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Masnun Tahir's *Nationalist Fiqh*: The Integration of Islam and Nationalism in Addressing Social Challenges in Indonesia

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Abstract

This study analyzes Masnun Tahir's thoughts on *Nationalist fiqh* as a solution to the challenges of pluralism, intolerance, and radicalism in Indonesia. Masnun Tahir proposes a paradigm of *Nationalist fiqh* that integrates Islamic values with the multicultural context of Indonesian nationhood. The study employs Jürgen Habermas's Critical Hermeneutics theory as an analytical framework to explore the transformative dimensions of this thought, encompassing interfaith dialogue, education, and the strategic role of religious scholars (ulama) in fostering social harmony. Using a library research methodology and textual analysis, this research examines Masnun Tahir's works and the relevance of his ideas in the social context. The findings indicate that Masnun Tahir's *Nationalist fiqh* offers a comprehensive approach that balances Islamic teachings with national values, positioning pluralism as a strength to enhance unity. This paradigm encourages the application of

contextual Islamic law that respects local values and aligns with societal needs. Interfaith dialogue emerges as a central pillar of this paradigm, functioning as a tool to strengthen social integration and minimize conflicts arising from differences in belief. Education based on *Nationalist fiqh* is also identified as a key element in shaping a tolerant and patriotic generation. The analysis reveals that the paradigm of *Nationalist fiqh* is not merely normative but also transformative, providing practical solutions to the challenges of intolerance and radicalism. However, its implementation faces obstacles, including social resistance and the need for cross-sectoral support. With inclusive and sustainable strategies, *Nationalist fiqh* holds significant potential as an instrument for inclusive social transformation in Indonesia. This study contributes to the enrichment of theoretical discourse and offers a new perspective on bridging religion and nationhood in the Indonesian context.

Keyword: *Nationalist fiqh, Masnun Tahir, Critical Hermeneutics, Indonesia.*

A. Introduction

Indonesia, as the country with the largest Muslim population in the world, faces various social challenges related to exclusionism,¹ social intolerance,² social conflict,³ and radicalization in the name of Islamic teachings.⁴ These phenomena have become deeply entrenched issues within Indonesian society, creating social divides among different groups. Data indicates that cases

¹ Novi N Ainy, "Pancasila Dan Tantangan Indonesia Emas 2045 Menghadapi Eksklusivisme Beragama," *Jalan Damai*, June 6, 2024, <https://jalandamai.org/pancasila-dan-tantangan-indonesia-emas-2045-menghadapi-eksklusivisme-beragama.html>.

² Raffles Abdi Kusuma, "Dampak Perkembangan Teknologi Informasi Dan Komunikasi Terhadap Perilaku Intoleransi Dan Antisocial Di Indonesia," *Mawaizh: Jurnal Dakwah Dan Pengembangan Sosial Kemanusiaan* 10, no. 2 (2019): 273–90, <https://doi.org/10.32923/maw.v10i2.932>.

³ Muliono Muliono, "Pola Perubahan, Wacana, Dan Tren Konflik Sosial Di Indonesia," *Al-Adyan: Journal of Religious Studies* 1, no. 2 (2020): 115–32, <https://doi.org/10.15548/al-adyan.v1i2.1949>.

⁴ Inayatul Ulya, "Radikalisme Atas Nama Agama: Tafsir Historis Kepemimpinan Nabi Muhammad Di Madinah," *Addin* 10, no. 1 (2016): 113–40, <https://doi.org/10.21043/addin.v10i1.1131>.

of intolerance significantly increased throughout 2023, with 217 incidents involving 329 violations of freedom of religion or belief (FoRB), reflecting a growing strain in interfaith relations.⁵ Other studies highlight how certain individuals and groups use specific interpretations of Islamic teachings to justify exclusive or radical actions, potentially undermining social harmony in Indonesia.⁶ These challenges call for a more holistic approach to understanding and addressing the underlying social dynamics.

In addressing these challenges, Muslims in Indonesia need to enhance their paradigmatic awareness in practicing Islamic teachings in alignment with the context of nationhood. Islam, as a religion of *rahmatan lil 'alamin* (a blessing for all creation), offers values of justice, tolerance, and inclusivity that can serve as solutions to these social issues.⁷ A jurisprudential paradigm that considers national context can provide a relevant approach to tackling these problems. For instance, the application of inclusive *fiqh muamalah* (Islamic commercial jurisprudence) can encourage cross-group collaboration in economic fields,⁸ while *fiqh siyasah* (Islamic political jurisprudence) that is responsive to political pluralism can strengthen the democratic foundation in Indonesia.⁹ This paradigm must be formulated based on the principles of *maqasid al-shari'ah*, which aim to promote societal welfare and prevent harm.¹⁰

⁵ "Setara Institute Catat 329 Pelanggaran Kbb Sepanjang 2023," *Setara Institute*, 2023, <https://setara-institute.org/setara-institute-catat-329-pelanggaran-kbb-sepanjang-2023/>.

⁶ Asep Saeful Muhtadi, "Radikalisme Agama, Tinjauan Sosial Politik," *Socio Politica: Jurnal Ilmiah Jurusan Sosiologi* 8, no. 1 (2018): 37–44, <https://doi.org/10.15575/socio-politica.v8i1.3486>.

⁷ Arifuddin Arifuddin, "Menampilkan Islam Rahmatan Lil'Alamin," *Al-Tarbiyah: Jurnal Ilmu Pendidikan Islam* 2, no. 4 (2024): 48–55, <https://doi.org/10.59059/al-tarbiyah.v2i4.1408>.

