-Secondary and Tertiary/ Al-Qur'an, Hadith and Islamic	Social-Humanitarian Problems (al-Waqi'iyah)
Progressive-Contextual Paradigm	
Islamic Scientific Approach: Ushul al-fiqh, Qawaid al-fiqhiyah, and Maqasid al-syariah to comprehensively capture the meaning of sharia social-empirical analysis	Critical Western Scientific Approach: historical, sociological, anthropological, philosophical, hermeneutic and others to sharpen

As an illustration of the critical-transformative reasoning of the Civilizational Jurisprudence, for example, there is discourse in the field of political jurisprudence regarding the acceptance of nationalism, Pancasila, the Republic of Indonesia, and so on (Latif dkk., 2023). According to Gus Yahya, in his various lectures on the halaqah of Civilization Fiqh, he emphasized that Muslims are currently living and living in a new world order (*Gus Yahya Sebut Fikih Peradaban Merupakan Platform Pemutus Kekerasan yang Melanda Dunia - TribunNews.com*, t.t.). The various discourses above are completely new and unknown ideas and ideas in the series of references to classical books from the past. Moreover, this discourse comes from the Western world.

In Gus Yahya's view, it is very important for Muslims to pay attention to the empirical and actual facts that are currently happening (*Gus Yahya: Muktamar Fikih Peradaban Babas Piagam PBB*, t.t.). That way, Muslims will have a critical-transformative thinking mindset because it is based on the current conditions they face. The critical-transformative reasoning of the Civilizational Jurisprudence in addressing social and humanitarian problems has three ways of working, *first*, capturing the value system of the Qur'an and Sunnah; *second*, revitalization of *Maqasid Al-Shariah* which consists of *al-daruriyat al-khamsah* (protecting religion, soul, property); *third*, rational thinking reason, honor and revitalizing critical towards non-



hegemonic material reality (Carroll, 2009).

Picture 2. Halaqah Civilizational Jurisprudence at the Krapyak Islamic Boarding School
Theme: Fikih Siyasah NU dan Realitas Peradaban Baru August 11, 2022
Source: Processed by Researcher, 2024

From these three ways of working, it can be seen that the critical-transformative reasoning of Civilizational Jurisprudence uses an eclectic epistemology between the Bayani and Burhani approaches (Mun'im, 2022). Bayani's approach is not confined to the hegemony of texts but rather to the search for values of the Qur'an and Hadith that are in accordance with universal human values. This is demonstrated by the appreciation of the *Maqasid Al-Shariah* approach in formulating and determining legal conclusions (Islam & Mataram, 2017). Meanwhile, the Burhani approach can be seen from efforts to revitalize critical rational thinking which is based on concrete-empirical social analysis that occurs in society.

In the example of the acceptance of Pancasila as a state ideology, for example, the critical-transformative reasoning of the Civilizational Jurisprudence emphasizes and confirms its alignment because in this ideology it is a meeting point and unifier of various different and plural elements (NU, *Pesantren, dan Nalar Fikih Peradaban - TIMES Indonesia*, t.t.-b). In Pancasila, there are human values (HAM) which are in line with the five principles of protection and maintenance in Islam (ushul al-khams/ *Maqasid Al-Shariah*) (M. N. Fauzi, 2023). In the future, a critical-transformative reasoning model like this will be very useful in efforts to strengthen Wasathiyah Islam and moderate the thinking of Muslims in Indonesia (A. Siroj & Siroj, 2021).

