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Research Article

Methodological Evolution and Convergence: A Comparative Study of Legal *Istinbāt* in the Fatwas of MUI, Nahdlatul Ulama, and Muhammadiyah

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Abstract. Islamic legal authority in Indonesia is distributed among three primary institutional pillars: the Indonesian Council of Ulama (MUI), Nahdlatul Ulama, and Muhammadiyah. This research investigates their methodological frameworks of legal *istinbāt* until 2022 to address the persistent gap between finite religious texts and the infinite complexity of modern contexts. Employing a qualitative-comparative method through library research, the study analyzes purely textual data from official institutional records and academic publications. The findings reveal that MUI utilizes a hierarchical approach (Nash Qath'i, Qauli, and Manhaji) designed to achieve national consensus through collective legal reasoning. Nahdlatul Ulama maintains traditionalist identity through its tiered Qauli, Ilhaqi, and Manhaji methods, emphasizing school-based continuity. Conversely, Muhammadiyah employs a reformist Manhaj Tarjih via Bayani, Ta'lili, and Istishlahi procedures to prioritize rational evidence. Divergent legal outcomes appear in sectors such as digital family law and cryptocurrency. The study concludes that despite divergent epistemological foundations, these institutions increasingly converge

on *Maqāṣid al-Sharī'ah* as a primary normative compass. This evolution facilitates a balanced “Indonesianization” of Islamic law within a modern pluralistic landscape.

Keywords: Fatwa, Istinbāt, MUI, NU, Muhammadiyah

INTRODUCTION

Islamic legal authority in Indonesia operates within a complex ecosystem where religious authority is distributed among three primary institutional pillars. Quantitatively, a persistent gap exists between the limited number of scriptural texts and the infinite reality of dynamic contexts (Ansori, 2022). This disparity serves as the historical background for scholars to continue their creative *ijtihad* in formulating legal products (Lubis, 2022; Saeed, 1997). Consequently, religious institutions engage in a rigorous process of legal derivation known as *istinbāt al-ḥukm* to address the exigencies of a pluralistic society (Beka, 2021). These derivative methodologies act as the bridge between classical tradition and modern Indonesian development (Azhari & Asmuni, 2023). The evolution of these frameworks ensures that Islamic law remains a relevant medium for connecting sacred texts with human activities.

The fatwa serves as a critical adjustment tool for anticipating social change while maintaining the underlying principles of religious texts (Setyaningsih, 2022). In the Indonesian context, a fatwa is one of the primary products of legal thinking formulated through independent reasoning by qualified scholars (Ansori, 2022). While fatwas technically carry no binding legal force (Menchik, 2022), they possess significant moral weight that influences state policy and societal norms (Awass, 2019). These pronouncements are often anticipated by the public as alternative solutions for complex contemporary issues. Their effectiveness depends heavily on the degree of institutional socialization and the cultural identity of the community. Therefore, understanding the methodology behind these rulings is essential for evaluating their impact on national legal pluralism.

The landscape of Indonesian jurisprudence is anchored by Nahdlatul Ulama, Muhammadiyah, and the Indonesian Council of Ulama (MUI). Nahdlatul Ulama and Muhammadiyah represent the traditionalist and modernist poles, respectively, while the MUI acts as a bridge for national consensus (Ansori, 2014). Each institution utilizes a distinct vision regarding the derivation of legal rulings from primary sources until 2022 (Azhari & Asmuni, 2023). These organizations act as critical mediators, ensuring that Islamic law coexists with civil and customary frameworks (Jalili et al., 2023). This multi-polar system fosters a dynamic space for negotiation where no single interpretation prevails. The trajectory of their methodological development mirrors the broader sociopolitical shifts within the modern nation.

The Majelis Ulama Indonesia (MUI) utilizes a methodological hierarchy designed to achieve national consensus through collective legal reasoning (Setyaningsih, 2022). Their procedural framework involves three main approaches: *Nash Qath'i*, *Qauli*, and *Manhaji* (Kusumastuti et al., 2022). The commission employs the *Nash Qath'i* method when issues are explicitly addressed by the Qur'an or Sunnah (Mujahid, 2023). If textual evidence is not definitive, the commission turns to the

Qauli approach to find authoritative opinions within classical jurisprudence texts (Quraishi, 2007). Furthermore, the Manhaji approach focuses on following the intellectual frameworks of classical imams rather than their specific conclusions (Wahyudi & Fajar, 2018). This interdisciplinary method integrates expert consultation from fields like medicine and economics to ensure scientific accountability.

