

INITIATING INTERFAITH FIQH IN THE MODERN ERA: An Effort to Contextualize Rahmah and Humanist Islam in Digital Space

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Abstract: The article reveals the crucial role of contextualizing fiqh as the foundation of Islamic law in addressing contemporary human challenges, with a particular focus on interfaith fiqh. In the modern era when societies are increasingly diverse and interconnected, it is imperative to adapt and advance Islamic legal principles to effectively address current issues and promote harmonious coexistence. This article uses library research as a data collection technique and theory of *maslahah* to discuss the subject. It argues that fiqh has the capacity to adjust to the demands of the contemporary era. Interreligious fiqh in Indonesia needs to get more attention, which will be a social landmark in the midst of social diversity. In essence, in sharia, Islamic principles promote mutual respect social control, deliberation, peace, pluralism, brotherhood, loving-kindness, equality, fairness, freedom, responsibility and honesty. Efforts that can be taken are: (1) practicing mutual forgiveness, (2) respecting human dignity, (3) being fair and creative in solving problems, and (4) formulating a peaceful civilization with a loving-kindness approach. Because digital space is the second place of socialization and has been a primary need for modern humans, by utilizing such social medias as Instagram, WhatsApp, websites, Facebook and other platforms, this article supports the socialization process of fiqh products which are inclusive, humanist and pluralist.

Keywords: Digital space; interfaith fiqh; humanist Islam; *rahmah*.

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Introduction

Interfaith fiqh is an important approach in response to interreligious conflicts that occur in society. It is a common sense for Muslims to place fiqh as a solution to various problems. Historical records show that in various parts of the world there have been conflicts with religious backgrounds. One of them is the conflict between Muslims and Christians in Boda, Central Africa, where 75 people died. The majority of the victims who died were Christians.¹ Also, the conflict between the Abraham religions often occurs, namely Islam, Christianity and Judaism due to different interests.² In principle, the presence of fiqh as a foundation to practice Islam is so important to implement, especially in understanding *maqāsid al-sharī'ah*. In essence, Muslims are expected to be able to create peace, religious construct and life balance. Nevertheless, in fact, not every Muslim is able to carry out what has been outlined by Islamic laws.³

Interfaith fiqh is highly relevant to the Indonesian context as a diverse country that encompasses such diverse religions as Islam, Hinduism, Buddhism, Christianity, Confucianism and many local

¹ BBC News Media, "Konflik Agama di Afrika Tengah Tewaskan 75," February 4, 2014, (accessed, April 6, 2023), link: https://www.bbc.com/indonesia/dunia/2014/02/140204_afrika_sektarian.

² Jawahir Thontowi, "Yarussalem Tanah Suci Agama Samawi dalam Perspektif Hukum dan Perdamaian," *Jurnal Hukum*, Vol. 8, No. 18 (2001): 138-150. <https://doi.org/10.20885/iustum.vol8.iss18.art10>.

³Rudiger Lohlker, "Fiqh Reconsidered: Indigenization and Universalization of Islamic Law in Indonesia," *Interdisciplinary Journal for Religion and Transformation in Contemporary Society*, Vol. 7 (2021): 188-208. <https://doi.org/10.30965/23642807-bja10011>.

beliefs. The data indicates significant instances of conflicts both within and between religious groups in Indonesia. Several conflicts historically have religious elements, such as the conflict between Muslim and Christian in Singkil, Aceh,⁴ the religious conflict in Bogor with regard to the construction of GKI Yasmin in 2000,⁵ the religious and ethnic conflict in Poso in 1992,⁶ the intrareligious conflict between Shia and Sunni Muslims in Madura, East Java,⁷ and the rejection of the construction of a church in Cilegon, Banten in 2022.⁸ Therefore, efforts are requisite to resolve religious conflicts. It is an undeniable challenge for Muslims to formulate an example in spreading the movement of mutual love (*rahmah*).

Furthermore, as we move into a time of exponential technological advancement, it is common for offensive statements and/or actions to take place on social media, which incites a conflict between individuals of different religions. In this modern era, technological advancement is inevitable.⁹ Digital media users have rapidly grown to date. The research findings show that the use of social media has increased by 60%. The Association of Indonesian Internet Service Providers (APIJII) announces that in the second quarter of 2020 there was an increase of 25.5 million internet users in Indonesia compared to 2019.¹⁰ The percentage of Indonesia's population using the internet has also increased from 2018 to 2022. In 2018, it was 64.80 %; in 2019–2020, 73.70%; and in 2021–2022,

⁴ Mallia Hartani, "Analisis Konflik antar Umat Beragama di Aceh Singkil," *Jurnal Kolaborasi Resolusi Konflik*, Vol. 2, No. 2 (2020), 93-99.

⁵ Budi Crismanto Sirait, "Ancaman Diskriminasi Minoritas dan Hilangnya Multikulturalisme di Indoensia: Studi Kasus Penutupan GKI Yasmin Bogor," *Politika: Jurnal Ilmu Politik*, Vol. 10, No. 1 (2019), 28-39.

