



Nahdlatul Ulama (NU) and the Fiqh of Civilization (Fikih Peradaban): Strategies, Contributions, and Challenges in Overcoming the Humanitarian Crisis

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Abstract: Islamic boarding schools (pesantren) as places where Islamic scientific discourse is studied and discussed have become important actors in the study of fiqh. This study has also become one of the things that is often discussed and debated in Islam because fiqh is dynamic compared to other studies. Meanwhile, Nahdlatul Ulama (NU) as one of the largest Islamic mass organizations in Indonesia also has a breakthrough in matters of fiqh, namely proposing civilizational fiqh (fikih peradaban) in response to various global problems. In this case, civilizational fiqh also seeks to find solutions to overcome humanitarian crisis problems, especially those related to conflict and its impacts. This article attempts to show the strategic patterns, contributions, and challenges of Nahdlatul Ulama (NU) in viewing and studying civilizational fiqh in the context of a humanitarian crisis. The theory used in this research is the theory of religious authority. This research is based on library research by examining various relevant literature, both in the form of books, journal articles, research reports, and other related sources needed in this research. Next, the data obtained was analyzed by interpreting the sources obtained and narrated in descriptive form. The results of this research show that Nahdlatul Ulama (NU) has made an important contribution to reforming civilizational fiqh in Indonesia. Apart from that, fiqh can answer various problems of religious practice in society, such as the humanitarian crisis in the world like Palestine-Israel conflict, Rohingya refugees, and many others conflict cases that mediated by NU.

Keywords: Civilization, Fiqh, Humanitarian, Islam, Nahdlatul Ulama

Abstrak: Pondok pesantren (pesantren) sebagai tempat kajian dan diskusi keilmuan Islam telah menjadi aktor penting dalam kajian fiqh. Kajian ini juga menjadi salah satu hal yang sering dibicarakan dan diperdebatkan dalam Islam karena fiqh bersifat dinamis dibandingkan dengan kajian lainnya. Sementara itu, Nahdlatul Ulama (NU) sebagai salah satu ormas Islam terbesar di

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Indonesia juga memiliki terobosan dalam bidang fiqh, yakni dengan mengusung fiqh peradaban (fikih peradaban) dalam menyikapi berbagai persoalan global. Dalam hal ini, fikih peradaban juga berupaya mencari solusi untuk mengatasi permasalahan krisis kemanusiaan, khususnya yang berkaitan dengan konflik dan dampaknya. Artikel ini berupaya menunjukkan pola strategis, kontribusi, dan tantangan Nahdlatul Ulama (NU) dalam memandang dan mengkaji fiqh peradaban dalam konteks krisis kemanusiaan. Teori yang digunakan dalam penelitian ini adalah teori otoritas agama. Penelitian ini didasarkan pada penelitian kepustakaan dengan menelaah berbagai literatur yang relevan, baik berupa buku, artikel jurnal, laporan penelitian, dan sumber-sumber terkait lainnya yang diperlukan dalam penelitian ini. Selanjutnya data yang diperoleh dianalisis dengan menafsirkan sumber yang diperoleh dan dinarasikan dalam bentuk deskriptif. Hasil penelitian ini menunjukkan bahwa Nahdlatul Ulama (NU) telah memberikan kontribusi penting dalam reformasi peradaban fiqh di Indonesia. Selain itu, fiqh juga mampu menjawab berbagai permasalahan praktik keagamaan di masyarakat, seperti krisis kemanusiaan di dunia seperti konflik Palestina-Israel, pengungsi Rohingya, dan masih banyak lagi kasus konflik yang dimediasi oleh NU.