A significant methodological breakthrough within the MUI is the concept of *talfiq manhaji*, which synthesizes diverse juristic opinions to provide flexible solutions (Iqbal, 2020). While traditional scholars often viewed *talfiq* with suspicion, the MUI embraced it as a paradigmatic path to answer modern challenges (Hasyim, 2020). This was notably applied during the COVID-19 pandemic to provide practical guidelines for healthcare workers in extreme conditions. Additionally, the National Sharia Board (DSN-MUI) applies specialized principles such as *taysir al-manhaj* to facilitate ease in Sharia economy (Tahmid & Zaki, 2019). Such methods ensure that fatwas are normatively valid while remaining socially relevant and adaptive. This eclectic approach allows the MUI to reconcile technological innovation with religious principles.

Nahdlatul Ulama (NU) operates through the *Lajnah Bahtsul Masail*, which serves as the guardian of traditionalist Yellow Book scholarship (Daud & Hambali, 2022). For much of its history, NU's *istinbāt* was dominated by the qauli method, prioritizing established opinions within the Shafi'i school (Jalili et al., 2023). This approach is rooted in the belief that the sanad of knowledge must be preserved through authoritative classical texts (Mutakin, 2018). However, the organization recognized that a strictly textual approach could lead to a legal deadlock in the face of contemporary complexity. Consequently, NU transitioned toward a progressive-moderate orientation at the 1992 National Conference in Lampung (Mahfudin, 2021). Their current tiered methodology includes the qauli, *ilhaqi*, and *manhaji* approaches to maintain traditional roots while offering modern solutions.

The *ilhaqi* method in NU practice involves comparing a new problem to a similar existing one based on shared legal logic (Azhari & Asmuni, 2023). NU scholars distinguish *ilhaq* from *qiyas*; whereas *qiyas* connects a new issue directly to scripture, *ilhaq* connects it to the findings of previous scholars (Daud & Hambali, 2022). When neither the qauli nor *ilhaqi* methods suffice, NU employs the *manhaji* approach to follow the methodological principles of the imams (Jalili et al., 2023). By 2015, NU further developed operational methods categorized as *bayani*, *qiyasi*, and *istislahi* to enhance responsiveness to social change (Mahfudin, 2021). These steps ensure that the historical context of revelation is understood before a ruling is applied to modern society. This evolution indicates that Indonesian traditionalism is a form of evolving continuity rather than static adherence.

Muhammadiyah represents the modernist reformist vision, utilizing its *Majelis Tarjih* to engage in the purification and dynamic modernization of the faith (Amalia, 2019). Its methodology is not bound to any specific school of thought but focuses on the goal of returning to the Qur'an and Sunnah (Ansori, 2014). Instead, it engages in *tarjih*, the process of selecting the scholarly opinion supported by the strongest evidence (Rachmadhani et al., 2022). The organization is selective regarding hadith, using only accepted (*maqbulah*) narrations that align with general principles

of welfare. This reformist vision often leads to rigid rulings on ritual worship but notably progressive results in social and worldly affairs (Amalia, 2019). Their framework allows for the reaktualisasi and reinterpretasi of teachings to meet contemporary spiritual and social needs.

The Muhammadiyah ijihad methodology uses three primary procedures: bayani, ta'lili, and istishlahi (Amalia, 2019). The bayani method is semantic, while the ta'lili method is rational, seeking the underlying cause ('illah) to allow for expansion in modern settings (Rachmadhani et al., 2022). The istishlahi approach is philosophical, relying on the higher objectives of Sharia to prioritize social welfare (Amalia, 2019). Muhammadiyah supports these with interdisciplinary tools, including sociological and anthropological perspectives to contextualize law. This approach ensures that Islamic law is integrated into specialized sectors through technical standards and professional practice. Consequently, their rulings are often characterized by a synthesis of textuality, rationality, and spirituality.

This comparative inquiry identifies critical epistemological gaps in existing literature regarding the procedural differences between these three national religious authorities. Specifically, this research asks: how do the distinctive frameworks of legal istinbāt utilized by MUI, NU, and Muhammadiyah through 2022 differ in their fundamental epistemological and procedural foundations? Furthermore, the study questions how these differing methodologies influence the resulting fatwas on contemporary challenges such as the digital economy and online marriage. Finally, the research seeks to analyze the extent to which these three institutions have converged on the concept of Maqāṣid al-Sharī'ah as a normative consensus for resolving modern legal deadlock. These questions provide a foundational framework for mapping the evolution of Indonesian Islamic legal thought in the digital era.