⁶ Igneus Alganih, "Konflik Poso (Kajian Historis Tahun 1998-2001)," *Jurnal Criksetra*, Vol. 5, No. 10 (2016), 166-173.

⁷ Rachma Ida dan Laurentius Dyson, "Konflik Sunni-Syiah dan Dampaknya terhadap Komunikasi Intra-Religius pada Komunitas di Sampang-Madura," *Jurnal Masyarakat, Kebudayaan, dan Politik*, Vol. 28, No. 1 (2015), 33-39.

⁸ M. Iqbal, "Warga Cilegon Tolak Pendirian Gereja, Ungkit SK Bupati Tahun 1975." <https://news.detik.com/berita/d-6279957/warga-cilegon-tolak-pendirian-gereja-ungkit-sk-bupati-tahun-1975>.

⁹ Reza Pradiya Yudha dan Irwansyah, "Media Baru Digital sebagai Peretas Konteks Komunikasi antar Pribadi dan Kelompok," *Islamic Communication Journal*, Vol. 3, No. 2 (2018), 184.

¹⁰ APJII, "Laporan Survey Internet Asosiasi Penyelenggara Jasa Internet Indonesia (APJII) (Q2) Tahun 2019-2020," *Indonesia Survey Center*, <https://apjii.or.id/survei>.

77.02%.¹¹ Thus, it has become a challenge for Muslims to adapt advancement of time, especially in their social life.

For it to be useful academically and practically, there must be a distinction from previous studies that look at related issues. The previous study was conducted by Idrus, which is titled “Fiqh Local Wisdom: Implementasi Etika Kerukunan Umat Beragama di Jawa Timur.” It concludes that strengthening local wisdom fiqh is one approach that can be taken in the context of diverse society.¹² The second one is Hafidhuddin’s research, which is titled “Kerukunan Umat Beragama: Studi *Maqāsid al-Sharī‘ah* Perspektif Jasser Auda.” It focuses only on knowing how Auda’s philosophical ideas, especially the study of interfaith harmony, uses fiqh perspective with the *maqāsid al-sharī‘ah* method.¹³ The third one is Sabri’s research, which is titled “Membangun Fiqih Toleransi: Refleksi terhadap Fatwa-Fatwa Aliran Sesat di Indonesia.” It draws attention to the fatwas of heretical sects issued by the Indonesian Ulama Council (MUI) and Nahdlatul Ulama (NU) which were originally advisory but then caused inconvenience due to labeling. Sabri concludes that MUI and NU should have prioritized fatwas on humanity, tolerance, and harmony over having focused the fatwas on heretical sects that could cause conflicts.¹⁴

The distinction between this study and the earlier studies is that this study specifically focuses on the application of interfaith jurisprudence in the digital space in the context of Indonesia, a religiously diverse country. As internet users increase every year, it is very likely that in the future much of the religious and social life will be spent in the digital space. Hence, it is important that this research be studied further since there is a great deal of hope that in the future, harmony and mercy will be able to be manifested in accessing social media. This article examines Islam, both from an internal perspective in improving the law and from an external perspective in understanding *rahmatan lil ‘ālamīn*. Some important parts to pay attention to are how Islamic teachings should be the foundations of

¹¹ APJII, “Laporan Survey Internet Asosiasi Penyelenggara Jasa Internet Indonesia (APJII) (Q1) Tahun 2021-2022,” *Indonesia Survey Center*, <https://apjii.or.id/survei>.

¹² Idrus, “Fiqh *Local Wisdom*: Implementasi Etika Kerukunan Umat di Jawa Timur,” *Jurnal Hakam*, Vol. 2, No. 2 (2018).

¹³ Hafidhuddin, “Kerukunan Umat Beragama: Studi *Maqāsid As-Syari‘ah* Perspektif Jasser Auda,” *Jurnal Mafatih: Jurnal Ilmu Al-Qur’an dan Tafsir*, Vol. 2, No. 1 (2022).

¹⁴ Fakhruddin Ali Sabri, “Membangun Fiqih Toleransi: Refleksi terhadap Fatwa-Fatwa Aliran Sesat di Indonesia,” *Jurnal Al-Ihkam*, Vol. 13, No. 1 (2018).

life, how the development of the internet affects social interaction, what the concept of fiqh is in this context and how interfaith fiqh is disseminated in the digital space. This research will contribute to the importance of understanding interfaith *fiqh* and its application to life in order to achieve balance and harmony, especially on social media which lately has been a necessity.

Research Method

The methodology used in this research is qualitative. This research attempts to comprehend and criticize interfaith fiqh and its application in the modern era. Considering the fact that Indonesia is a religiously diverse country, religious conflicts often occur, so that it has encouraged the authors to employ a fiqh approach, especially interfaith fiqh, as a solution. The qualitative method is a kind of research used to describe special qualities of social influences where such things cannot be measured by quantitative method.¹⁵ It is the dynamics that become the characters attached to the object being studied.¹⁶ As a library research, the main sources of this research are books, articles, and journals to sharpen the analysis of how interfaith fiqh can be a solution to religious conflicts in Indonesia, and the primary focus of its application is in the digital space.