Kata Kunci: Peradaban, Fiqih, Kemanusiaan, Islam, Nahdlatul Ulama

Introduction

Fiqh is one of the important studies in Islamic discourse. *Fiqh* is also something that is often discussed and debated when looking at socio-religious reality. *Fiqh* in other terms is also called Islamic jurisprudence. Jurisprudence is a concept that is needed by Muslims to manage their interests in various aspects of life, especially in aspects of the system of worship, administration, trade, politics, society, and civilization (Nazar and Hamid 2022). In this case, there are the terms majority fiqh (*fiqh aghlabiyyat*) and minority fiqh (*fiqh aqalliyat*). *Fiqh* is one of the important studies in Islamic discourse. *Fiqh* is also something that is often discussed and debated when looking at socio-religious reality. In this case, there are the terms majority *fiqh* (*fiqh aghlabiyyat*) and minority *fiqh* (*fiqh aqalliyat*). These two types of fiqh are often studied and researched by scholars and ulama. *Fiqh* of minorities itself is *fiqh* that is generally widely known in the Islamic tradition in general. Countries where the majority of the population is Muslim or where Islam began to grow and develop tend to have and apply relatively uniform Islamic law or majority *fiqh*.

Meanwhile, countries that have historical, cultural, and socio-political differences from Islamic countries, have a different genre of *fiqh* and its nature is more special, namely *fiqh* of minorities. In this case, Islamic boarding schools (pesantren) as one of the places where Islamic traditions in Indonesia are born should be able to become an important factor in studying and researching the *fiqh* of minorities, which is often neglected by the attention of students and pesantren to research it more deeply. But, the *fiqh* of civilization also has a new discourse on how to respond and solve many problems in the world, especially on conflicts, war, and genocide.

Furthermore, a comprehensive study of *fiqh* of civilization is also to see the application of *fiqh* which tends to be different and especially flexible towards religious practice. As is known, *fiqh* of civilization

tends to be applied in areas or places where Muslims live among a majority of other religions. So, *fiqh* is expected to be able to help Muslim minority groups. Meanwhile, if we look at the social background of *fiqh* in civilization, it can be traced to the legal doctrine introduced in the 1990s. This doctrine states that Muslim minorities, especially those living in the West, have the right to special legal disciplines to answer their religious needs which are different from others.

The presence of *fiqh* in civilization is also inseparable from the historical anxiety of Muslim minority communities in the West regarding their religious practices. In this case, the *fiqh* of civilization is an alternative amidst the heterogeneity of society. For this reason, *fiqh* of civilization is the answer to religious practices in various countries or regions, where Muslims are a minority and must apply *fiqh* according to their context. In the end, Islamic boarding schools must focus and prioritize the *fiqh* of civilization to overcome the problems of the times. Islamic boarding schools also continue to strive to study and examine the *fiqh* of civilization in scientific and contextual terms that can answer the challenges and problems faced by Muslim communities.

This article attempts to examine Nahdlatul Ulama (NU)'s efforts to accommodate and study the *fiqh* of civilization (fikih peradaban) in the Indonesian context and international communities, especially on humanitarian crisis issues. Thus, NU can answer various problems being faced by society at large, especially Muslims who live among the majority of other religions. This research also explores *fiqh* as part of a strong Islamic scientific tradition and is studied massively in various Islamic boarding schools in Indonesia and especially in NU. Efforts to examine *fiqh* as a scientific product are an important investigation to maintain scientific authority in Islam.

Research on Nahdlatul Ulama (NU) and *fiqh* of civilization discourse in Indonesia takes several data sources from various literature, including books, journal articles, research reports, newspapers, websites, and other relevant literature sources, and completes the data needed to complete this research. The research began by reviewing various writings that reviewed how Islamic boarding schools try to study the *fiqh* of civilization in Indonesia. Data is processed through several stages, namely data reduction, data display, and data verification. Next, the data is analyzed based on the variables and main research problems. Furthermore, the data is described to show patterns and trends in the data that has been obtained. Finally, carry out interpretation to draw meanings, both implicit and explicit, from various data. All the data that has been read becomes a contextual framework for analyzing the significance of the data obtained (Ikhsan, 2017).

This research uses the theory of religious authority to see how Islamic boarding schools as holders of religious authority become important actors in maintaining *fiqh* as a scientific tradition in Islam (McBride 2016) In this case, it mainly discusses the *fiqh* of civilization in Indonesia. Islamic boarding schools have an important contribution in distributing authoritative studies and understanding of *fiqh*, from kiai or ustadz to students. On this basis, Islamic boarding schools as religious authorities need to look at the genealogy and spread of Islamic *fiqh* within the scope of Islamic boarding schools. Through this theory, the author tries to explore and examine how Islamic boarding schools, Islamic *fiqh* in the Islamic scientific tradition, and *fiqh* of civilization are discussed and applied within the scope of Muslim society in Indonesia, especially for Muslims who are living in the majority of other religions. The involvement and contribution of Islamic boarding schools in studying and strengthening the deepening of the *fiqh* of civilization must be developed as an effort to safeguard the treasures of Islamic knowledge.