In the halaqah of the Civilizational Jurisprudence at Pesantren Nurul Jadid Paiton Probolinggo, the theme was "*Fikih Siyasah dan Tatanan Dunia Baru*" (1 Abad NU; *Pondok Pesantren Nurul Jadid Helat Halaqah Fiqih Peradaban*, t.t.). The speakers at this halaqah were KH Afifuddin Muhadjir, KH Ulil Abshar Abdalla and KH Zainul Mu'in. Kiai Afif as the first speaker discussed siyasah fiqh which is part of muamalah fiqh. According to Kiai Afif, one of the principles of muamalah fiqh is *binauhu 'ala al-'ilali wa al-mashalih* (built on illat-ilat and benefit). Another rule is *al-muamalah talqun batta'yu'lama al-man'u* (the issue of muamalah is loose as long as no evidence is found that prohibits it) (Wahid, 2015). It is from these two principles that issues of Islamic jurisprudence in both national and global contexts can be researched and answers can be found. Kiai Afif gave the example of Pancasila, Nationalism,

and the Republic of Indonesia due to the development of the muamalah fiqh principles above (Muhajir, 2018).

KH. Ulil Abshar Abdalla began his discussion of the Civilizational Jurisprudence by explaining Ibnu Khaldun's concept of civilization. In Ibn Khaldun's view, humans are civilized creatures (*al-insan madaniyun bi al-tabb'i*). Gus Ulil explained that humans are social creatures who inevitably always interact with their social environment.

In this context, according to Gus Ulil, NU needs to start presenting and producing Kiai Mufakkir who can speak at the global level, by mentioning several Kiai such as Kiai Maimoen Zubair, Kiai Sahal, and Kiai Afif who are no less intellectual than Middle Eastern scholars such as Wahbah Zuhaili and Abdullah bin Bayah (*2 Tujuan PBNU Gelar Halaqah Fiqih Peradaban*, t.t.). Gus Ulil also explained the connection between Nusantara Islam and the Civilizational Jurisprudence. Islam Nusantara is described as a portrait of Islam in the domestic region of the archipelago which has certain characteristics of being polite, moderate, and humanist (Rahman, 2016).



Picture 2. Halaqah Civilizational Jurisprudence at the Nurul Jadid Islamic Boarding School Paiton Probolinggo

Theme: Fiqih Siyasah dan Tatanan Dunia Baru September 17, 2022.

Source: Processed by Researcher, 2024

Based on the description above the reasoning construction scheme of Civilizational Jurisprudence in an effort to strengthen Wasathiyah Islam and Religious Moderation can be seen in the following table:

Table 2. The reasoning construction scheme of Civilizational Jurisprudence in an effort to strengthen Wasathiyah Islam and Religious Moderation

Source: Processed by Researcher, 2024

Reasoning model	Approach	Empirical facts
Critical-Transformative	Bayani-Burhani (<i>Eclecticism</i>) Maqasid Al-Shariah	Acceptance of Pancasila, Nasionalism and The Unitary State of the Republic of Indonesia (NKRI)

The concept of Civilizational Jurisprudence is analyzed using a triangulation of theoretical frameworks, integrating Fairclough's Critical Discourse Analysis (CDA), hermeneutical approaches for interpreting Islamic jurisprudential texts, and Wasathiyah Islamic perspectives. These frameworks collectively provide a comprehensive approach to understanding how Civilizational Jurisprudence is constructed, negotiated, and applied in contemporary Islamic discourse.

To ensure the reliability and validity of this study, various sources, including academic papers, policy documents, religious discourses, and media reports, were examined. Source triangulation was employed to detect potential biases and assess the role of Civilizational Jurisprudence in addressing global social and humanitarian issues. The analysis draws upon key references such as the Nahdlatul Ulama (NU) framework, contemporary Islamic scholarship, and empirical discussions from halaqah forums (Latif, 2023; Siroj, 2021).

Using Fairclough's CDA, the discourse of Civilizational Jurisprudence is analyzed through three dimensions: textual analysis, discursive practice analysis, and social practice analysis. The textual structure of Civilizational Jurisprudence reveals a dialectical relationship between Islamic texts and contemporary social realities. It integrates the Bayani (textual approach) derived from classical jurisprudential references, the Burhani (empirical approach) that employs historical, sociological, and anthropological analyses, and Maqasid al-Shariah, which ensures that Islamic law remains adaptive and responsive to modern challenges (M. N. Fauzi, 2023). The discourse also employs inclusive and transformative language, particularly in discussions about religious moderation (Wasathiyah Islam) and governance, aligning with human rights and pluralistic values (Mun'im, 2022).