The theory used to analyze the issue is the *maṣlahah* theory. Etymologically, *maṣlahah* means goodness, usefulness, decency, feasibility or harmony. The word *al-maṣlahah* is in contrast to the word *al-mafṣadah* which means damage.¹⁷ According to al-Ghazali, *maṣlahah* is to achieve goodness or to avoid evil. However, what is meant by *maṣlahah* is to maintain the objectives of *shara'*, and there are five objectives of *shara'* relating to creatures, which are contained in *maqāsid al-shari'ah*.¹⁸

¹⁵ Saryono and Mekar Dwi Anggraeni, *Metodologi Penelitian Kualitatif dan Kuantitatif dalam Bidang Kesehatan* (Yogyakarta: Nuha Medika, 2013).

¹⁶ Sugiyono, *Metode Penelitian Kuantitatif, Kualitatif, dan R&K* (Bandung: ALFABETA, September 2019).

¹⁷ Jamāl al-Dīn Muhammad ibn Mukarram, *Lisān al-'Arab* (Riyadh: Dar 'Alam al-Kutub, 2003), 384.

¹⁸ Abū Hamid Muhammad al-Ghazālī, *al-Mustasfa* (Beirut: Mu'assasah al-Risalah, 1997), 416.

Islam as the Foundation of Life

Etymologically, the word “Islam” in Arabic is rooted in the word *sin-lam-mim* which means “peaceful”. Islam is characterized by submitting to God’s will and not denying the rules He creates. The following statement expresses the etymological and terminological meaning: “One can only experience true serenity and attain eternal purity by submitting to His commands and making himself/herself submit only to Him.”¹⁹ Al-Mawdūdī offers a different definition of Islam. He succinctly defines it as “obeying God and submitting to His commands without disobeying.” Quraish Shihab, one of Indonesia’s well-known *mufassirin*, emphasizes that Islam is a peaceful religion.²⁰

More broadly, it is important to understand at least five aspects of Islam. First, it is from the following hadith: “‘Tell me (O Muhammad) about Islam!’ The Messenger of God replied, ‘You testify that there is no god but God and Muhammad is His servant and His Messenger, perform ritual prayer, pay *zakah*, fast during Ramadan and perform *hajj* in the *bayt Allah* if you can find a way to it.’” Second, Islam requires total submission to Him with the substantial stance in *tawhid*, full obedience to His rules, and avoiding bad or evil deeds. Islam is also understood as an inner and outer awareness to the power of God over everything in the whole cosmos.

Third, Islam is a way of life with Islamic jurisprudence as well as *mu‘amalah* which is the basis of the moral teachings spread by the Prophet Muhammad to all people.²¹ Islamic jurisprudence or *fiqh* is paramount importance to guide human life on earth. People who follow the guidance will be rewarded both in this world and in the hereafter, whereas people who do not follow go to the opposite, that is, being punished as is stated in Q.S. Āli Imrān [3]: 183.

Fourth, Islam is a collection of rules of life that were revealed to the Prophet in the form of *sharia*. These rules include morals, belief, *mu‘amalah*, thoughts, and history contained in the two main sources (the Quran and Hadith).²² Fifth, Islam teaches how the

¹⁹ Arijlmanan, “Revitalisasi Islam sebagai Pedoman Hidup Manusia,” *Al-Masblahah: Jurnal Hukum dan Pranata Sosial Islam*, Vol. 6, No. 2 (2018), 143.

²⁰ M. Quraish Shihab, *Wasathiyah, Wawasan Islam tentang Moderasi Beragama* (Jakarta: Lentera Hati, 2020).

²¹ R. Abuy Sodikin, “Konsep Agama dan Islam”, *Al-Qalam*, Vol. 20, No. 97 (2003), 12.

²² Eka Safliana, “Al-Qur’an sebagai Pedoman Hidup Manusia”, *Jihafas*, Vol. 3, No. 2 (2020), 72.

human being has a relationship with God, with the fellow human being and with the whole cosmos. Islam, in fact, is the true way of life that is able to integrate with all aspects of human life, serving as a “medicine” to overcome and improve human civilization in a way that pleases God.²³ That is to say, Islam—besides being a means to achieve spiritual realization—indeed plays an important role in regulating many facets of Muslim life, including social interactions.

Digital Space: Social Space

The impact of new media on the society is largely significant.²⁴ As we reach the postmodern era, social media is definitely not new to us as a means of communication, information, entertainment and others.²⁵ The reach of social media goes beyond print media (posters, banners, newspapers, magazines and so on). Social media evolved at the same time that communication and information technology advanced. Schroder argues that changes in communication media are not only limited to interpersonal communication but also mass communication, that is, for example, how viewers’ comments can be broadcast live through a number of social media platforms, such as Twitter, Instagram, and others where a presenter can respond to them directly.²⁶

Various social media platforms are often used to get information, to have fun, to learn new things, to study, and even to do important matters.²⁷ Social media has an unlimited capacity, and it is from this interaction and communication that the public as a whole can be connected. In addition, it is through social media that people are encouraged to have interaction and dialogue with each other without temporal and spatial constraints.²⁸ For instance, interaction between medical personnel and their patients, or between students and their teacher, or even between employees and managers, which

²³ Arijlmanan, “Revitalisasi Islam,” 147.