⁸ Lutfi Maulana et al., "Implementasi Prinsip-Prinsip Ekonomi Syariah Dalam Kebijakan Pembangunan Berkelanjutan," *Jurnal Ekonomi Dan Bisnis* 4, no. 2 (2024): 213–18, <https://doi.org/10.56145/jurnalekonomidanbisnis.v4i2.275>.

⁹ Roidatus Shofiyah et al., "Principles of Fiqh Siyasah in the Constitution of the Republic of Indonesia," *Jurnal Al-Qadau: Peradilan Dan Hukum Keluarga Islam* 11, no. 1 (July 31, 2024): 84–93, <https://doi.org/10.24252/al-qadau.v11i1.50225>.

¹⁰ Rizal Al Hamid, Arif Sugitanata, and Suud Sarim Karimullah, "Sinkronisasi Pendekatan Sosiologis Dengan Penemuan Hukum Islam Sui Generis Kum Empiris," *Bertuah*

One prominent figure offering a contextual solution to these issues is Masnun Tahir, an Indonesian scholar who advocates the concept of *Nationalist fiqh* (nationalist jurisprudence). Masnun Tahir has developed a jurisprudential paradigm that integrates national values into the understanding and application of Islamic teachings. The uniqueness of Masnun Tahir's thought lies in his ability to formulate a flexible and inclusive jurisprudence that is relevant to Indonesia's diverse context. He emphasizes the importance of respecting cultural, religious, and local customary pluralism, ensuring that the implemented fiqh is not only theologically sound but also contextually relevant to the everyday lives of Indonesians.¹¹ His ideas reflect the spirit of *Bhinneka Tunggal Ika* (Unity in Diversity) and aim to bridge the gaps between religion, culture, and the state.

A reflection on Masnun Tahir's thoughts reveals that his *Nationalist fiqh* (nationalist jurisprudence) paradigm can serve as an effective solution to various social issues in Indonesia. The initial argument of this study is that Masnun Tahir's *Nationalist fiqh* paradigm is not only relevant but also urgent to implement in the multicultural context of Indonesia, which faces the threat of intolerance. His ideas provide a conceptual foundation to address the challenges of radicalism and exclusionism through an inclusive approach rooted in national values. This paradigm also offers a practical framework for strengthening social integration and maintaining interfaith harmony in Indonesia.

Accordingly, this study focuses on an in-depth analysis of Masnun Tahir's reflections on the *Nationalist fiqh* paradigm. The primary objective is to understand the concept, principles, and practical implications of this paradigm within the context

Jurnal Syariah Dan Ekonomi Islam 4, no. 1 (2023): 48–60, <https://doi.org/10.56633/jsie.v4i1.553>.

¹¹ Masnun Tahir, "Wacana Fikih Kebangsaan Dalam Penanggulangan Dan Pencegahan Radikalisme Di Lingkungan Kampus Di NTB," *Asy-Syir'ah: Jurnal Ilmu Syari'ah Dan Hukum* 49, no. 2 (2015): 298–314, <https://doi.org/10.14421/ajish.2015.49.2.298-314>.

of national and state life in Indonesia. This research employs a library research method with textual analysis of Masnun Tahir's written works, such as his books and articles. The methodology is complemented by a philosophical approach, incorporating an epistemological perspective to understand how Masnun Tahir constructs his knowledge and an ontological perspective to explore the social realities shaped by and influencing his thoughts.

Scholars have conducted related studies on Masnun Tahir, including an analysis of his role in preventing radicalism in Indonesia. In this context, Masnun Tahir proposed a five-step strategy that includes deepening religious understanding, enhancing morality, promoting peace-based education, reorienting patterns of religious diversity, and optimizing the roles of community leaders to curb the growth of radicalism.¹² Other research highlights Masnun Tahir's ideas on multicultural fiqh, which focus on inclusivity, respect for individual rights regardless of religious and cultural backgrounds, and a vision of fostering harmony among societal groups.¹³

Furthermore, specific studies on *Nationalist fiqh* remain limited. However, the researcher identified other relevant studies from scholars that relate to this concept. One such study examines how Gus Miftah contextualizes Quranic and Hadith values within the framework of Indonesian nationalism and diversity, emphasizing values of tolerance, unity, and concern for national integrity.¹⁴ Another study explores the antithesis between Islam and nationalism, focusing on issues such as the application of Islamic law, the concept of a caliphate, and the prohibition of honoring the

¹² Arif Sugitanata, Siti Aminah, and Suud Sarim Karimullah, "Strategi Tuan Guru Masnun Tahir Dalam Mencegah Berkembangnya Radikalisme Di Indonesia," *Jurnal Ilmu Kepolisian* 17, no. 1 (2023): 14–14, <https://doi.org/10.35879/jik.v17i1.372>.

¹³ Arif Sugitanata et al., "Building Harmony In Diversity: Exploring Masnun Tahir's Perspective on Multicultural Fiqh," *JURISY: Jurnal Ilmiah Syariah* 3, no. 2 (2023): 47–57, <https://doi.org/10.37348/jurisy.v3i2.346>.