The discursive practice of Civilizational Jurisprudence is shaped by contemporary Islamic scholars and institutions, particularly NU, which engages actively in discourse on nationalism, governance, and global peace. Prominent scholars such as Gus Yahya and Ulil Abshar Abdalla contribute to framing Civilizational Jurisprudence as a progressive response to modern socio-political challenges. This includes engagement in halaqah forums to deliberate on global issues, reevaluation of Islamic political thought in light of contemporary nation-states, and intellectual exchanges between classical and modern scholars to bridge tradition and modernity (Maqasid Gus Dur dan Pembaruan Fikih Peradaban - Alif.ID, 2023).

The broader social implications of Civilizational Jurisprudence are reflected in its role in fostering religious moderation, peacebuilding, and political engagement. This is evident in the endorsement of Pancasila as a unifying ideology in Indonesia, the rejection of religious extremism and violence, and the emphasis on Islamic humanitarian values. Islamic scholars

play a crucial role in shaping policy discourses at both national and international levels (Gus Yahya: Mukhtamar Fikih Peradaban Bahas Piagam PBB, 2023).

In conclusion, the analysis demonstrates that Civilizational Jurisprudence operates as a critical-transformative framework that integrates classical Islamic thought with contemporary empirical realities. Through theoretical triangulation, the discourse balances textual traditions with modern social sciences. Fairclough's CDA framework reveals that Civilizational Jurisprudence is not a static legal discourse but a dynamic epistemology aimed at fostering religious moderation, governance ethics, and humanitarian progress. This approach has significant implications for strengthening Wasathiyah Islam and addressing global challenges through an inclusive and dialogical Islamic framework.

Criticism of the Critical-Transformative Jurisprudence Approach

The critical-transformative jurisprudence approach in Islamic law has sparked considerable debate among academics and scholars. Some view it as a necessary evolution to address contemporary challenges, while others worry about its impact on the integrity and consistency of Islamic legal traditions. One of the main criticisms of this approach is the potential for excessive subjectivity in legal interpretation. By emphasizing present-day social and political contexts, there is concern that the boundary between legitimate *ijtihad* (independent reasoning) and personal interpretation may become blurred (Saeed, 2022). Traditional scholars emphasize the importance of adhering to classical *fiqh* methodologies, which they believe have historically provided stability and consistency in Islamic legal thought (Hallaq, 2021). They fear that excessive flexibility could undermine the certainty of Islamic law, leading to inconsistent rulings and legal uncertainty (Kamali, 2023).

The critical-transformative jurisprudence approach is also likely to face resistance from conservative Islamic groups that adhere strictly to classical jurisprudential methodologies. These groups may perceive the approach as a challenge to the authority of sacred texts and long-established legal traditions (Abou El Fadl, 2020). A major concern is that if legal interpretations are overly influenced by socio-political contexts, Islamic law may become excessively relativistic and lose its normative foundation (An-Naim, 2019). The tension between legal continuity and reform presents a significant challenge for proponents of this approach (Zaman, 2023).

Another risk associated with this approach is the potential erosion of Islamic legal authority. In Islamic jurisprudence, legitimacy is often derived from adherence to established principles and methodologies. If legal rulings are continually adjusted to fit modern contexts, critics argue that this could result in a loss of confidence in *shari'ah* as a stable legal framework (Saeed, 2022). Therefore, balancing transformation with tradition is essential to maintaining both relevance and authenticity in Islamic law (Hallaq, 2021).