Several scholars and academics carried out several research and academic studies related to the *fiqh* of civilization. Research conducted by Ismail Suwardi Suekke on Islamic law and the idea of *fiqh* of the minority in the context of West Papuan Muslim minorities (Wekke, 2014). In his research, he discusses how Islamic law and the *fiqh* of minorities in West Papua are implemented. Just like kinship relations in a family, a wife adheres to Islam, but the father adheres to Catholicism, while the child becomes a Protestant. This interaction is the dynamic that occurs there. Apart from that, other research, namely related to the application of *fiqh* of the minority to the Muslim community in Papua, was also studied by Moh. Wahib in his research (Wahib, 2021). Furthermore, research conducted by Zuhri also reviews how the *fiqh* of minorities in the Western world is debated in academic spaces (Zuhri, 2013). Furthermore, research conducted by Zuhri also reviews how the *fiqh* of minorities in the Western world is debated in academic spaces. Other research was also studied by Tri Yuliantoro in his research entitled "Indigenous Constitution in the Perspective of State Administration and *Fiqh* of Civilization" (Yuliantoro, 2017). This research reviews how to handle the problems of indigenous peoples in Indonesia and discrimination, as well as the marginalization of indigenous peoples, both from a political, legal, and social perspective. Meanwhile, indigenous communities are still not systematically accommodated and are isolated from the political process or national political agenda (Nofialdi, 2019).

The research on the *fiqh* of civilization studied by Amanda Seeth entitled "Renegotiating the Islam and Development-Nexus in Indonesia: Fikih Peradaban as a Middle Ground between Local and Global Development Paradigms" (Seeth, 2023). This research seeks to examine NU and civilizational jurisprudence in the discourse of sustainable development from an Islamic perspective. Civilization jurisprudence focuses on the concepts of humanism, humanist Islam, and Islamic legal reasoning in serving all people regardless of religious affiliation and contributing to various global issues. Apart from that, research related to the jurisprudence of civilization, namely "*Fiqh* of Civilization: The Consistency of Nahdlatul Ulama's Political Fatwa Toward a Century" (Taufiq, 2023). Other research on the *Fiqh* of Civilization also discusses "Tracking the Genealogical Reasoning Reconstruction of Nahdlatul Ulama (NU) *Fiqh*: From 'Social *Fiqh*' to 'Civilization *Fiqh*'" (Nazar and Hamid, 2022). This article examines how the discourse of civilizational jurisprudence is debated and the need for reading and interpreting Islamic boarding school tradition reasoning in redefining the Islamic scientific tradition which is seen as less adaptive in the changing realities of the new world order. Apart from that, NU needs to expand the discussion of the *Fiqh* of Civilization (fikih peradaban) not only regarding political and state issues. However, it also discusses human rights, injustice, gender, anti-corruption, and environmental destruction (Purwono, 2013).

Meanwhile, the study of Islamic boarding schools as a place for the production of knowledge and transmission of Islamic knowledge has not yet been studied further about the *fiqh* of civilization (Bakry, 2019). Besides that, Nahdlatul Ulama also greatly contributes to the *fiqh* discourse which is the *fiqh* of civilization (fikih peradaban) to respond to many problems, especially focused on the humanitarian crisis. Therefore, in this research, the researcher tries to see and study the *fiqh* of civilization from the perspective of Islamic boarding schools and Islamic scientific traditions, but also how the Nahdlatul Ulama gave a new perspective on the *fiqh* civilization. Thus, NU as an important actor behind the

distribution of Islamic knowledge and scholarship, especially fiqh discourse, is also an important focus of study in this research.