This comparative study examines the official records and published texts of these three institutional pillars using a qualitative-comparative approach. By focusing on purely textual data from academic journals and books, the research ensures a rigorous analysis of institutional thought (Setyaningsih, 2022). The findings provide a comprehensive understanding of how Islamic law is nationalized and modernized within the Indonesian archipelago (Jalili et al., 2023). Such an analysis is essential for navigating the complex relationship between faith, state policy, and rapidly evolving societal needs. The trajectory of this research highlights the resilience of intellectual traditions in balancing sacred texts with modern reality. Ultimately, this study offers insights into the harmonization of religious norms within a modern pluralistic democracy.

LITERATURE REVIEW

A fatwa is defined as a product of Islamic legal thinking where scholars formulate provisions in response to questions concerning various aspects of law (Setyaningsih, 2022). These religious pronouncements are casuistic and dynamic, serving as critical adjustment tools to bridge the quantitative gap between finite religious texts and the infinite complexity of modern reality (Ansori, 2022). Although fatwas are formally non-binding (ghairu mulzim), they possess significant normative and moral weight that shapes public discourse and influences collective behavior. The

institutionalization of fatwas in Indonesia allows Islamic legal principles to be integrated into the national legal framework in a structured manner (Jalili et al., 2023). Consequently, the study of these derivative methodologies is essential for evaluating the resilience of intellectual traditions in balancing sacred doctrine with social change.

The methodological landscape is characterized by the traditionalist approach of Nahdlatul Ulama and the reformist vision of Muhammadiyah. Nahdlatul Ulama utilizes a tiered framework consisting of the Qauli, Ilhaqi, and Manhaji methods, prioritizing established opinions within the Shafi'i school to maintain scholarly continuity (Jalili et al., 2023). This traditionalist identity relies heavily on authoritative classical texts to ensure that modern rulings do not bypass the intellectual heritage of classical mujtahids (Mutakin, 2018). Conversely, Muhammadiyah operates through its Majelis Tarjih, employing the Bayani, Ta'lili, and Istishlahi approaches to return to the primary sources of the Qur'an and Sunnah (Amalia, 2019). While Muhammadiyah uses rational evidence to modernize the faith, Nahdlatul Ulama remains cautious of direct scriptural ijtihad, preferring to connect new issues to existing juristic findings (Ansori, 2014). This multi-polar system fosters a dynamic space for contestation and ensures that no single interpretation dominates the national legal landscape.

The Majelis Ulama Indonesia (MUI) serves as a national mediator by synthesizing diverse school-based traditions to achieve national consensus (Ansori, 2022). Its istinbāt methodology involves a procedural hierarchy of Nash Qath'i, Qauli, and Manhaji approaches, often incorporating multidisciplinary expert consultation to ensure social accountability. A significant methodological breakthrough within this body is the use of talfiq manhaji, which combines different juristic opinions to provide flexible solutions to contemporary challenges (Iqbal, 2020). By the end of 2022, these institutions have increasingly relied on Maqāṣid al-Sharī'ah as a normative compass for addressing complex sectors such as the digital economy and family law. This shift toward utility-oriented reasoning ensures that religious guidance aligns with universal human welfare and national health policies. Ultimately, the trajectory of Indonesian legal thought points toward a balanced integration of sacred texts and the exigencies of modern life.

PREVIOUS RESEARCH

The scholarly discourse on Indonesian fatwa institutions has evolved significantly over the last decade, reflecting the dynamic relationship between classical jurisprudence and modern societal needs. A foundational study by (Ansori, 2014) established the basic orientation of ijtihad between Nahdlatul Ulama (NU) and Muhammadiyah, highlighting the former's cultural approach versus the latter's vision of tajdid. This research identified that while NU maintains stability through school-based tradition, Muhammadiyah seeks to purify Islam from un-Islamic local influences. These two poles have long defined the boundaries of the national legal discourse, acting as mediators between sacred texts and local wisdom. Building upon this foundation, Amalia (2019) provided an in-depth analysis of Muhammadiyah's specific Majelis Tarjih methodology, which utilizes Bayani, Qiyasi, and Istishlahi

procedures. This study emphasized that Muhammadiyah's reformist vision allows for a dynamic modernization of the faith to meet contemporary needs.