The application of critical-transformative jurisprudence varies across Muslim-majority countries. In nations where Islamic law is strictly enforced, such as Saudi Arabia and Iran, this approach faces significant hurdles due to their heavy reliance on classical *fiqh* and

traditional textual interpretations (Kamali, 2023). Conversely, reform-oriented countries like Tunisia and Morocco have incorporated elements of transformative jurisprudence into their legal reforms, particularly in areas such as family law and gender rights (An-Naim, 2019). Indonesia presents an interesting case study, as its legal system integrates Islamic law within specific domains such as family law and religious courts. The concepts of *maqāṣid al-shari'ah* (objectives of Islamic law) and contextual *ijtihad* have influenced several fatwas issued by the Indonesian Ulema Council (MUI) and other Islamic organizations, indicating that this approach has potential within Indonesia's evolving Islamic legal discourse (Zaman, 2023).

In the field of education and fatwa issuance, the implementation of this approach depends on academic institutions and religious scholars. Universities and Islamic boarding schools (*pesantren*) could incorporate this approach into their curricula by emphasizing historical and critical analyses of classical legal texts. However, its success requires the endorsement of scholars who are willing to explore progressive methodologies while maintaining respect for Islamic legal traditions (Abou El Fadl, 2020). Striking this balance is crucial to ensuring that the approach is seen as a legitimate evolution within Islamic law rather than a departure from established principles (Saeed, 2022).

Despite its potential, the critical-transformative jurisprudence approach faces significant epistemological challenges. Interpreting classical Islamic texts while preserving their original intent is a complex task. Not all aspects of Islamic law can be easily reinterpreted without challenging the authority of classical scholars and established legal consensus (*ijma'*) (Hallaq, 2021). This raises concerns about whether the approach can offer a coherent legal framework that remains true to Islamic jurisprudential traditions (Kamali, 2023). Furthermore, ensuring the legitimacy of this approach within the broader Muslim world requires demonstrating that it remains rooted in authentic Islamic traditions rather than merely adapting Western legal philosophies (An-Naim, 2019). Without this balance, the approach risks being perceived as detached from mainstream Islamic scholarship (Zaman, 2023).

In conclusion, while critical-transformative jurisprudence offers a progressive alternative to classical Islamic legal thought, it must navigate challenges related to authority, acceptance among traditional scholars, and practical implementation within Islamic and national legal frameworks. The future of this approach depends on its ability to maintain a delicate balance between reform and tradition, ensuring that it remains both relevant and legitimate within the broader discourse of Islamic law.

Strengthening Wasathiyyah Islam and Religious Moderation

According to Masdar Hilmy, religious moderation in the Indonesian context can be characterized by a number of characteristics. *First*, the ideology of nonviolence in conveying Islamic teachings; *second*, the adoption of modern values in life such as science and technology, democracy, human rights, and the like; *third*, the use of rational thinking as a tool in interpreting and understanding religion; *fourth*, the use of a contextual approach in

understanding religion; *fi'ih*, Use in exploring the values of religious teachings in certain cases if the justification is not found in the Al-Qur'an and the Hadith of the Prophet (Babun Suharto, 2019).

Wasathiyyah Islam refers to the principle of moderation in Islam, which avoids extremism (*ifrath*) and negligence (*tafrith*). This concept emphasizes balance, justice, and tolerance in religious practice and daily life. It has a strong foundation in Islamic teachings and has been studied by various scholars, including Masdar Hilmy, who highlights its key characteristics such as the rejection of violence, the adoption of modern values, a rational interpretation of religion, contextual understanding, and the exploration of Islamic teachings in the absence of direct textual references (Hilmy, 2019). Furthermore, Nahdlatul Ulama (NU) has formulated Wasathiyyah Islam through ten fundamental principles: *Tawassuth* (moderation), *Tawazun* (balance), *I'tidal* (justice), *Tasamuh* (tolerance), *Musawah* (egalitarianism), *Shura* (deliberation), *Ishlah* (reformation), *Aulawiyah* (prioritization), *Tathawwur wa Ibtikar* (innovation), and *Tabadhdhur* (civilization) (Kasdi, 2020). These principles serve as guidelines for Indonesian Muslims in maintaining religious harmony and social cohesion.