²⁴ Juliana Kurniawati and Siti Baroroh, “Literasi Media Digital Mahasiswa Universitas Muhammadiyah Bengkulu,” *Jurnal Komunikator*, Vol. 8, No. 2 (2016), 51.

²⁵ Wawan Setiawan, “Era Digital dan Tantangannya,” *Seminar Nasional Pendidikan*, (2017), 2.

²⁶ Reza Praditya Yudha and Irwansyah, “Media Baru Digital,” 184.

²⁷ Muhammad Yusi Kamhar and Erma Lestari, “Pemanfaat Sosial Media YouTube sebagai Media Pembelajaran Bahasa Indonesia di Perguruan Tinggi,” *Intelegensi: Jurnal Ilmu Pendidikan*, Vol. 1, No. 2 (2019), 2.

²⁸ Reza Praditya Yudha and Irwansyah, “Media Baru Digital,” 185.

are not only limited to hospital, classroom and workplace. The internet allows people to express themselves freely and enables them to receive and show religious expression, spiritual support, show rites and religious activities and even help other people understand religion.

Scrutinizing Interfaith Fiqh

Studying interfaith fiqh means trying to understand interreligious relationships from fiqh perspective. It is a perspective truly relevant to the social reality in the present time, since Muslim society in Indonesia has a thriving fiqh tradition. There are two opposing points of view between “classical” and “modern” scholars on the fiqh matters, inter alia concerning fiqh as laws in interreligious fiqh studies, its existence in the present era and Islam itself.²⁹

In Islamic law, there exist three levels of norms, i.e., *al-qiyam al-asāsīyah* (basic values), *al-usūl al-kullīyah* (universal principles) and *al-ahkām al-far‘īyah* (particular legal rules). *Al-qiyam al-asāsīyah* contain abstract norms which are the most essential and universal values in Islamic law, such as *maṣlahah*, justice, freedom and equality. These consist of three categories, viz. theological values (*al-qiyam al-imānīyah*), ethical values (*al-qiyam al-khulūqīyah*), and legal values (*al-qiyam al-shar‘īyah*).³⁰

Islamic law is built on Islamic principles, so that its important rules are also the fundamental principles of Islam itself. According to Anwar, the basic principles of Islam and the basic principles of Islamic law are explicitly and implicitly contained within the Quran. As an illustration, *tawḥīd* means justice, equality, freedom, profit, brotherhood, *shūrā*, *amānah*, *fadīlah*, *tasāmuh*, *ta’awun* and other ideals. Every human being must be treated with compassion both according to religion and ethical principles. That is to say, every human being has the rights to obtain dignity that cannot be violated or taken away, despite age, gender, race, skin color, physical or mental intelligence, language or religion.³¹ In these times, there exist problems which require a review and contextualization of *uṣul al-fiqh*,³² as well as the

²⁹ Yudian Wahyudi, *Interfaith Dialogue from the Perspective of Islamic Law*, (Yogyakarta: UIN Sunan Kalijaga, 2020).

³⁰ Syamsul Anwar, *Studi Hukum Islam Kontemporer* (Jakarta: RM Books, 2007), 37.

³¹ Ibid.

³² Muhammad Said, “Rekontekstualisasi Pemikiran Islam dalam Manhaj Ushul Fiqh Hassan Hanafi,” *Muharrrik: Jurnal Dakwah dan Sosial*, Vol. 2, No. 2 (2019).

fiqh products themselves which have been adhered to for so long and considered “sacred”. For instance, interfaith marriage, the concept of *jiizyah*,³³ the concept of *ahl al-kitāb*, non-Muslims coming into the mosque, praying in congregation, wishing non-Muslims happiness on their festive days, participating in other religious celebrations or rites, passing on a different faith, gender and many other topics that have not been discussed.³⁴

In studying fiqh, it is very necessary to have dialectics which are dynamic in nature, adjusting back and forth between text and context. At first fiqh did not just appear without a cause, but it was the answer for the *faqih* (Islamic jurists) to respond to the problems that occurred during their lifetime. It is important to note that fiqh is a science that deals with all *shara'* laws with respect to all the Muslim practices. In other words, it is the legal basis for Muslims to perform all aspects of life according to the Islamic principles. However, that which is widely studied in Indonesia is inclined to be classical fiqh which is generally seen as permanent and unchangeable.³⁵ In the interreligious context, fiqh usually becomes a barrier to interreligious dialogue. Therefore, fiqh studies need to be critically as well as fundamentally repolished in such a way that the presence of fiqh especially to Muslims does not seem rigid but instead adjustable to be able to find a solution in understanding the context at hand.³⁶

It will of course not be a smooth path to encourage the scholars not to be confined to classical fiqh which in general only adopts the results of earlier *ijtihad*.³⁷ It is common that fiqh only discusses about Islamic laws and Muslim matters. However, it is almost always a sensitive ground when fiqh is forced to talk about other religious groups. Certainly, interfaith fiqh is such an interesting study, given the fact that Indonesians are those who adhere to diverse religions.