Results and Discussion

Islamic Boarding Schools (Pesantren), Nahdlatul Ulama (NU), and Islamic Scientific Traditions

Islamic boarding school (pesantren) as the oldest Islamic educational institution in Indonesia has an important contribution in producing knowledge and producing cadres of ulama who are qualified in religious knowledge (Yusri, 2019). Islamic boarding schools also hold various events and activities that attempt to distribute knowledge and knowledge to the students. In this case, teaching the yellow book or turots book is important for students to study religious texts from various sources and scholars from various branches of science, including fiqh, Sufism, monotheism, and various other sciences (Munfaridah, 2017).

Pesantren are also centers of civilization, where they study and examine the intellectual treasures of Islam and the characteristics of an Islamic boarding school, namely kitab kuning, scientific sanad, and other traditions (Hasanah, 2015). In fact, pesantren are also educational institutions that have been around since before Indonesia's independence (Wati, 2014). This also makes Islamic boarding schools have different characteristics from other educational institutions. The tradition of teaching the yellow book and the relationship between teachers and students in Islamic boarding schools is the main support in building scientific traditions (Zaini Miftach, 2018).

Not only that, pesantren are also an original education system and have shaped the diversity and behavior of Muslim communities in Indonesia from time to time (Yunus, 2019). Like what Ma'rifah and Mustaqim explained regarding Islamic boarding schools and the formation of a civilizational habitus. Islamic boarding schools have an education system that transmits knowledge and knowledge from the kiai to the students. This activity also becomes a learning medium that exists from time to time. Not only that, the character of pesantren also preserves and maintains existing traditions. This is a cultural defense and is based on Islamic teachings (Ma'rifah and Mustaqim, 2015). From time to time, pesantren have also become symbols of strengthening Islamic scientific traditions (Burhanuddin, 2014). Even though they live amid modernity, pesantren still maintain the traditions they have long implemented and transform with the situation and context, where technology is increasingly sophisticated and life continues to change rapidly (Taufiq, 2023).

The existence of Islamic boarding schools as Islamic educational institutions that have superior character in terms of scientific tradition and knowledge transmission. Islamic boarding schools also continue to adapt to the changes and challenges of the times. Islamic boarding schools must be able to be involved and play an active role in overcoming the complex problems of the people. Moreover, to produce scholars with broad insight and maintain Islamic scientific traditions amidst the onslaught of globalization (Bustari and Bashori, 2020). From these conditions, it can be seen that pesantren have a major role and contribution to the Islamic scientific tradition. The production and distribution of Islamic knowledge can be done with concrete efforts. Thus, the authenticity of scientific traditions that occur from time to time can be maintained. This is also the strength of the religious authority in Islamic

boarding schools in maintaining Islamic scientific traditions from generation to generation and having a scientific network that continues to be connected from teacher to student (Asmani, 2016).

Furthermore, the religious authority possessed by pesantren should be an alternative to providing an understanding of Islamic religious knowledge. This situation is also important amidst the many problems and confusion experienced by the Muslim community. So, pesantren as places for the production and transmission of Islamic knowledge and scholarship should play a role in providing understanding to minority Muslims amid diverse and different religious communities. Thus, attitudes of tolerance and mutual respect among religious believers are also prioritized in maintaining good relations between human beings. Not only that, the kiai also contributed greatly to developing pesantren traditions and strengthening Islamic knowledge (Hasanah, 2021). They as ulama and holders of religious authority in pesantren are also role models for the surrounding community and their students. Islamic boarding school education forms the Islamic tradition in Indonesia. The figure of the kiai plays a big role in the development of Islamic scholarship, including *fiqh* of civilization discourse, which is currently the focus and priority for Muslim communities living among the majority of other religions (Fauzi Nazar & Fahmi Abdul Hamid, 2022).

In this case, NU as an important actor in the socio-religious constellation in Indonesia plays an active role in discourse and debate regarding *fiqh*. For this reason, NU has from time to time initiated *fiqh* according to its respective context by referring to the kitab kuning which have been the guide and reference in the world of religious intellectuals. NU and Islamic boarding schools are also like two actors who synergize with each other. Therefore, NU's great contribution to the people is nothing more than the efforts of various Islamic boarding schools that continue to exist in spreading and maintain Islamic scientific traditions (Sahi, Jama, Hulubangga, & Kaaba, 2023).