The Executive Board of Nahdlatul Ulama (PBNU) plays a significant role in institutionalizing Wasathiyyah Islam through various educational programs, religious discussions, and collaborations with the government. One of its initiatives is the organization of international forums such as the *International Conference of the Civilizational Jurisprudence*, which addresses global issues from the perspective of Wasathiyyah Islam (Syarif, 2020). Additionally, PBNU works with the Indonesian government to implement religious moderation policies, including Presidential Regulation Number 58 of 2023, which establishes a national framework for strengthening religious moderation (Ministry of Religious Affairs of Indonesia, 2023). The implementation of Wasathiyyah Islam has also been integrated into various sectors, including universities, religious institutions, and public policies. The Ministry of Religious Affairs, for example, has incorporated this concept into educational curricula, public discourse, and regulatory policies as part of a synergy between religious organizations and the government in promoting religious moderation in Indonesia (Syarif Hidayatullah State Islamic University Jakarta, 2021).

Despite its institutionalization, Wasathiyyah Islam faces various global and domestic challenges. The Russia-Ukraine war and geopolitical tensions in the Middle East illustrate how political and religious conflicts can escalate into prolonged disputes, requiring a Wasathiyyah-based approach to conflict resolution (Kasdi, 2020). Furthermore, the rise of social media presents challenges to religious identity, as misinformation, radicalization, and ideological polarization spread rapidly across digital platforms (Suara Muhammadiyah, 2020). To address these challenges, PBNU and other stakeholders have implemented structural and cultural strategies. Structurally, NU collaborates with government institutions such as the Ministry of Religious Affairs, the military, and judicial bodies to strengthen religious moderation policies (Syarif, 2020). Culturally, NU-affiliated organizations such as Muslimat NU, GP Ansor, and IPNU/IPPNU actively organize seminars, workshops, and grassroots

discussions to reinforce public understanding of Wasathiyah Islam (Syarif Hidayatullah State Islamic University Jakarta, 2021).

Thus, Wasathiyah Islam serves as a balanced, just, and tolerant religious approach aimed at ensuring harmony in religious practices and social interactions. Its implementation in Indonesia, driven by PBNU's efforts and government policies, provides a strong foundation for religious moderation. However, the movement continues to face global and domestic challenges, including geopolitical conflicts and the negative impact of social media. Through the structural and cultural strategies adopted, NU and related institutions continue to strengthen Wasathiyah Islam to ensure its relevance in addressing contemporary global issues.

In the practical realm, the practice of Wasathiyah Islam is in synergy with the discourse and movement to strengthen religious moderation initiated by the Indonesian Ministry of Religion (*Perluas Penguatan Moderasi Beragama, Kemenag Gelar Rakornas Lintas Lembaga*, t.t.). For example, strengthening in universities (Votruba, 1996). The Religious Moderation Formula needs to be broken down at the applied level as a guide that is easy to understand, follow, and practice by most Muslims in this country (Mala & Hunaida, 2023). This formulation must cover all aspects of religion, such as faith, shariah, muamalah, to morals and nation-state.

To formulate these guidelines, the following things should be considered: *First*, separating the Arab aspect from the Islamic aspect. *Second*, dig up classical texts left by previous Islamic thinkers to dialogue with current realities to find common ground between the two and what the differences are. *Third*, efforts are needed to create a dialogue between the reality of current civilization and the texts of the Shari'a in a *manhaj*i (methodological) manner, especially in matters that have no comparison or similarity in the *aqwāl* (views) of the *fukaha* (Munfaridah, 2017).

According to Tholabi, the discourse on Civilizational Jurisprudence initiated by PBNU deserves a positive response from Islamic scholars, especially within Islamic religious universities in Indonesia. According to him, collaborative efforts among ulama in Islamic boarding schools and scholars in universities must be initiated to foster constructive thoughts for the benefit of the people. Collaboration between Islamic boarding schools and universities must be further improved. This moment of Civilizational Jurisprudence is an important milestone in bringing about positive collaboration between ulama and Islamic scholars.