As global challenges like the COVID-19 pandemic emerged, research shifted toward evaluating the adaptive capacity of these institutional frameworks. Iqbal (2020) examined the effectiveness of the MUI's *talfiq manhaji* method, characterizing it as a paradigmatic breakthrough that successfully reduced public anxiety during the health crisis. This research illustrated how synthesizing diverse school-based opinions provides flexible solutions that are both normatively and socially accountable. Following this, (Ansori, 2022) offered a comprehensive evaluation of the effectiveness of MUI, NU, and Muhammadiyah fatwas, identifying a persistent gap between limited religious texts and infinite modern realities. His findings suggested that while these institutions are intellectually rigorous, their real-world impact is often limited by weak socialization and the non-binding nature of their rulings. This sociological perspective highlighted that the success of a fatwa depends heavily on organizational loyalty and the institutional infrastructure.

The methodological transformation within traditionalist circles was further detailed in the work of (Jalili et al., 2023), who analyzed NU's *ijtihad* methods through a content analysis of their legal decisions. This study mapped the organization's transition from strictly textual adherence toward a social-contextual orientation that utilizes the *Qauli*, *Ilhaqi*, and *Manhaji* approaches. This research confirmed that NU's traditionalism is an 'evolving continuity' that respects the chain of knowledge while offering modern legal remedies. Most recently, applied these methodological frameworks to the controversy of digital family law, specifically online marriage and divorce. Their findings revealed that the institutions' differing interpretative frameworks—ranging from NU's physical assembly requirement to Muhammadiyah's real-time interaction model—continue to produce divergent legal outcomes in the digital era.

Despite the breadth of these studies, a specific research gap remains regarding the integrated comparison of the derivative logic used by all three major pillars across multiple sectors through the end of 2022. Most existing literature focuses on single institutions or specific, isolated contemporary issues such as health protocols, cryptocurrency, or gender relations. There is a lack of a comprehensive, synchronically linked analysis that evaluates how the epistemological foundations of MUI, NU, and Muhammadiyah have collectively converged on utility-oriented reasoning. Previous works often catalog the content of fatwas without deeply mapping the evolving procedural nuances that have emerged from the struggle between school-based adherence and reformist rationality.

This research addresses this deficiency by providing a detailed comparative study of legal *istinbāt* methodologies until the end of 2022. While previous studies have laid the groundwork for understanding institutional identity, this inquiry focuses on the technical nuances of legal derivation as a bridge between tradition and modern plurality. By analyzing official records and published texts, the study seeks to synthesize how these three authorities navigate the tension between finite texts and infinite modern complexities. Ultimately, this research provides a foundational

framework for understanding the nationalization and modernization of Islamic law within the unique pluralistic landscape of the Indonesian archipelago.

THEORETICAL FRAMEWORK

Islamic legal theory identifies a persistent quantitative gap between the limited number of scriptural texts and the infinite reality of dynamic modern contexts. To bridge this divide, the concept of *istinbāt al-ḥukm* serves as a sophisticated mechanism for connecting classical tradition with the exigencies of a pluralistic nation (Azhari & Asmuni, 2023). The theoretical foundation of this study rests on the premise that while scriptural sources are constant, the soul and principles of the text must be adaptively applied to social changes (Ansori, 2022). This study utilizes the framework of '*al-nusūs mutanāhiyah wa al-waqāi ghairu mutanāhiyah*', which posits that events occurring in reality require continuous scholarly reasoning (Ansori, 2022). Consequently, fatwa institutions function as critical mediators through the systematic institutionalization of religious authority to ensure societal order. The evolution of these derivative methodologies ensures that Islamic law remains a relevant medium for guiding the Muslim community throughout diverse historical eras (Azhari & Asmuni, 2023). This framework allows for a living legal tradition that effectively balances the requirements of eternity with the nuances of locality.