¹⁴ DI Ansusa Putra, Ardiyansyah Ardiyansyah, and Mekki Klaina, "Promoting the Spirit of Nationalism through Quran-Hadis Lectures: A Case of Gus Miftah's Da'wah Model," *Islamic Communication Journal* 8, no. 1 (2023): 1–20, <https://doi.org/10.21580/icj.2023.8.1.15250>.

national flag. Using a root-cause analysis approach, this research highlights that certain elements of Islam can align with nationalism through the enrichment of a moderate understanding.¹⁵

Meanwhile, studies on “middle-path nationalism” offer an integration of the concepts of ummah and nationalism by adopting the positive values of both. This approach avoids conflicts between faith-based solidarity and national identity, demonstrating that nationalism can serve as a tool to strengthen unity without undermining religious bonds.¹⁶ On the other hand, research on A.R. Baswedan’s nationalist dakwah emphasizes the importance of propagating Islamic teachings rooted in the values of *Pancasila* and *Bhinneka Tunggal Ika* (Unity in Diversity) as an effort to harmonize Islamic spirit with national identity.¹⁷ Additional studies have also explored the perspectives of Ahmad Hassan, M. Isa Anshary, and M. Natsir on nationalism grounded in Islamic teachings. These figures stress that differences in ethnicity, religion, and language present opportunities to apply inclusive Islamic values to bolster social solidarity within multicultural societies.¹⁸

Based on the explanation above, this study has distinct characteristics that differentiate it from previous research. While earlier studies primarily focused on descriptive aspects of Masnun Tahir’s thoughts and roles, such as strategies for preventing radicalism, ideas on multicultural fiqh, or his inclusive approach to

¹⁵ Riza Saputra and Aidil Amin, “Antithesis In Taking Meaning of Nationalism: The Contestation Between Islam and Nationality,” *Kontemplasi: Jurnal Ilmu-Ilmu Ushuluddin* 9, no. 2 (2021): 365–83, <https://doi.org/10.21274/kontem.2021.9.2.365-383>.

¹⁶ Robitul Firdaus, “Nasionalisme ‘Jalan Tengah’: Mengurai Potensi Benturan Ideologi Nasionalisme Dan Sentimen Ummah Di Era Nation State,” *Akademika: Jurnal Pemikiran Islam* 23, no. 2 (2018): 313–38, <https://doi.org/10.32332/akademika.v23i2.1105>.

¹⁷ Agus Riyadi, Zulfikar Ganna Priyanga, and Mustolehudin Mustolehudin, “Dakwah Islam Dan Nasionalisme: Studi Kasus Dakwah Kebangsaan AR Baswedan (Islamic Da’wah and Nationalism: A Case Study of Nationalism Da’wah of AR Baswedan),” *Jurnal Dakwah Risalah* 32, no. 1 (2021): 1–19, <https://doi.org/10.24014/jdr.v32i1.12288>.

¹⁸ Zulkarnain Yani et al., “Nationalism Thoughts of Ahmad Hassan, M. Isa Anshary, and M. Natsir: A Study of the Works of Islamic Thinkers in the City of Bandung, Indonesia,” *Cogent Social Sciences* 9, no. 2 (December 15, 2023): 2281049, <https://doi.org/10.1080/23311886.2023.2281049>.

fostering harmony among groups, this study emphasizes a critical and reflective analysis of Masnun Tahir's ideas within the context of *Nationalist fiqh*. In conducting this analysis, the study employs Critical Hermeneutics theory by Jurgen Habermas as an analytical framework. This approach facilitates a deeper examination of Masnun Tahir's ideas, not only by interpreting their meanings but also by exploring the social, political, and cultural contexts that influenced their development. This theory is particularly relevant for identifying the ideological dimensions and national values embedded within *Nationalist fiqh* as a response to the challenges of pluralism and social integration in Indonesia.

The research seeks to explore the relevance of these ideas to contemporary social challenges, particularly in relation to pluralism and social integration in Indonesia. Additionally, it enriches the theoretical discourse by offering a new perspective on *Nationalist fiqh*, which has not been thoroughly addressed in previous studies. Through analysis grounded in Critical Hermeneutics theory, the study aims not only to understand Masnun Tahir's ideas textually but also to examine the extent to which these ideas hold practical relevance in addressing social issues such as intolerance and radicalism. Thus, the theory serves to bridge the theoretical dimensions with practical solutions that can be implemented.

Practically, this study not only provides policy recommendations based on Islamic values to address intolerance and radicalism but also aims to contribute to building social harmony and strengthening national unity. The study of Masnun Tahir's *Nationalist fiqh* is particularly urgent in the current Indonesian context. Amid various challenges, including interfaith conflicts and radicalization, *Nationalist fiqh* offers solutions that are both theoretical and practical. The theoretical framework of Critical Hermeneutics enables this research to explore the transformative aspects of Masnun Tahir's ideas, which function not merely as discourse but also as actionable practices in societal and state

contexts. Furthermore, this study aspires to inspire other Muslim scholars and intellectuals to continue developing jurisprudential thoughts that are relevant to contemporary needs and local contexts. In this way, *Nationalist fiqh* evolves beyond being a mere academic discussion, becoming a practical framework for fostering coexistence and addressing societal challenges within the fabric of Indonesian life.

B. Discussion

1. Critical Hermeneutics as an Analytical Framework for *Nationalist fiqh*

The Critical Hermeneutics theory developed by Jürgen Habermas serves as the analytical foundation for this research to understand and explore Masnun Tahir's concept of *Nationalist fiqh*. Critical Hermeneutics is a philosophical approach that not only focuses on the interpretation of texts but also examines the social, cultural, and political contexts underlying a particular idea.¹⁹ This approach enables researchers to identify the ideological dimensions, values, and historical background that shape the formation of an idea.²⁰ In the context of this study, Critical Hermeneutics is employed to interpret Masnun Tahir's thoughts within a broader framework, encompassing the challenges of pluralism and social integration in Indonesia.