In the practical realm, the critical-transformative reasoning of the Civilizational Jurisprudence in an effort to strengthen Wasathiyah Islam and Religious Moderation was seen in the implementation of the First International Conference of the Civilizational Jurisprudence which was held the day before the commemoration of "Satu Abad Hari Lahir NU" involving a number of international scholars such as the Grand Sheikh of Al-Azhar Cairo Egypt along with hundreds of international scholars (*Muktamar Internasional Fikih*

Peradaban Perdana Dibuka Langsung Oleh Wakil Presiden Indonesia -, t.t.). From this great moment, it was clear that the reasoning that was built was not just mere discourse and ideas that were floating around. But it is actually based on real humanitarian problems that occur in society, both nationally and globally (*NU Inisiasi Diskursus tentang Peradaban lewat Mukhtamar Internasional Fiqih Peradaban - Kompas.id*, t.t.). Some of the problems highlighted cover various aspects of human life from a socio-political, economic, cultural and religious perspective.

From the socio-political realm at the international level, clashes between civilizations have manifested in the form of ongoing, never-ending war conflicts between Russia and Ukraine or Israel against several Middle Eastern countries (*Halaqah Fikih Peradaban II di Nurul Jadid: NU dan Pesantren Merespon Isu Geopolitik Internasional - nuruljadid.net*, t.t.). The socio-economic aspect is also no less exciting. The rise of the Asian economy has allegedly made Europe and America think hard about how to respond to it. The acceleration and development of science influence the practice and business space of Muslims which in all aspects is based on guidance from Islamic texts (Arrasyid dkk., 2023).

The social and cultural realm is no less precarious amidst the onslaught of mushrooming social media. The identity of the state, nation, and Muslim community is increasingly blurred and drowned in the endless noise and excitement of social media (*Medsos, Jihad Intelektual dan Radikalisme di Tengah Disrupsi Keberagamaan Umat - TIMES Indonesia*, t.t.). Meanwhile, and no less important, the realm of religion is filled with the rise of discourse and movements of truth claims in the name of religion for the benefit of certain individuals, groups, and countries (Lim, 2017).

The Civilizational Jurisprudence as PBNU's contribution to creating a just and civilized world has held several international seminars and conferences. Among them is that in 2016 PBNU gave birth to the Nahdlatul Ulama Declaration International Summit of Moderate Islamic Leaders (ISOMIL) (*Kemenag Dukung ISOMIL PBNU*, t.t.). In line with that, the Anshor Youth Movement initiated the Global Unity Forum in 2018 (*2018_10_26_Second Global Unity Forum - Bayt ar-Rahmah / Home of Divine Grace*, t.t.). Apart from that, GP Anshor also succeeded in holding the Nusantara Manifesto in 2018 (*2018_10_25_Nusantara Manifesto - Bayt ar-Rahmah / Home of Divine Grace*, t.t.). Meanwhile, in 2019 The National Conference of Alim Ulama in Banjar, West Java, produced a bahtsul masail document that answers various contemporary problems (*5 Fakta Munas NU di Banjar, Tolak Sebutan Kafir untuk Non-Muslim hingga Haramkan MLM Halaman all - Kompas.com*, t.t.).

Efforts to strengthen the transformative critical reasoning of the Jurisprudence of Civilization in strengthening Wasathiyah Islam and Religious Moderation are taken through two important paths, namely cultural and structural (Program dkk., 2024). *First*, in the cultural realm, PBNU discusses Islam Wasathiyah through several Banom that it has from the central to regional levels. For example, Banom NU Muslimat holds seminars, workshops, and discussions on Wasathiyah Islam and religious moderation in an effort to create inclusive, humanist, and transformative religious conditions (*PP Muslimat NU gelar Saraseban Penguatan Moderasi Beragama Ditahun Politik - Muslimat NU*, t.t.).