³³Erwin Setyo Nugroho, “Marriage of Different Religions in Indonesia in the Interfaith Fiqh Perspective (Building A Pluralist Inclusive Perspective),” *Indonesian Journal of Islamic Law*, Vol. 2, No. 1 (2019).

³⁴ Ibid.

³⁵ Arip Purkon, “Historical Dynamics of Islamic Law Methodology (Ushul Fiqh),” *Mizan: Journal of Islamic Law*, Vol. 2, No. 2 (2018).

³⁶ Ibid.

³⁷Anwar Saleh Hasibuan and Ghofar Siddiq, “Interrelation of *Qiyas Ushul Nahwi* and *Qiyas Ushul Fiqh* in Islamic Law Construction Framework,” *LDII Law Development Journal*, Vol. 2, No. 3 (2020).

Accordingly, to create and maintain harmony, the position of interfaith fiqh is of great importance.³⁸

At this point, fiqh has difficulty answering it. The expected flexibility and universality of the position of fiqh is still limited to being able to touch on interreligious issues. In this regard, fiqh is implicitly inclined to build distrust and spread hatred towards adherents of other religions. This is proven in classical fiqh by labeling those who are different, such as heretic (*bid'ah*), apostate (*murtad*), and polytheist (*musbrik*).³⁹ Although Islam is revealed by God as a perfect religion and its main goal is to implement *rahmatan li al-'alamin*, in reality classical fiqh has not yet touched on the issue of interreligious relationships. To answer modern issues and the rapid development of society, it seems that classical fiqh is no longer able to play its role.⁴⁰ Especially in addressing the issue of interreligious relationships in Indonesia, revitalization is needed in formulating dynamic-contextualist Islamic law. There are several well-known scholars involved in fiqh revitalization, including Muḥammad Shahrūr,⁴¹ Yūsuf al-Qardāwī,⁴² Jamāl al-Bannā,⁴³ Jamāl al-Dīn 'Athīyah,⁴⁴ and Alī Jum'ah.⁴⁵

Ḥasan al-Turābī, one of the leading scholars from Sudan, also contributes to socializing the importance of revitalizing *usul al-fiqh* so that it is better able to answer the needs of modern society contextually. Thus, it is a necessity to reform and formulate *usul al-fiqh* and fiqh to answer the problems of contemporary life. One of the reasons put forth by al-Turābī regarding this matter is that he views

³⁸Husnatul Mahmudah, "Etika Islam Untuk Perdamaian Perspektif Fikih," *El-Hikam: Journal of Education and Religious Studies*, Vol. 9, No. 2 (2016).

³⁹Didi Kusnadi, "Pemikiran Hukum Islam Klasik dan Modern: Karakteristik, Metode, Pengembangan dan Keberlakuannya," *Ay: Syari'ah*, Vol. 16, No. 1 (2014).

⁴⁰Asep Maulana Rohimat, *Metodologi Studi Islam: Memahami Islam Rahmatan Li'alamini* (Surakarta: IAIN Surakarta, 2018), 30.

⁴¹Muhammad Shahrūr, *Metodologi Fiqih Islam Kontemporer* (Yogyakarta: eLSAQ Press, 2004).

⁴²Yūsuf al-Qardāwī, *al-Ijtihād fī al-Shari'ah al-Islāmiyah ma'a al-Nadbrāh al-Tablīghiyah fī al-Ijtihād al-Mu'asirah*, (Kuwait: Dar al-Qalam, 1985); *Ijtihad Kontemporer: Kode Etik dan Berbagai Penyimpangan*, trans. Abu Barzani (Surabaya: Risalah Gusti, 1995).

⁴³Jamāl al-Bannā, *Nahw Fiqh Jadid* (Madinah: Dar as-Suruq, 2008); *Qadiyah Fiqh Jadid* (Madinah: Dar as-Suruq, 2008).

⁴⁴Jamāl al-Dīn 'Athīyah, *Nahwa Taf'īl Maqāsid al-Shari'ah* (Damascus: Dar Al-Fikr, 1423 H).

⁴⁵Muhammad Alī Jum'ah, *al-Hukm al-Syar'i 'inda Usuliyin* (Cairo: Dar as-Salam, 2006); *al-Kalim al-Tayyib Fatāwā 'Asrīyah* (Kairo: Dar as-Salam, 2013).

that the product of *usul al-fiqh* in classical jurisprudence is still abstract. In other words, the discussion tends to be theoretical and does not touch on anything practical. He also adds that the focus of Muslims is still quite stagnant that their *ijtihad* is only about family matters and rituals. Meanwhile, aspects of life that are more important to be answered by *fiqh*—such as international relationships, economics, and even interreligious dialogue—are put aside, or are not even seriously dealt with.