The relevance of Critical Hermeneutics lies in its multidimensional approach. Habermas posits that every text, idea, or social action cannot be separated from the ideological context and social forces that influence it.²¹ Therefore, this theory allows the research to uncover the relationship between the concept of *Nationalist fiqh* and the national values embedded within it as a

¹⁹ Jürgen Habermas, *Knowledge and Human Interests* (New Jersey: John Wiley & Sons, 2015).

²⁰ Jürgen Habermas, *On the Pragmatics of Social Interaction: Preliminary Studies in the Theory of Communicative Action* (Cambridge: MIT Press, 2001).

²¹ Jürgen Habermas, *Truth and Justification* (New Jersey: John Wiley & Sons, 2014).

response to social issues such as intolerance and radicalization. Critical Hermeneutics also provides space for critical analysis of the social and political structures that may constrain or support the development of these ideas.

In this study, Critical Hermeneutics is utilized as an analytical tool to understand *Nationalist fiqh* not only as a textual construct but also as a transformational discourse. This approach highlights the practical aspects of Masnun Tahir's ideas and examines their relevance in addressing contemporary social challenges. Thus, this theory bridges the theoretical dimensions with practical solutions, which is one of the primary objectives of this research. Critical Hermeneutics also offers a framework for evaluating the extent to which the concept of *Nationalist fiqh* can be implemented as a guideline for building social harmony and strengthening national unity amidst Indonesia's diverse society.

Consequently, Jurgen Habermas's Critical Hermeneutics theory becomes a relevant instrument to support the analysis in this research. By employing this approach, the study not only examines Masnun Tahir's thoughts as a theoretical construct but also explores their practical contributions in responding to the challenges of pluralism and social integration. Critical Hermeneutics helps the researcher delve into the transformative dimensions of *Nationalist fiqh*, enabling it to serve as an applicable guide in the life of the society and the state.

2. The Biography of Masnun Tahir: His Academic and Social Contributions

Masnun Tahir, whose full name is Prof. Dr. Tuan Guru Haji (TGH) Masnun Tahir, M.Ag, is a prominent figure from West Nusa Tenggara, Indonesia. Born in Tenten Lauk Hamlet, Bujak Village, and raised in Dasan Baru Hamlet, Barabali Village, Batukliang District, Central Lombok Regency, his life journey has been

marked by perseverance and dedication. Masnun Tahir is widely recognized as a scholar, academic, and leader with significant influence in promoting national values, moderation, and social harmony. Currently, he serves as the Rector of the State Islamic University (UIN) Mataram for the 2021–2025 period and also leads the prominent Nahdlatul Ulama (NU) organization in West Nusa Tenggara.²²

Masnun Tahir's educational background reflects his strong determination to pursue knowledge despite limited resources. His early years were marked by hard work, including working as a construction laborer to support his education. He began his formal education at SDN Lendang Terong (1982–1987), continued to Madrasah Tsanawiyah (MTs) at the Uswatun Hasanah Islamic Boarding School in Central Lombok (1987–1990), and later attended Madrasah Aliyah Negeri Program Khusus (MANPK) Mataram (1990–1993). He pursued higher education at IAIN Sunan Kalijaga Yogyakarta, where he completed his undergraduate to doctoral studies. During his time in Yogyakarta, Masnun Tahir also studied at several renowned Islamic boarding schools, including PP Minhajul Muslim and PP Al-Munawwir Krapyak, and learned directly from prominent scholars such as KH. Abdul Malik Madani and KH. Toha Abdurrahman.²³

Masnun Tahir is known not only as an academic but also as a religious leader actively engaged in preaching and making significant contributions to society. He frequently delivers

²² Sugitanata, Aminah, and Karimullah, "Strategi Tuan Guru Masnun Tahir Dalam Mencegah Berkembangnya Radikalisme Di Indonesia."

²³ Lalu Suparman Ambakti, "Profil Singkat Prof Masnun, Pernah Jadi Pengembala Hingga Kuli Bangunan," *Metro NTB*, January 9, 2023, https://www.metrontb.com/ntb/pr-8186490245/profil-singkat-prof-masnun-pernah-jadi-pengembala-hingga-kuli-bangunan#google_vignette.

sermons in mosques and universities and has authored numerous scholarly works addressing contemporary issues from an Islamic perspective.²⁴ Some of his notable works include *Discourses on Nationalist fiqh* in Countering and Preventing Radicalism in Campus Environments in NTB and *Fiqh NKRI: The Constitutional Foundation for Muslims in Indonesia*.²⁵

In his community engagement, Masnun Tahir is recognized as a humanist figure who upholds the values of tolerance and pluralism. He has consistently campaigned against radicalism through education-based approaches, religious reorientation, and empowering community leaders.²⁶ He proposes five key strategies to prevent radicalism: deepening religious understanding, enhancing morality and ethics, instilling peace-based education, reorienting religious practices, and optimizing the roles of public figures. These strategies are not merely theoretical but are directly implemented through social and academic activities.²⁷

Overall, Masnun Tahir embodies a combination of scholarship, spirituality, and social service. His dedication to fostering harmony in diversity serves as an inspiration for many, both locally and nationally. Through his leadership and visionary thinking, he continues to contribute to the creation of a more peaceful, inclusive, and just Indonesian society. His academic and social endeavors stand as concrete evidence of how a scholar and religious leader can play a strategic role in driving social transformation grounded in moderate Islamic values.