Second, in the structural realm, PBNU collaborates and coordinates with the Government in discussing Islam Wasathiyah and Religious Moderation in various government agencies (Nasruddin, 2022). The concrete form taken is by strengthening regulations issued by the government. For example, Presidential Regulation (Perpres) of the Republic of Indonesia Number 58 of 2023, concerning Strengthening National Religious Moderation (RPJMN 2020-2024) (*Perpres Penguatan Moderasi Beragama Disahkan, Berikut Ketentuan dan Pengaturannya*, t.t.).

In a simple scheme, two critical-transformative reasoning strategies of Civilizational Jurisprudence in strengthening Wasathiyah Islam and Religious Moderation can be seen below:

Table 3. Critical Reasoning-Transformative Civilizational Jurisprudence
Source: Processed by Researcher, 2024

Critical Reasoning-Transformative Fiqh of Civilization	
Structural	Cultural
Synergy with the Government: Relevant with the Government TNI, Supreme Court, and especially the Ministry of Religion from central to regional regarding Strengthening Wasathiyah Islam and Religious Moderation	Pesantren (P3M) and Banom NU (Muslimat-Fatayat, GP Anshar, IPNU/IPPNU): halaqah, seminar, and others regarding Strengthening Wasathiyah Islam and Religious Moderation
Regulations on Strengthening Religious Moderation by the Government through the Ministry of Religion	
Presidential Regulation of the Republic of Indonesia Number 58 of 2023, Concerning Strengthening National Religious Moderation (RPJMN 2020-2024), etc.	

Wasathiyah Islam embodies balance, justice, and tolerance, avoiding both extremism (ifrath) and neglect (tafrith). Nahdlatul Ulama (NU) articulates Wasathiyah Islam through ten principles: Tawassuth (moderation), Tawazun (balance), I'tidal (justice), Tasamuh (tolerance), Musawah (egalitarianism), Shura (deliberation), Ishlah (reformation), Aulawiyah (prioritization), Tathawwur wa Ibtikar (innovation), and Tahadhdhur (civility). These principles serve as a framework for fostering religious harmony and societal cohesion.

PBNU plays a crucial role in institutionalizing Wasathiyah Islam through educational institutions, religious discussions, and government collaborations. The organization has initiated global events such as the International Conference of the Civilizational Jurisprudence to address contemporary challenges. Additionally, PBNU has worked with the Indonesian government to implement religious moderation policies, including Presidential Regulation Number 58 of 2023, which formalizes the national framework for strengthening religious moderation. This initiative has influenced universities, religious institutions, and public policies.

Despite these efforts, Wasathiyyah Islam faces challenges both domestically and globally. Geopolitical conflicts, such as the Russia-Ukraine war and tensions in the Middle East, highlight the need for a Wasathiyyah-based approach to conflict resolution. Social media also presents challenges, facilitating misinformation, radicalization, and ideological polarization. To counter these issues, PBNU employs structural strategies (collaborating with government institutions) and cultural strategies (seminars, workshops, and grassroots discussions through organizations like Muslimat NU, GP Ansor, and IPNU/IPPNU).

The effectiveness of religious moderation policies can be evaluated through several key indicators. Social harmony and interfaith relations serve as a primary measure, assessing whether religious intolerance and sectarian conflicts have decreased. Public perception and acceptance are also crucial, determining how citizens view religious moderation efforts and whether they consider them effective. Additionally, institutional adoption plays a role in evaluating whether universities, religious institutions, and schools have successfully integrated religious moderation into their curricula. Policy implementation and enforcement are equally significant, ensuring that government policies on religious moderation are effectively applied at all levels. Furthermore, the reduction in radicalization can be examined to assess whether efforts to promote Wasathiyyah Islam have successfully curbed the spread of extremist ideologies.

While religious moderation has been widely promoted, opposition still exists, particularly from groups that reject the concept of moderation or hold more conservative views. Resistance from certain factions stems from the belief that religious moderation dilutes Islamic teachings and accommodates Western influences. Additionally, misinformation and misinterpretation, often spread through social media, can distort the objectives of religious moderation. Political manipulation further complicates the situation, as some political groups may exploit the concept for their own agendas, leading to skepticism among the public.