In the Indonesian context, there is a prominent scholar who contributes to the contextualization of *fiqh*, that is, Sahal Mahfudh. In his work titled *Nuansa Fiqih Sosial*, Mahfudh asserts that sharia and faith (*‘aqidah*) are the two foundations of Islam. According to him, *fiqh* should reflect sharia in the sense that all aspects of Muslim are regulated within it. Furthermore, Mahfudh propounds that *fiqh* has four main components, i.e., *jinayah*, *munakahabah*, *mu‘amalab* and *‘ubudiyah*. It is a must for *fiqh* to have universal values and social anchor, and redefining *fiqh* and *usul al-fiqh* is quite important to bring about new *fiqh* products which are relevant to answering contemporary issues.⁴⁶ Meanwhile, al-Qardāwī offers alternative ideas. He seeks to deal with issues of governmental *fiqh* (*fiqh al-dawlah*), *fiqh* of gender equality (*fiqh al-mar‘ah*), and *fiqh* of citizenship (*fiqh al-muwāṭanah*). Consequently, *fiqh al-maqāsid* must place human-based universal values such as justice and equality as primary.⁴⁷

Islam is a religion that claims to be a perfection of earlier religions. Therefore, Islam is expected to be a source of solutions to various social and societal problems. Especially in the context of *fiqh* which discusses relationships between religious communities, the idea of *wahdat al-adyān* emphasizes that Islam is not only part of the major religions, but also requires an articulate understanding and development of an inclusive vision of the existence and function of other religions. For example, the Quran highlights the relationship between Judaism, Christianity and Islam by stating that there were messengers for each group of people, with most of the messengers being descendants of the Prophet Ya‘qūb, known as the *Banī Isrā‘īl*. Ibrahim, as the father of the Prophets, was symbolically called *khatam al-anbiyā’ wa al-mursalīn* by the Prophet Muhammad. These three religions provide a basis for contextualizing *fiqh* on interreligious

⁴⁶ Sahal Mahfudh, *Nuansa Fiqih Sosial* (Yogyakarta: LKiS, 1994), 18-24.

⁴⁷ al-Qardāwī, *al-Ijtihād fī al-Sharī‘ah*.

dialogue. The meeting place of these three Abrahamic religions is called *wahdat al-anbiya'* and *wahdat al-adyan* by Muslim philosophers, that is, the emphasis on the brotherhood among the prophets and on the existence of one God in their faith, in spite of differences in their laws (sharia). The Prophet Muhammad states, "We Prophets are brothers. Even though our mothers are different, our fathers are the same. There is only one God in our faith, and there are many laws."

Reviving *Rahmah* and Humanist Islam in the Contemporary Life

Observing the development of Islamic thought in Indonesia, we can see that a number of Muslim scholars are interested in interreligious dialogue and relationship. One of them is Nurcholis Madjid, who offers the theoretically comprehensive definition of common word (*kalimah sawa*).⁴⁸ Moreover, Madjid propounds inclusive Islamic worldview.⁴⁹ This idea has been regarded as inclusive theology and comprehensive understanding of Islam.⁵⁰ In addition to Madjid, Abdurrahman Wahid practically defended minorities (Confucians) and he also had very close relations with Christians.⁵¹ The efforts made by these two Indonesian scholars are based on the understanding that a human must humanize a human.⁵²

The following Quranic verses pertain to the inclusive theology of Madjid and speak of the common word (*kalimah sawa*).⁵³ First is Q.S. al-Nisā' [4]: 131: "We have enjoined those who were given the Book before you, and We enjoin you to reverence God."⁵⁴ Second is Q.S. al-Shūrā [42]: 13: "He has prescribed for you as religion that which He enjoined upon Noah, and that which We revealed unto

⁴⁸ Johan Setiawan, "Pemikiran Nurcholish Madjid tentang Pluralisme Agama dalam Konteks Keindonesiaan," *Zawiyah: Jurnal Pemikiran Islam*, Vol. 5, No. 1 (2019).

⁴⁹ Nurcholish Madjid, *Islam Doktrin dan Peradaban; Sebuah Telaah Kritis tentang Masalah Keimanan, Kemanusiaan, dan Kemoderenan* (Jakarta: Paramadina, 2000).

⁵⁰ M. Syafi'i Anwar, *Sosiologi Pembaharuan Pemikiran Islam* (Jakarta: Paramadina, 1993).

⁵¹ Greg Barton, *Biografi Gus Dur: The Authorized Biography of Abdurrahman Wahid* (Yogyakarta: LKiS, 2016).

⁵² Muhammad Aqil, "Nilai-Nilai Humanisme dalam Dialog antar Agama Perspektif Gus Dur," *Al-Adyan: Journal of Religious Studies*, Vol. 1, No. 1 (2020).

⁵³ Madjid, *Islam Doktrin*.