²⁴ Sugitanata et al., "Building Harmony In Diversity: Exploring Masnun Tahir's Perspective on Multicultural Fiqh."

²⁵ Tahir, "Wacana Fikih Kebangsaan Dalam Penanggulangan Dan Pencegahan Radikalisme Di Lingkungan Kampus Di NTB"; Masnun Tahir, "Fikih NKRI Landasan Berkonstitusi Bagi Umat Di Indonesia," *Supremasi Hukum: Jurnal Kajian Ilmu Hukum* 4, no. 1 (2015): 62-92, <https://doi.org/10.14421/sh.v4i1.1969>.

²⁶ Masnun Tahir, "Menjadi Muslim Di Negara Multikultural: Dinamika, Tantangan Dan Strategi Dalam Perspektif Fikih Multikultural," *Al-Adalah* 14, no. 2 (2018): 263-90, <https://doi.org/10.24042/adalah.v14i2.2138>.

²⁷ Sugitanata, Aminah, and Karimullah, "Strategi Tuan Guru Masnun Tahir Dalam Mencegah Berkembangnya Radikalisme Di Indonesia."

3. The Construct of Masnun Tahir's *Nationalist fiqh* Thought

The *Nationalist fiqh* developed by Masnun Tahir is a paradigm that seeks to integrate Islamic values with the realities of Indonesian nationhood. In his thoughts, Masnun Tahir emphasizes that Islam, as a religion of rahmatan lil 'alamin, must be adaptable to the social, cultural, and political contexts of a nation without losing the essence of its teachings. This concept emerges as a response to the challenges of pluralism, social conflict, and radicalism that threaten Indonesia's unity and integrity. Through the *Nationalist fiqh* approach, Masnun Tahir strives to bridge the gap between religious values and nationalism, thereby fostering harmony in diversity.²⁸

One of the key elements in Masnun Tahir's construction of *Nationalist fiqh* is the recognition of Indonesia's pluralistic society. Masnun acknowledges that Indonesia is a country characterized by complex religious, cultural, and customary diversity. Consequently, *Nationalist fiqh* does not solely address the textual application of Islamic law but also considers how such laws can be contextually applied while taking into account local values and societal needs. This is evident in Masnun's approach to interpreting Islamic teachings, which underscores the importance of respecting differences and promoting interfaith harmony.²⁹ In his view, Islamic values such as justice, compassion, and brotherhood must be translated into policies and practices that support social integration.

Another component of *Nationalist fiqh* is the approach of religious moderation. Masnun Tahir believes that a moderate understanding of religion is key to preventing radicalism and exclusivism. Moderation in *Nationalist fiqh* emphasizes

²⁸ Tahir, "Wacana Fikih Kebangsaan Dalam Penanggulangan Dan Pencegahan Radikalisme Di Lingkungan Kampus Di NTB."

²⁹ Masnun Tahir, "Perspektif Baru Fiqih Pluralis (Telaah Dekonstruktif Terhadap Doktrin Hukum Islam Klasik)," *Jurnal Hermeneia* \Vol-6 No-2-2007, 2007.

the importance of balancing individual rights with collective responsibilities, religious teachings with national values, and tradition with modernity.³⁰ Masnun frequently critiques rigid and inflexible interpretations of religion, which often serve as triggers for social conflict. Instead, he advocates for an inclusive approach that allows Islam to become a driving force for creating a more peaceful and tolerant society.³¹

Masnun Tahir also highlights the importance of interfaith dialogue as part of the construction of *Nationalist fiqh*. According to him, interfaith dialogue is not merely an effort to foster harmonious relationships but also a means to strengthen democratic and justice-oriented values. Through dialogue, society can perceive differences as a source of enrichment rather than a threat.³² In the Indonesian context, interfaith dialogue can serve as a tool for resolving conflicts and fostering collective awareness of the importance of national harmony. Masnun believes that constructive dialogue can reinforce the foundations of national life while reducing the potential for divisions caused by religious and cultural differences.³³

The construction of *Nationalist fiqh* by Masnun Tahir also encompasses the strategic role of Muslim scholars (ulama) and intellectuals. Masnun emphasizes that ulama bear a significant responsibility in developing fiqh that is relevant to the needs of the times and aligned with the national context. He urges ulama not to confine themselves to classical texts but to remain open to the socio-political dynamics within society. In his view, ulama must serve as bridges between religious teachings and national values,

³⁰ Tahir, "Wacana Fikih Kebangsaan Dalam Penanggulangan Dan Pencegahan Radikalisme Di Lingkungan Kampus Di NTB."

³¹ Tahir, "Fikih NKRI Landasan Berkonstitusi Bagi Umat Di Indonesia."

³² Tahir, "Wacana Fikih Kebangsaan Dalam Penanggulangan Dan Pencegahan Radikalisme Di Lingkungan Kampus Di NTB."

