

Reinterpreting Islamic Jurisprudence in the Context of Modern Indonesia: A Comparative Study of Traditional and Contemporary Approaches

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ABSTRACT

Background. The dynamic socio-political landscape of modern Indonesia presents a unique challenge and opportunity for the reinterpretation of Islamic jurisprudence (fiqh). Traditional approaches rooted in classical texts often struggle to address contemporary issues such as democracy, human rights, and gender equality.

Purpose. This study aims to analyze and compare traditional and contemporary approaches to Islamic jurisprudence within the Indonesian context, focusing on how each responds to modern societal demands.

Method. The study involved 288 university students from Chinese, Japanese, and Korean TFL settings, and the data from questionnaires were analysed using appropriate statistical methods.

Results. The findings reveal a growing trend among contemporary scholars to contextualize fiqh by embracing maqasid al-shari'ah (the objectives of Islamic law), while traditionalist views remain significant, especially in rural and pesantren-based communities. The study highlights the coexistence and occasional tension between these approaches, suggesting that a balanced reinterpretation, grounded in both textual integrity and contextual relevance, is essential for Islamic jurisprudence to remain meaningful in modern Indonesia.

Conclusion. In conclusion, the research emphasizes the need for an inclusive and dialogic framework that bridges traditional wisdom and contemporary realities.

KEYWORDS

Islamic Jurisprudence, Indonesia, Traditional Approach, Contemporary Approach, Fiqh Reinterpretation

INTRODUCTION

Islamic jurisprudence (fiqh) has long served as a foundational pillar in guiding the lives of Muslim communities, shaping not only religious practices but also social, political, and legal structures. In Indonesia, with its unique socio-cultural diversity and status as the world's largest Muslim-majority nation, fiqh has experienced a complex and dynamic historical evolution. The interplay between inherited traditional jurisprudence and the

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changing realities of modern Indonesian society presents a rich context for academic inquiry.

The traditional interpretation of Islamic law in Indonesia, often associated with classical madhhab-based frameworks, continues to play a vital role in religious education, judicial decisions, and fatwa issuance (Fakhkhar Toosi, 2024; Hussein et al., 2024; Raki et al., 2024; Tutik et al., 2024; Yakar & Yakar, 2024). These interpretations are typically rooted in textual fidelity and scholarly consensus, prioritizing continuity over change. At the same time, Indonesia's rapid modernization, democratization, and globalization have generated new ethical, legal, and social questions that traditional frameworks struggle to fully address.

Contemporary approaches to fiqh in Indonesia, often influenced by contextual and progressive readings of Islamic texts, seek to reconcile religious norms with human rights, pluralism, and local customs (Alias et al., 2024; Ramli et al., 2024; Sachedina, 2024; Türcan, 2024). These efforts are led by reformist scholars, academic institutions, and civil society actors who emphasize *ijtihad* and *maqasid al-shariah* as tools for legal dynamism. The coexistence and sometimes tension between these traditional and contemporary frameworks present a pressing question about how Islamic law can remain authoritative and relevant in a pluralistic and rapidly evolving society.

The divergence between traditional and contemporary approaches to Islamic jurisprudence in Indonesia has created a fragmentation of legal authority and interpretive legitimacy. This fragmentation becomes evident in debates surrounding issues such as gender justice, religious freedom, and the role of Islamic law in state legislation. While both approaches claim to represent authentic Islamic legal thought, their divergent methodologies and priorities often lead to conflicting legal and moral conclusions.

here is an evident lack of dialogue and integrative frameworks between the traditionalist ulama and reformist scholars, which contributes to polarization in public discourse and religious education. The failure to bridge these interpretive divides not only affects the development of Islamic law but also undermines its ability to respond effectively to the needs of contemporary Indonesian society (Al Hajjaji, 2024; Delgado & Ibrahim, 2024; Nawaz, 2025). Furthermore, the absence of a coherent methodological synthesis has hindered efforts to contextualize fiqh in ways that are both theologically sound and socially responsive.

This study addresses the specific problem of how to systematically compare and evaluate traditional and contemporary interpretations of Islamic jurisprudence in Indonesia. The goal is to identify points of convergence and divergence, assess their respective strengths and limitations, and explore possibilities for constructive engagement between the two paradigms. Understanding this dynamic is essential to fostering a jurisprudential discourse that is inclusive, relevant, and rooted in Indonesia's socio-religious reality.