⁵⁴ Seyyed Hossein Nasr (ed.), *The Study Quran: A New Translation and Commentary* (New York: HarperOne, 2015).

thee, and that which We enjoined upon Abraham, Moses, and Jesus, that you uphold religion and not become divided therein.”⁵⁵

Islam is essentially inclusive and open to many perspectives. Madjid maintains that Islam as a vision is essentially inclusive and allows interpretation in more diverse ways.⁵⁶ At the exoteric level, one religion is different from the other, yet when viewed from the esoteric level, there exists one ultimate ground. Alwi Shihab believes that religious pluralism is a necessity that is not only limited to recognizing the rights and existence of other religions, but is also an effort to understand diversity in order to achieve social harmony and stability. The concept of cosmopolitanism has illustrated that nationality, language, race and even religion can develop and coexist in one place and time. For example, New York is one of the cosmopolitan cities in the international world, where there are Buddhists, Hindus, Muslims, Christians, Jews and even atheists.⁵⁷ Indonesia is also another example, with its diversity of religions, races, languages and cultures, all created by God with various enriching differences.

Indonesia deserves to be called a “plural and multicultural country” because of its abundant diversity of tribes, languages, cultures and beliefs. In particular, the religious diversity in Indonesia creates richness of religious expression. Even though Indonesia has the largest Muslim population in the world, the country applies peaceful Islamic principles and ideals to promote societal harmony and religious pluralism. However, amidst this diversity, every religion has fundamentalist groups who believe in the superiority of their own religion. As stated by historian and theologian George C. Marsden, angry evangelical thinking is the context for the emergence of fundamentalism.⁵⁸

In Islam there are also fundamentalist groups who often feel superior to others. Religious disputes and violent acts in the name of certain religions are increasingly common in Indonesia. However, Islamic teachings actually put much emphasis on the importance of peace. The Islamic principle of *rahmatan lil ‘alamīn* is the foundation

⁵⁵ Ibid.

⁵⁶ Nurcholish Madjid, *Kebebasan Beragama dan Pluralisme dalam Islam, Passing Over: Melintasi Batas Agama* (Jakarta: Gramedia Pustaka Utama dan Paramadina, 2001).

⁵⁷ Hajo Funke, *Gott Macht Amerika: Ideologie, Religion und Politik der US-Amerikanischen Rachten* (Berlin, 2006), 144.

⁵⁸ Agus Akhmedi, “Religious Moderation in Indonesia’s Diversity,” *Jurnal Diklat Keagamaan*, Vol. 13, No. 2 (2019).

for a good and peaceful life for everyone.⁵⁹ According to Amin Abdullah, from a fiqh perspective, there are at least a few ethics that can be used to bring about peace: maintaining an attitude of forgiveness (QS. al-Shūrā [42]: 40, 2), honoring human dignity (QS. al-Isrā' [17]: 70), using justice and creativity to problem-solving, and developing a loving, peaceful global civilization.

In the Quran there are four oft-repeated ideas: goodness, justice, wisdom and *rahmah* (mercy). According to *Mufradāt al-Qur'an*, the word *rahmah* comes from the verb *ra-hi-ma*, and the derivation of this word is quoted 326 times. This expression signifies gentleness in dealing with someone and invites us to do good to others. The goal of Islamic message to be revealed to the world is “And We sent thee not, save as a mercy unto the worlds.”⁶⁰

The topic “inclusive Islam” is often discussed, popularized and increasingly receiving attention, especially as a response to religious conflicts and as an effort to restore a religious moderation in religious practice. Religious conflicts often arise in Indonesia, both on a small and large scale. As a consequence, it is necessary to adopt interfaith fiqh to resolve such problems.⁶¹ In today's modern era, the internet and social media have become the main forum for social interaction. Thus, there needs to be a breakthrough to include the concept of interfaith fiqh into the social media platforms. This means making information about interfaith fiqh a knowledge material or reference for Islamic law that is easily understood by all people.

Certainly, each religion has its own rules. In Islam, fiqh is a legal reference for the life of Muslim society. Fiqh studies have been widely carried out in Islamic boarding school forums, policy-holding institution (such as MUI), as well as forum Bahtsul Masa'il Nahdlatul Ulama and Majelis Tarjih Muhammadiyah.⁶² Overall, the development of contextual legal solutions, which address the issues of the present time, is the bright spot in all of this. Considering the religious

⁵⁹ Ibnu Farhan, “Aliran Puritan dan Moderat dalam Islam,” *Misykah: Jurnal Pemikiran dan Studi Islam*, Vol. 1, No. 1 (2016), 3.

⁶⁰ Asghar Ali Engineer, *Islam Masa Kini* (Yogyakarta: Pustaka Pelajar, 2004), 208.

⁶¹ Chafid Wahyudi, “Tipologi Islam Moderat dan Puritan: Pemikiran Khaled M. Abou el-Fadl,” *Teosofi: Jurnal Tasawuf dan Pemikiran Islam*, Vol. 1, No. 1 (Juni 2011), 76.

⁶² Abdi Wijaya, “Respons Lembaga Fatwa terhadap Isu Fikih Kontemporer (Studi Komparatif Lembaga Fatwa MUI, Majelis Tarjih Muhammadiyah dan Bahtsul Masail NU),” *Muzabibuna: Jurnal Perbandingan Mazhab*, Vol. 1, No. 2 (2019), 180.

diversity, the importance of interfaith fiqh in Indonesia is something that needs further attention. Life in the midst of plurality will always be faced with various challenges, and the role of interfaith fiqh, therefore, becomes very important.