³³ Sugitanata et al., "Building Harmony In Diversity: Exploring Masnun Tahir's Perspective on Multicultural Fiqh."

thereby making tangible contributions to building an inclusive and harmonious society.³⁴

Furthermore, *Nationalist fiqh* includes the reinforcement of social and political institutions that uphold justice and democracy. Masnun believes that Islamic values such as justice, transparency, and participation should serve as the foundation for building such institutions. In this context, *Nationalist fiqh* acts as a normative guide to assist both society and state leaders in crafting fair and inclusive policies. Masnun stresses that democracy is not inherently contradictory to Islam but aligns with the principles of shura (consultation) taught in the Qur'an.³⁵

Masnun Tahir's conceptual framework also underscores the importance of education as a means of disseminating the values of *Nationalist fiqh*. He believes education is the key to shaping a generation with a profound understanding of the importance of diversity and tolerance. In this context, *Nationalist fiqh* can be integrated into both formal and non-formal educational curricula to instill national and religious values simultaneously. Masnun also highlights the importance of education rooted in local values, emphasizing not only theoretical learning but also practical applications in daily life. Lastly, Masnun Tahir's *Nationalist fiqh* offers a pragmatic approach to resolving social and political conflicts. He believes that conflicts often arise from an imbalance between religious and national values. Thus, *Nationalist fiqh* seeks to create this balance through a holistic and inclusive approach. In his perspective, *Nationalist fiqh* is not merely a theoretical concept but also a practical tool that can address real-world challenges in national and state life.³⁶ In conclusion, the construction of Masnun Tahir's *Nationalist fiqh* is a paradigm that is not only relevant for

³⁴ Tahir, "Perspektif Baru Fiqih Pluralis (Telaah Dekonstruktif Terhadap Doktrin Hukum Islam Klasik)."

³⁵ Tahir, "Wacana Fikih Kebangsaan Dalam Penanggulangan Dan Pencegahan Radikalisme Di Lingkungan Kampus Di NTB."

³⁶ Tahir.

addressing social challenges in Indonesia but also serves as an inspiration for the development of contextual Islamic thought on a global scale. With its inclusive, moderate, and locally grounded approach, *Nationalist fiqh* offers a pathway toward a more just, peaceful, and harmonious society.

4. The Relevance of the Uniqueness of Masnun Tahir's *Nationalist fiqh* Thought to the Urgency of Nationalism for Indonesian Muslims

The thought of *Nationalist fiqh* by Masnun Tahir stands out as a unique intellectual endeavor in bridging the values of Islam with the concept of nationalism in Indonesia. The uniqueness of this thought lies in its flexible and contextual approach, which not only emphasizes Islamic principles but also integrates them with nationalist values.³⁷ In the Indonesian context, known for its diversity,³⁸ this approach becomes particularly relevant in addressing the challenges of pluralism, intolerance, and radicalism.

The urgency of nationalism for Indonesian Muslims becomes significant, considering Islam's strategic position as the majority religion in a multicultural society.³⁹ In Masnun Tahir's perspective, nationalism is not a concept in conflict with Islam but rather one that aligns with the fundamental values of the religion.⁴⁰ Islam, as a rahmatan lil 'alamin, teaches justice, brotherhood, and compassion, which can serve as a foundation to strengthen the spirit of nationalism.⁴¹ Through *Nationalist fiqh*, Masnun Tahir demonstrates

³⁷ Tahir.

³⁸ Mukhlis Paeni, *Dari Pluralisme Menuju Multikulturalisme* (Jakarta: Direktorat Jenderal Kebudayaan, 2005).

³⁹ Arif Sugitanata and Ihda Shofiyatun Nisa, "Analisis Masalah Dalam Membangun Harmonisasi Pluralisme Hukum Pada Masyarakat Majemuk," *Al-Muqaronah: Jurnal Perbandingan Mazhab Dan Hukum* 2, no. 2 (2023): 69–77, <https://doi.org/10.59259/am.v2i2.115>.

⁴⁰ Tahir, "Fikih NKRI Landasan Berkonstitusi Bagi Umat Di Indonesia."

⁴¹ Kalijunjung Hasibuan, "Moderasi Beragama Berbasis Keluarga," *SENTRI: Jurnal Riset Ilmiah* 2, no. 11 (2023): 4655–66, <https://doi.org/10.55681/sentri.v2i11.1777>.

that nationalism can be understood as a collective responsibility for Muslims to maintain the unity and harmony of the nation.

One distinctive aspect of Masnun Tahir's *Nationalist fiqh* is its emphasis on the importance of understanding religion in a moderate and inclusive manner. According to him, religious moderation is key to building a strong sense of nationalism amidst diversity. This moderation enables Muslims to view nationalist values as an integral part of religious teachings rather than something foreign or contradictory.⁴² Thus, *Nationalist fiqh* provides a framework to harmonize religious and national identities.

Masnun Tahir also highlights the importance of adapting Islamic jurisprudence to Indonesia's social and cultural contexts.⁴³ This thought is relevant to the urgency of nationalism as it asserts that fiqh must address the challenges arising in national life.⁴⁴ By incorporating local values, *Nationalist fiqh* strengthens love for the homeland and collective awareness of the importance of maintaining national integration. In Masnun's view, this contextual understanding of religion helps Muslims contribute constructively to nation-building.⁴⁵

Another relevance of the uniqueness of *Nationalist fiqh* lies in its role in fostering more effective interfaith dialogue. Masnun believes that dialogue grounded in nationalist values can serve as a tool to strengthen national unity. In the Indonesian context, interfaith dialogue inspired by the spirit of *Nationalist fiqh* can help mitigate potential conflicts and create a shared awareness of the importance of preserving the nation's integrity.⁴⁶ This approach aligns with the spirit of *Bhinneka Tunggal Ika*, which serves as a

⁴² Tahir, "Wacana Fikih Kebangsaan Dalam Penanggulangan Dan Pencegahan Radikalisme Di Lingkungan Kampus Di NTB."