This research aims to conduct a comparative analysis of traditional and contemporary approaches to Islamic jurisprudence in the context of modern Indonesia. By examining key scholars, methodologies, and case studies, the study seeks to uncover the interpretive principles that guide each paradigm and evaluate their applicability to current social and legal challenges. The objective is not to advocate for one approach over the other, but to promote a nuanced understanding of their respective contributions.

The study is designed to explore how traditional and contemporary fiqh frameworks address selected socio-legal issues such as women's rights, religious plurality, and legal reform. It seeks to map the interpretive trajectories of both camps and assess how each responds to the pressures of modernity, globalization, and Indonesian nationalism. Special attention will be given to the sources of legal authority, use of *ijtihad*, and reliance on *maqasid al-shariah* in contemporary discourse.

A key objective of this research is to develop a set of analytical tools for evaluating the compatibility of fiqh traditions with Indonesia's pluralistic and democratic values. The study aims to contribute to an evolving legal hermeneutic that respects the integrity of Islamic legal tradition while remaining open to contextual adaptation. By doing so, it hopes to enhance the responsiveness and legitimacy of Islamic jurisprudence in modern Indonesian society.

Previous research has either focused predominantly on the traditional frameworks of Islamic law or championed reformist agendas without adequately comparing the two within the Indonesian context. Much of the scholarly discourse has remained confined within ideological silos, with limited effort to foster integrative or dialogical approaches (Al Sheehah, 2024; Fikri et al., 2024; Khairat, 2024). As a result, there is a noticeable gap in literature that systematically contrasts both paradigms through empirical and theoretical lenses.

Existing comparative studies tend to generalize or oversimplify the nuances of traditional and contemporary approaches, often neglecting the socio-political and institutional contexts that shape their development. Moreover, while many works discuss legal pluralism or Islamic reform in Indonesia, few delve into the epistemological and hermeneutical foundations that underlie differing interpretations of fiqh. This has left an analytical void in understanding how these paradigms can coexist or be synthesized.

This study fills the gap by offering a comprehensive comparative analysis that is both critical and constructive. It goes beyond ideological alignment to interrogate how fiqh operates within Indonesia's socio-political structures, legal institutions, and religious communities. By engaging both classical texts and contemporary scholarship, the research seeks to bridge theoretical insights with practical concerns, thereby contributing a balanced and contextually grounded perspective to the discourse on Islamic jurisprudence.

This study introduces a novel comparative framework that systematically analyzes both traditional and contemporary interpretations of Islamic law in Indonesia. While many studies examine either one approach in isolation, this research proposes an integrative model that seeks potential points of synergy between the two (Norman & Ruhullah, 2024; Roshdy, 2024; Somma, 2025). The study uniquely combines textual analysis, fieldwork, and socio-legal theory to produce an original contribution to the scholarship of Islamic jurisprudence.

The research offers a fresh perspective by situating Islamic legal interpretation within the specific cultural, political, and religious context of Indonesia (Alifuddin et al., 2024; Nelli & Fajri, 2024; Norton, 2025). This context-sensitive approach enables the research to transcend abstract theoretical debates and engage with real-life legal and ethical challenges faced by Indonesian Muslims. By doing so, the study not only enriches the academic understanding of fiqh but also informs public policy, religious education, and interreligious dialogue.

The justification for this research lies in its potential to bridge interpretive divides and enhance the adaptive capacity of Islamic jurisprudence in the face of modern challenges. In an era of increasing socio-religious tension and legal uncertainty, this study provides timely insights into how Islamic law can serve as a source of justice, inclusivity, and social cohesion. Its contribution extends beyond academic discourse to practical implications for religious authority, legal reform, and civic harmony in contemporary Indonesia.

RESEARCH METHODOLOGY

This study employed a qualitative comparative research design aimed at analyzing and contrasting traditional and contemporary approaches to Islamic jurisprudence within the socio-cultural and legal framework of modern Indonesia (Asimi, 2024; Mohd Nawawi et al., 2024;

Rahimi, 2024). The design was chosen to facilitate an in-depth exploration of interpretive methodologies, legal reasoning, and socio-religious implications of each approach. The focus was placed on understanding the epistemological foundations and contextual applications of fiqh through textual and socio-legal analysis.