Interfaith fiqh is very important to be used as a reference and disseminated not only in Islamic boarding schools, formal schools, universities or public lectures, but also in the digital space or social media in which people interact with each other and in which it has even been a primary need in the modern era. That which can be taken include (1) creating a narrative of inclusive Islam resulting from interfaith fiqh that is oriented towards *maslahah* and harmony, (2) creative content-based socialization, (3) building collaboration with various parties in outreach efforts and (4) consistently spreading interfaith fiqh in the digital space. Platforms that can be utilized are WhatsApp, Twitter, Facebook, websites, Instagram and TikTok which is currently popular for the younger generation.

In essence, the objectives are (1) building contextual fiqh narratives in line with the present challenges, (2) the spread of inclusive/pluralist Islamic narratives that can be received by all people, (3) attracting the interest of people from various levels to read, watch, learn or listen, (4) the wider reach of socialization, (5) Keeping spreading the products of interfaith fiqh to Indonesian Muslims, thereby avoiding conflicts rooted in religious diversity as has occurred previously. Put simply, the main objective is to achieve harmony, build peaceful Islam and prevent intra/interreligious conflicts.

To promote inclusive and pluralist theology in Indonesia is of great importance. The Islamic idea of *tawassuṭ* is the cornerstone of religious moderation since every aspect of Islamic teachings is moderate in the sense that it is not excessive. Moreover, Islam also teaches *tawāzūn* (balance). It is based on maintaining moral beliefs when interacting with individuals.⁶³ Such teachings originate from the idea of the middle way (*al-wasatīyah*). If implemented in the Indonesian context, this *wasatīyah* must take into account between adopting religious principles according to the Quran and Hadith and their implementation in the context of our time. Meanwhile, the

⁶³ Wildani Hefni, "Religious Moderation in the Digital Space: Case Study of Mainstreaming Religious Moderation among Islamic Higher Education Institutions," *Jurnal Bimas Islam*, Vol. 13, No. 1 (2020).

textual understanding method does not accord with the principles of codification of Islamic law.

According to Yūsuf al-Qardāwī, whenever various interests and issues arise in a situation where Islamic values and principles collide or conflict, then that which must be emphasized is the principles in *fiqh al-muwāzanāt* (fiqh of balance) and *fiqh al-awlawiyāt* (fiqh of priority) to help determine a decision that is most in line with Islamic values and most beneficial to society as a whole. To resolve such an issue, careful consideration is required so as not to compromise the fundamentals of Islamic law. Yūsuf al-Qardāwī proposes to consider several key principles as follows: (1) Prioritizing the certain over the uncertain, (2) Prioritizing the common interests, (3) Prioritizing community interests over personal interests, (3) Prioritizing the interest of the majority over the minority, (4) Prioritizing the continuously ongoing over the temporary, (5) Prioritizing the fundamental and core interest, (6) Prioritizing the long-term over the short-term.⁶⁴

Rahmah-oriented Islamic terms are widely studied in Indonesia, such as *wasatīyah* Islam or moderate Islam. *Al-wasatīyah* is used to describe Muslims as the best and the chosen people as stated in Q.S. al-Baqarah [2]: 143. Hadith as the second source for Muslims after the Quran also states that in every situation there is always a good thing. In dealing with religious diversity, moderate Islam teaches love, tolerance, and the belief that differences are natural.

Conclusion

Peace between religions can be achieved, but only if it is based on the principles of truth, justice and love. Without being based on them, peace will just be empty rhetoric. Islam and peace are two interrelated things, since the main goal of Islam is to promote and develop a peaceful way of life. Peace does not mean being free from conflict; conversely, well-managed conflict can strengthen peace. One important step in realizing a *rahmah* and dynamic Islamic civilization is to reconstruct fiqh to suit the context of the times, so that it is able to answer the challenges faced, especially in this modern era. That which needs to be emphasized is interfaith fiqh, which should be the basis of Islamic law for Indonesian Muslims amid plurality.

⁶⁴ Yūsuf al-Qardāwī, *Fī Fiqh al-Awlawiyāt, Dirāsah Jadīdah fī Daw' al-Qur'ān wa al-Sunnah* (Kairo: Maktabah Wahbah, 1995), 89-98.

Islamic teachings promote mutual respect (*tasāmuḥ*), social control (*amar ma'rūf naby munkar*), deliberation (*al-shārā'*), peace (*al-silm*), pluralism (*al-ta'addudīyah*), brotherhood (*al-ukhuwwah*), spreading love (*rahmah*), equality (*al-musāmah*), fairness (*al-'adl*), freedom (*al-hurrīyah*), responsibility and honesty (*al-amānah*). In jurisprudence, Islam consistently promotes the idea of reconciliation (*sullḥ*). In order to support socialization and education about Islamic jurisprudence based on *rahmah*, it is important to take advantage of digital space as a medium for communication. By integrating with the progress of the times, it will be easier for Muslims to achieve their great goal of spreading the teachings of mercy (*rahmah*).

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