⁴³ Tahir.

⁴⁴ Akmal Bashori, *Fikih Nusantara: Dimensi Keilmuan Dan Pengembangannya* (Jakarta: Kencana Media Grup, 2021).

⁴⁵ Tahir, "Wacana Fikih Kebangsaan Dalam Penanggulangan Dan Pencegahan Radikalisme Di Lingkungan Kampus Di NTB."

⁴⁶ Tahir.

foundational pillar of national life.⁴⁷ Additionally, *Nationalist fiqh* functions as a tool to enhance the participation of Muslims in political and social life. Masnun Tahir emphasizes that Muslims have a responsibility to actively engage in nation-building, whether through involvement in governance or contributions at the community level.⁴⁸ In his view, *Nationalist fiqh* provides normative guidance that enables Muslims to fulfill their role as good citizens without abandoning their religious identity.

The urgency of nationalism for Indonesian Muslims is also evident in efforts to prevent and address radicalism.⁴⁹ Masnun Tahir asserts that *Nationalist fiqh* can be an effective tool for instilling values of moderation and patriotism among Muslims. Through an inclusive approach grounded in nationalist values, *Nationalist fiqh* offers practical solutions to combat the challenges of radicalism that often threaten national unity. This approach helps Muslims understand that preserving the nation's unity is part of their religious responsibility.⁵⁰

Thus, the unique thought of Masnun Tahir's *Nationalist fiqh* holds strong relevance to the urgency of nationalism for Indonesian Muslims. This moderate, inclusive, and contextual approach not only aids Muslims in understanding the relationship between religion and the state but also encourages them to contribute to maintaining national unity and harmony. Through *Nationalist fiqh*, Masnun Tahir illustrates that nationalism can serve as a tangible manifestation of Islamic values in the life of a nation and state.

⁴⁷ Muhammad Zaki et al., "Sosialisme Demokratis Dalam Kebhinekaan Indonesia," *VISA: Journal of Vision and Ideas* 3, no. 3 (2023): 558–69, <https://doi.org/10.47467/visa.v3i3.4179>.

⁴⁸ Tahir, "Wacana Fikih Kebangsaan Dalam Penanggulangan Dan Pencegahan Radikalisme Di Lingkungan Kampus Di NTB."

⁴⁹ Rahma Khoirunnissa and Syahidin Syahidin, "Urgensi Pendidikan Moderasi Beragama Sebagai Upaya Menangkal Radikalisme Di Kalangan Mahasiswa," *Jurnal Penelitian Pendidikan Islam* 10, no. 2 (2023): 177, <https://doi.org/10.36667/jppi.v10i2.1276>.

⁵⁰ Tahir, "Wacana Fikih Kebangsaan Dalam Penanggulangan Dan Pencegahan Radikalisme Di Lingkungan Kampus Di NTB."

5. Masnun Tahir's *Nationalist fiqh* from the Perspective of Critical Hermeneutics

The concept of *Nationalist fiqh* developed by Masnun Tahir can be analyzed through the lens of Jürgen Habermas's Critical Hermeneutics, emphasizing the importance of domination-free communication to achieve collective understanding. Masnun Tahir's thought on *Nationalist fiqh* emerges from the need to address the challenges of pluralism, radicalism, and social conflicts that threaten national unity.⁵¹ Through this approach, Masnun offers a new paradigm that integrates Islamic values with nationalism, thereby fostering harmony amidst Indonesia's diverse society.

Habermas's Critical Hermeneutics helps identify that Masnun Tahir's *Nationalist fiqh* is not merely a concept of Islamic law but also a transformative medium aimed at improving imbalanced social relations. Masnun recognizes that the plurality of Indonesian society requires a legal approach that is not only textual but also contextual, taking into account local social, cultural, and political dynamics.⁵² In this context, Masnun's approach emphasizes the importance of dialogue and communicative action as tools to achieve inclusive consensus among diverse groups.⁵³

Within the framework of Critical Hermeneutics, dialogue serves as an emancipatory tool to create critical awareness and liberate individuals from structures of domination.⁵⁴ Masnun's perspective on the significance of interfaith dialogue aligns with this principle. He views dialogue as a means to strengthen values of justice, brotherhood, and democracy while reducing potential conflicts arising from differences in beliefs.⁵⁵ In a multicultural

⁵¹ Tahir.

⁵² Tahir, "Fikih NKRI Landasan Berkonstitusi Bagi Umat Di Indonesia."

⁵³ Tahir, "Wacana Fikih Kebangsaan Dalam Penanggulangan Dan Pencegahan Radikalisme Di Lingkungan Kampus Di NTB."

⁵⁴ Habermas, *Knowledge and Human Interests*.

⁵⁵ Tahir, "Wacana Fikih Kebangsaan Dalam Penanggulangan Dan Pencegahan Radikalisme Di Lingkungan Kampus Di NTB"; Tahir, "Fikih NKRI Landasan Berkonstitusi Bagi

society like Indonesia, such dialogue is a highly relevant instrument to enhance social integration and mitigate divisions.⁵⁶ Masnun also underscores the strategic role of Muslim scholars (ulama) and intellectuals in developing jurisprudence that aligns with contemporary needs.⁵⁷ From a Habermasian perspective, ulama can be seen as actors who play a critical role in creating inclusive discursive spaces. Masnun encourages ulama not to be confined to classical texts but to remain open to the evolving socio-political dynamics.⁵⁸ By acting as a bridge between religious and nationalist values, ulama can make tangible contributions to building a more inclusive and harmonious society.