To strengthen and expand religious moderation, several strategies should be adopted. Enhancing public engagement through better communication efforts can help educate the public on the benefits of religious moderation. Collaboration with international institutions can provide valuable insights and best practices from global experiences. Strengthening legal frameworks ensures that policies promoting religious moderation have strong legal backing and enforcement mechanisms. Finally, adapting to social-political changes is essential, as continuously adjusting strategies to align with evolving societal dynamics will ensure the continued relevance and effectiveness of religious moderation initiatives.

In conclusion, Wasathiyyah Islam is a vital approach to fostering religious harmony and social stability in Indonesia. Despite challenges, ongoing structural and cultural efforts by PBNU and the government ensure that religious moderation remains relevant in addressing contemporary global and domestic issues. By reinforcing these efforts, Wasathiyyah Islam can continue to serve as a guiding principle for religious tolerance, justice, and balance in Indonesian society.

CONCLUSION

One of the key findings of this study highlights the role of Civilizational Jurisprudence (Fiqh Peradaban) as an essential instrument in strengthening Wasathiyyah Islam and religious moderation. This concept provides a solid methodological and conceptual foundation for formulating a balanced Islamic perspective that aligns normative religious texts with contemporary social realities. By employing the principles of fiqhiyah (legal maxims) and maqasid al-shariah (objectives of Islamic law), Civilizational Jurisprudence ensures that Islamic jurisprudence remains relevant and applicable in addressing modern societal challenges.

Additionally, this approach integrates critical scholarship from both Islamic traditions and Western social sciences, incorporating methodologies from sociology, anthropology, phenomenology, and hermeneutics. This interdisciplinary engagement enriches Islamic thought and demonstrates that Islam is not rigid or isolated from modern civilizational dynamics but is instead adaptive, progressive, and engaged in dialogue. By bridging Islamic jurisprudence with contemporary critical approaches, Civilizational Jurisprudence becomes a transformative tool that fosters religious moderation while remaining deeply rooted in authentic Islamic teachings.

Furthermore, the emergence of Civilizational Jurisprudence aligns with Indonesia's global role as a model of moderate and tolerant Islam. As one of the world's largest Muslim-majority countries, Indonesia has become an international reference for developing and promoting Wasathiyyah Islam. The Nahdlatul Ulama (PBNU), as the initiator of this concept, has positioned Civilizational Jurisprudence as a framework for inclusive and humanistic Islamic policies. This further strengthens Indonesia's image as a key player in global Islamic diplomacy, advocating for tolerance, peace, and coexistence.

In academic discourse, Civilizational Jurisprudence significantly contributes to Islamic studies by offering a new paradigm that integrates classical fiqh with contemporary social sciences. It encourages interdisciplinary research that enriches the understanding of Islam's role in modern society and serves as a reference for scholars examining the intersection of religion, law, and civilization. This approach has the potential to reshape Islamic studies by providing contextual and pragmatic solutions to contemporary challenges while maintaining the integrity of Islamic legal traditions.

The implications of Civilizational Jurisprudence extend beyond academia into public policy and societal development. Policymakers and religious institutions can utilize its principles to formulate inclusive policies that promote justice, tolerance, and social harmony. It provides a robust framework for addressing religious diversity, ensuring that laws and regulations accommodate the realities of a pluralistic society. For the broader community, this concept enhances public awareness of a more moderate, inclusive, and solution-oriented

Islamic perspective, reducing the risks of extremism and fostering a culture of dialogue and mutual respect.

Thus, Civilizational Jurisprudence is not merely an academic discourse but a practical and transformative approach to building a peaceful, just, and harmonious civilization. It serves as a catalyst for strengthening Wasathiyyah Islam and religious moderation, making Islam a guiding force for ethical and progressive social change in both national and global contexts.

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