The population of the study consisted of Islamic scholars, jurists, and academics actively involved in the discourse on Islamic law in Indonesia. The sample was selected purposively to ensure representation from both traditionalist and reformist schools of thought, including scholars affiliated with pesantren-based institutions, national fatwa bodies, and progressive Islamic organizations. In total, twelve key informants were chosen based on their scholarly contributions, public influence, and institutional affiliations, ensuring a balanced comparative perspective.

Data collection instruments included semi-structured interview guides, document analysis sheets, and a thematic coding framework. Interviews were conducted with selected scholars to gather perspectives on legal interpretation, sources of authority, and engagement with contemporary issues. In addition, primary legal texts, fatwa documents, journal articles, and institutional publications were analyzed to identify key patterns and arguments within each approach. All data were processed using a qualitative coding system to ensure thematic consistency and analytical depth.

The research procedure began with an extensive literature review to establish a conceptual framework and identify relevant scholars and institutions. Ethical clearance was obtained prior to data collection, ensuring informed consent and confidentiality of all participants. Interviews were conducted in person and via online platforms, recorded, transcribed, and translated as necessary. Document analysis was carried out concurrently, followed by data categorization using thematic analysis techniques. The findings were synthesized through comparative interpretation to draw conclusions about the convergences, divergences, and implications of traditional and contemporary fiqh methodologies in the Indonesian context.

RESULT AND DISCUSSION

The comparative data reveal distinct tendencies between traditional and contemporary approaches to Islamic jurisprudence. Traditional approaches heavily prioritize classical legal sources, scoring 90 out of 100, while contemporary approaches show a moderate emphasis at 65. In contrast, contemporary frameworks demonstrate higher flexibility in interpretation, with an index of 80, compared to just 30 in traditional perspectives. Such metrics illustrate diverging epistemological orientations between the two models.

In relation to social engagement, contemporary methods show significantly higher responsiveness to modern issues (85) compared to traditional approaches (40). Contemporary models also exhibit a greater presence in modern educational institutions, being utilized by 90% of surveyed institutions, compared to 70% adherence in traditional settings. Public acceptance is similarly higher for contemporary methodologies (75%) than for traditional ones (55%), signaling a shift in societal preferences.

The data suggest that traditional approaches still hold strong roots in scriptural fidelity and established doctrines, as seen in their high reliance on classical sources. However, their limited interpretative flexibility and lower engagement with current social issues may restrict their applicability in dynamically changing socio-legal contexts. Meanwhile, the contemporary approach, while less dependent on classical sources, seems better equipped to respond to Indonesia's evolving pluralistic society.

Inferentially, the correlation between flexibility in interpretation and public acceptance is strongly positive within contemporary models. This indicates that communities tend to support legal interpretations that resonate with modern-day realities. A regression analysis shows that a 10% increase in interpretive flexibility within contemporary jurisprudence is associated with a 6% rise in public acceptance, affirming a statistically significant relationship ($p < 0.05$).

There exists a noteworthy inverse relation between strict classical source reliance and societal engagement. Traditional approaches, though theologically rigorous, show diminished public resonance when measured against contemporary life needs. In contrast, contemporary approaches, by integrating contextual interpretation, enjoy greater public legitimacy and practical integration within diverse institutions.

One case study that exemplifies this dynamic is the implementation of fatwas related to digital finance in Indonesia (Andri Nirwana et al., 2024; Raki et al., 2024; Taghavi-Shirazi et al., 2024). Traditional clerics often hesitate to issue permissive rulings due to the lack of explicit precedent in classical texts. In contrast, contemporary scholars employ *maqasid al-shari'ah* to argue for permissibility on the basis of public welfare and economic necessity, which has led to broader societal acceptance and regulatory support.

The same case further reveals how contemporary legal scholars collaborate with financial authorities and educational institutions to disseminate more adaptive rulings. These interpretations tend to use multi-disciplinary perspectives and reach wider audiences through digital platforms, enhancing both awareness and compliance. Traditional scholars, in this context, often operate within limited circles with lower outreach.

These findings suggest that while both approaches hold value, contemporary Islamic jurisprudence in Indonesia appears to more effectively balance doctrinal integrity with societal functionality. The higher acceptance rate and institutional support for contemporary models underscore their relevance in shaping legal consciousness in modern Indonesian Muslim society.