Education is another crucial element in Masnun Tahir's *Nationalist fiqh*. He believes that education is the key to shaping a generation with a profound understanding of the importance of diversity and tolerance.⁵⁹ Critical Hermeneutics views education as an emancipatory tool, equipping individuals with critical abilities to understand and navigate social complexities.⁶⁰ By integrating *Nationalist fiqh* into educational curricula—both formal and non-formal—Masnun seeks to cultivate a generation that not only understands nationalist values but also applies them practically in everyday life.⁶¹

Masnun's proposed approach of religious moderation reflects the balance inherent in Habermasian communicative action. This moderation enables Muslims to adopt an inclusive and contextual

Umat Di Indonesia"; Tahir, "Menjadi Muslim Di Negara Multikultural: Dinamika, Tantangan Dan Strategi Dalam Perspektif Fiqih Multikultural."

⁵⁶ Fathurrohman Fathurrohman, "Internalisasi Nilai Moderasi Beragama Pada Masyarakat Multikultural," in *Proceedings of Annual Conference for Muslim Scholars*, vol. 6, 2022, 1051–57.

⁵⁷ Tahir, "Perspektif Baru Fiqih Pluralis (Telaah Dekonstruktif Terhadap Doktrin Hukum Islam Klasik)."

⁵⁸ Tahir.

⁵⁹ Tahir, "Wacana Fiqih Kebangsaan Dalam Penanggulangan Dan Pencegahan Radikalisme Di Lingkungan Kampus Di NTB."

⁶⁰ Habermas, *Knowledge and Human Interests*.

⁶¹ Tahir, "Wacana Fiqih Kebangsaan Dalam Penanggulangan Dan Pencegahan Radikalisme Di Lingkungan Kampus Di NTB."

understanding of religion, ultimately preventing radicalism and exclusivism. From Masnun's perspective, *Nationalist fiqh* is not merely theoretical but also practical, aiming to balance individual rights with collective responsibilities, religious teachings with nationalist values, and tradition with modernity.⁶² However, implementing *Nationalist fiqh* also faces considerable challenges. Critical Hermeneutics reminds us that inclusive communication must be free from domination and unilateral interests.⁶³ In this context, the application of *Nationalist fiqh* requires active participation from various stakeholders, including the government, ulama, intellectuals, and civil society. Without collective commitment, *Nationalist fiqh* risks becoming a discourse lacking genuine transformative power.

As a transformative tool, *Nationalist fiqh* must also address the cultural sensitivities and localities that vary across Indonesia. Each implementation must take this diversity into account to avoid resistance from specific groups. This is where the importance of education and dialogue emerges as the main pillars to ensure that the values of *Nationalist fiqh* are accepted and internalized by all levels of society. Thus, Masnun Tahir's *Nationalist fiqh* represents a paradigm that not only responds to Indonesia's socio-political needs but also offers an emancipatory approach aligned with the principles of Critical Hermeneutics. This thought provides a robust foundation for fostering social harmony, strengthening democratic values, and promoting religious moderation. Its success heavily depends on how this concept is translated into practice through education, dialogue, and inclusive collective participation. With this holistic approach, *Nationalist fiqh* has the potential to become a transformative instrument in building a more just, peaceful, and harmonious Indonesian society.

⁶² Tahir.

⁶³ Habermas, *On the Pragmatics of Social Interaction: Preliminary Studies in the Theory of Communicative Action*.

C. Conclusion

The findings of this study indicate that Masnun Tahir's concept of *Nationalist fiqh* integrates Islamic values with the pluralistic realities of Indonesian nationalism. Masnun emphasizes the importance of religious moderation and inclusive religious understanding as key strategies to combat radicalism and exclusivism. This paradigm aims to create social harmony by respecting the plurality of Indonesian society through the application of Islamic jurisprudence that is not merely textual but also contextual, tailored to local social and cultural needs. Interfaith dialogue serves as a critical element of this paradigm, not only to strengthen democracy but also to foster collective awareness of national harmony. Masnun also underscores the role of ulama and Muslim intellectuals as bridges between religious and nationalist values, encouraging them to develop jurisprudence that is relevant to contemporary contexts without being confined solely to classical approaches.

From the perspective of Critical Hermeneutics, this paradigm is not only normative but also transformative, offering a dialogical approach to address imbalanced social relations. This approach views dialogue as an emancipatory tool that can foster critical awareness, strengthen the values of justice and brotherhood, and mitigate potential conflicts arising from differences in belief. Education is another fundamental pillar for disseminating the values of *Nationalist fiqh*, with the hope of shaping a generation that understands and practically applies nationalist values. However, the implementation of this paradigm faces significant challenges, such as the need for collective commitment from various stakeholders, sensitivity to local cultural contexts, and resistance to change. Nonetheless, with a well-detailed strategy and cross-sectoral support, *Nationalist fiqh* holds great potential as a tool for social transformation to build a more just, peaceful, and

harmonious Indonesian society. The success of implementing this paradigm depends on the ability to translate its values into tangible practices through education, dialogue, and inclusive participation.

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