In their development, both NU and Islamic boarding schools have contributed greatly to the process of Islamic intellectual and scientific networking in Indonesia. For this reason, their work and impact cannot be doubted. However, this synergy is also important to make efforts to find alternatives and breakthroughs in responding to the increasingly complex problems of the times. This means that Islamic boarding schools and NU which have strong scientific roots have potential and are important for looking at various problems from an Islamic scientific perspective that is contextual to changing times.

Nahdlatul Ulama and The Fiqh of Civilization in Indonesia: Strategies, Contributions, and Challenges

Fiqh discourse is often the subject of debate and discussion in Islamic scholarship. *Fiqh* is also a tool in understanding and studying religious texts originating from the Al-Quran and hadith which are the main sources of Islam. In this case, *fiqh* must also be used to produce interpretations of religious texts that are progressive regarding the challenges and problems of the times (Shiddiq, 2015). *Fiqh* itself can be categorized into two categories, namely majority *fiqh* and *fiqh* of the minority. These two categories have their characteristics according to their place and context. The majority *fiqh* is applied in most majority Muslim societies. Meanwhile, *fiqh* of civilization is applied in areas where Muslim groups are a minority. For this reason, the *fiqh* of civilization is an alternative amidst the problems of minority Muslim communities in areas where other religions are the majority.

Furthermore, the *fiqh* of civilization in Islamic boarding schools (pesantren) in Indonesia does not appear to have been studied and deepened very much. This is also an important study so that the study of *fiqh* of civilization is encouraged and researched, and can provide answers to problems faced in a heterogeneous society. Pesantren as holders of religious authority in the religious sphere are important actors in keeping Islamic religious literature maintained and transmitting knowledge effectively from generation to generation (Faesol, 2012). The values that are the character and characteristics of Islamic boarding schools, especially social interactions between kiai, ustadz, and students (santri), are a strong factor in developing Islamic science and knowledge within the framework of pesantren.

Fiqh of civilization must be a concern and can be pursued by pesantren in Indonesia. Moreover, in several regions in Indonesia, there are also many Muslim groups living among communities of other religions, such as in Bali, Muslim groups among Hindus, Papua, Muslim groups living among Christians and Catholics, or in various other regions where Muslims become a minority. For this reason, it is very important that the *fiqh* of civilization be studied on a massive scale and practiced in areas where Muslims are a minority.

The application of *fiqh* in civilization must also basically refer to Islamic religious texts, especially classical books which are interpreted by contemporary scholars by exploring the treasures of Islamic *fiqh* amidst the challenges of an increasingly rapid era. These various changes have also confused some Muslim groups who do not understand how to apply *fiqh* among the majority of people from other religions. An important figure in the *fiqh* of civilization is Sheikh Yusuf Qardhawi. He is an important figure behind contemporary *ijtihad* in the *fiqh* of civilization discourse (Mun'im, 2021).

Some of the issues that became the focus of his study and attention included the fatwas he issued, such as the fatwa for Friday prayers before the setting of the sun and after the Asr prayer. This refers to the context of Muslims in Western countries who perform Friday prayers and who find it difficult to carry out Friday prayers at the specified time, so some areas experience extreme summer heat and there is no time provided by schools or places. So this makes it difficult for them to implement it.

Apart from that, the issue of receiving inheritance from non-Muslim families, giving congratulations on non-Muslim holidays, and several other issues are still the subject of long debate and discussion. Therefore, the thoughts and fatwas issued by Sheikh Yusuf Al-Qardhawi have become important in religious practice in several Western countries, especially when Muslim groups are a minority. Meanwhile, in the Indonesian context, several regions or regions in Indonesia are also Muslims who are minorities. This means that the application of *fiqh* of civilization is also an important concern so that they can live and carry out their worship well in their midst.

Furthermore, Nahdlatul Ulama (NU) also proposed the idea of *fiqh* in responding to various global problems currently being faced, namely the *fiqh* of civilization. This jurisprudence seeks to find solutions and respond to conflicts and problems that occur in the context of modern humans. For this reason, NU also held several halaqah *fiqh* civilizations in various Islamic boarding schools as NU's religious base. For this reason, NU and Islamic boarding schools cannot be separated from each other. This means that Islamic boarding schools affiliated with NU and several Islamic boarding schools that have intellectual-scientific networks with NU are important actors in the circulation of knowledge and the running of this organization. Meanwhile, if we look at the emergence of the term civilizational jurisprudence, namely as a series of events to commemorate the Centennial of the Nahdlatul Ulama (NU) which was held at the

Krapyak Islamic Boarding School, Yogyakarta on 11 September 2022 and the culmination was held on 7 February 2023, namely the International Conference on Fikih Peradaban I in Surabaya" ("Muktamar Internasional Fikih Peradaban Pertama Digelar di Surabaya," n.d.).