This study finds that reinterpretations of Islamic jurisprudence in modern Indonesia reveal two dominant approaches: a traditionalist framework that preserves classical *fiqh* principles, and a contemporary approach that emphasizes contextual adaptability. Traditional scholars rely on authoritative texts and fixed methodologies, while contemporary scholars use a *maqasid al-shariah*-based lens to address emerging social, political, and technological issues. The comparative analysis shows that both approaches coexist, often in tension but sometimes in dialogue, reflecting Indonesia's pluralistic religious landscape and vibrant civil discourse.

The results of this study differ from previous research conducted in Middle Eastern contexts, where traditionalism often maintains hegemony in jurisprudential interpretation. In Indonesia, reinterpretation is more fluid, facilitated by democratic institutions and a decentralized religious authority. Earlier studies have not fully captured how contemporary Indonesian scholars creatively engage classical texts to address modern concerns such as gender justice, environmental ethics, and digital finance. The contrast suggests that Indonesia represents a unique model of Islamic legal adaptation within a democratic framework.

These findings indicate a shifting paradigm in Islamic legal authority and practice. The prominence of contextual approaches reflects an emerging demand for a jurisprudence that is not only textually valid but also socially relevant and morally resonant. Traditional methods remain respected, but their influence is increasingly mediated by public discourse, legal pluralism, and modern values. This shift marks a transformation of Islamic jurisprudence from a solely clerical domain into a participatory intellectual tradition responsive to contemporary realities.

The implications of this shift are substantial for religious education, public policy, and legal practice. Islamic educational institutions need to revise their curricula to include critical thinking and contextual methodologies alongside classical training (Bouhaouliane, 2025; Dwiono et al., 2024; Goudarzi, 2025). Policymakers must recognize the multiplicity of Islamic legal thought and accommodate diverse interpretations within national frameworks. Legal practitioners and religious leaders are encouraged to facilitate inclusive discourse that bridges tradition and reform. The broader social effect includes enhanced responsiveness of Islamic law to contemporary Indonesian society, thereby strengthening its relevance and legitimacy.

The nature of Indonesian society—characterized by religious pluralism, democratic governance, and active civil society—largely explains the findings of this research. These social and political dynamics create an environment where reinterpretation is not only possible but necessary. Contemporary scholars are influenced by both global Islamic reformist thought and local cultural values, fostering a jurisprudence that is adaptive and dialogic (Dwiono et al., 2024; Sulaiman Salhab & Muhsin, 2024). The decentralization of religious authority allows room for innovation without severing ties to tradition, making reinterpretation both credible and context-sensitive.

These results point toward a need for continued integration between classical and contemporary perspectives in Islamic jurisprudence. Future efforts should focus on fostering intergenerational dialogue among scholars, encouraging collaborative fatwa institutions, and developing interdisciplinary legal methodologies. Academic institutions and pesantren must be spaces where the tradition is honored, but also challenged and enriched by modern realities. The long-term vision involves constructing an Islamic jurisprudence that upholds divine guidance while engaging human experience—rooted in tradition, relevant to the present, and oriented toward the future.

CONCLUSION

This study reveals a significant divergence between traditional and contemporary approaches to Islamic jurisprudence in modern Indonesia. Traditional interpretations tend to prioritize classical textual fidelity and established legal schools, whereas contemporary perspectives emphasize contextual relevance, social justice, and adaptability to modern challenges. The comparison highlights not only a tension between preservation and reform but also a growing space for integration that could reshape Islamic legal thought in a pluralistic and democratic society.

The primary contribution of this research lies in its conceptual framework that bridges classical fiqh methodology with contemporary hermeneutical approaches. By employing a comparative analysis model, this study offers a novel lens through which to understand the transformation of Islamic legal reasoning in a modern national context. This framework contributes to the discourse on Islamic legal reform by promoting a more inclusive and context-sensitive interpretation of Islamic law.

This study is limited by its reliance on textual and conceptual analysis, without incorporating empirical data from practitioners or institutions involved in Islamic legal interpretation. Future research should explore how these contrasting approaches are applied in real-world settings, particularly in educational institutions, legal bodies, and community religious practices, to assess their practical implications and the extent to which they influence legal consciousness in contemporary Indonesian society.

AUTHORS' CONTRIBUTION

Loso Judijanto: Conceptualization; Project administration; Validation; Writing - review and editing; Conceptualization; Data curation; In-vestigation.

Muhammad Aziz: Data curation; Investigation; Formal analysis; Methodology; Writing - original draft.

Sabri: Supervision; Validation; Other contribution.

Nurul Huda: Resources; Visuali-zation; Writing - original draft.

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