Halaqoh Fiqh of Civilization (Halaqoh Fikih Peradaban) was held at several locations and became a forum for discussion and massive dialogue to discuss important issues in the national and international scope. Fiqh has so far been less accommodating and not contextual to current developments. Civilization jurisprudence seeks to make breakthroughs in responding to and responding to various problems related to humanity, global politics, and conflicts occurring in various parts of the world.

Previously, the Nahdlatul Ulama (PBNU) Executive Board held the G20 Religion Forum or R20, NU initiated intensive dialogue and discussion in responding to current developments, especially relations between religious communities in the context of socio-religious and political conflicts occurring in several countries in the world. In this context, the chairman of the Nahdlatul Ulama (PBNU) Executive Board, KH. Yahya Cholil Staquf (Gus Yahya) proposed an idea in NU's efforts to build world civilization. The issues discussed in it also concern humanitarian crises that have occurred in several countries in the world, such as Myanmar, Rohingya refugees, the Israeli-Palestinian conflict, conflicts in the name of religion, and various problems whose solutions are still unresolved. In this case, NU initiated a strategy that must be carried out, such as dialogue in scientific forums and discussions, such as the R20 event and Halaqoh Fikih Peradaban. This breakthrough is an important contribution and contribution in carrying out execution and alternative solutions amid the difficult and complex problems faced.

However, NU also experiences various obstacles and challenges, especially since so far the conflicts that have occurred have often been based on differences of opinion, Islamic schools, and religion. So this becomes a kind of "snowball" that continues to roll and finally at a certain momentum experiences its climax. In situations like this, diplomacy and dialogue efforts are important to unravel and overcome the problems that occur. The civilizational jurisprudence initiated by NU can make a real contribution and contribution to the benefit of the people, as well as the survival of the good life in the life of the nation and state. Living side by side with each other, even though they differ in matters of belief, ethnicity, race, or certain political preferences. This needs to be a priority for all parties in providing concrete alternatives and solutions amid these prolonged clashes and conflicts.

Finally, NU still has responsibilities and various challenges that must be faced in taking part in very complex global issues. The jurisprudence of civilization as a result of consensus and major initiation of the Nahdlatul Ulama Executive Board (PBNU) must be placed as a major response in overcoming and finding solutions amidst the complex problems in the world, especially regarding the humanitarian crisis. Jurisprudence plays a big role in this problem, contextual and inclusive jurisprudence is needed to take a middle path and concrete solutions, when for example the United Nations (UN) is unable to act as a mediator and find solutions to conflict problems that occur. NU was able to step in and respond, as well as participate in taking important initiatives to overcome this acute problem.

Conclusion

Based on the analysis and research findings carried out in this study, it was found that Islamic boarding schools (pesantren) and their relationship to Islamic scientific traditions cannot be separated from each other. Pesantren is the transmission of Islamic knowledge and knowledge. Islamic boarding schools are also able to become actors in strengthening the *fiqh* of civilization in Indonesia. Moreover,

many pesantren study and examine Islamic scholarship, in terms of fiqh, monotheism, Sufism, morals, and other branches of knowledge. This scientific transmission is the strength of pesantren in realizing Islamic scientific civilization. Next, Nahdlatul Ulama also as an organization has contributed to the *fiqh* civilization, especially in responding to many problems, especially the humanitarian crisis. Apart from that, amid community problems related to religious practices in areas where Muslims are a minority, this must also be an important concern. Interpretation and *ijtihad* on religious texts also need to be carried out to find alternative *fiqh* that is flexible and able to answer the challenges of the times. So, the questions and problems faced by Muslim groups amidst the majority of other religions are also able to apply *fiqh* of civilization according to the environment and context in which they live.

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