The comparative analysis is situated within three distinct epistemological paradigms: traditionalism, modernism, and consensus-building. Nahdlatul Ulama's framework is grounded in a tiered methodology of *qauli*, *ilhaqi*, and *manhaji*, emphasizing school-based continuity and the preservation of intellectual heritage (Jalili et al., 2023). Conversely, Muhammadiyah represents the reformist vision of *tajdid*, utilizing a *Manhaj Tarjih* through *bayani*, *ta'lili*, and *istishlahi* procedures to return directly to primary sources (Amalia, 2019). The Indonesian Council of Ulama (MUI) acts as a synthesizing body, employing a methodological hierarchy of *Nash Qath'i*, *Qauli*, and *Manhaji* to achieve national consensus. These differing approaches highlight a multi-polar system of Islamic authority where no single interpretation dominates the national legal landscape. This theoretical structure allows for a dynamic space where Islamic law coexists with civil and customary legal frameworks (Jalili et al., 2023). Such a landscape ensures that religious interpretations are negotiated synchronically with Indonesia's broader sociopolitical shifts.

A central element of this theoretical framework is the increasing convergence of these institutions on *Maqāsid al-Sharī'ah* as a primary normative compass. Initially treated as a supplementary tool, the higher objectives of Sharia have moved to the center of legal derivation to justify rulings that prioritize public welfare. This trend toward utility-oriented reasoning enables religious institutions to engage more effectively with secular state policies and global scientific challenges. Furthermore, the application of *Qawā'id Fiqhiyyah* provides a structured approach to deriving specific legal rulings from general principles. These maxims, such as 'harm shall not be inflicted nor reciprocated', serve as heuristic tools to distill complex situations into coherent legal decisions. This integration of *maqāsid* and legal maxims ensures that Islamic law remains dynamic, flexible, and responsive to contemporary societal needs (Setyaningsih, 2022). Ultimately, this study offers a foundational framework for

understanding the harmonization of religious norms within a modern pluralistic democracy.

RESEARCH METHOD

This study utilizes a qualitative research design to examine the complexities of legal istinbāt within Indonesia's primary Islamic institutions. Qualitative methods are applied to investigate religious objects in their natural conditions, prioritizing meaning over statistical generalization. The research is designed to explore and understand how major religious organizations perceive and respond to modern challenges within the framework of Islamic law. This descriptive approach focuses on solving problems based on current theoretical descriptions and books (Setyaningsih, 2022). By adopting this framework, the researcher can examine the dialectic between sacred doctrine and social reality (Ansori, 2022). Ultimately, the qualitative paradigm provides the necessary depth to evaluate the effectiveness of institutional fatwas.

The research is specifically framed as a library-based literature study to ensure a rigorous examination of authoritative texts. A literature-based approach is selected because the data analyzed are entirely drawn from documents and relevant written sources. This paradigm enables the systematic exploration of scholarly traditions and official institutional records (Amalia, 2019). By focusing on library research, the study bypasses field variables to concentrate on the purity of textual ijihad and legal derivation (Mutakin, 2018). The researchers engage in an intensive search for relevant reading sources that reflect the official positions of the institutions involved (Rachmadhani et al., 2022). This structured textual engagement ensures that the findings are grounded in verified intellectual evidence rather than empirical field data.

Data sources are categorized into primary and secondary hierarchies to maintain the integrity of the analysis. Primary sources consist of the official fatwa archives, published legal decisions, and institutional records from the MUI, NU, and Muhammadiyah. Secondary sources include academic books, reputable journals, and relevant historical reports that discuss the evolution of Islamic law in Indonesia (Iqbal, 2020). The data population specifically includes fatwas related to contemporary issues issued between 1975 and the end of 2022. A purposive sampling technique is applied to select key fatwas that address doctrinal and social complexities. This comprehensive sourcing allows for a multidimensional view of institutional thought and practice.

The type of data utilized in this study is purely textual, focusing on the linguistic and semantic features of religious decrees. Textual data allows for an in-depth analysis of the logical steps taken during the process of istinbāt. These texts represent the frozen reasoning of scholars as they bridge the gap between finite scripture and infinite reality (Ansori, 2022). By analyzing the 'ibārah or specific wording in classical and modern books, the study maps the procedural shifts of authority (Daud & Hambali, 2022). The use of textual data ensures that the research remains focused on the epistemological foundations of each institution.

Consequently, the analysis uncovers the underlying causal factors behind divergent legal outcomes.

In this qualitative inquiry, the researcher serves as the primary instrument for data interpretation and synthesis. Acting as the main instrument, the researcher uses a document analysis guide to systematically categorize the reviewed materials. This role involves personal insight and professional judgment to identify patterns that might be missed by automated tools. The researcher's competence in navigating classical jurisprudence and modern legal theory is vital for maintaining the study's accuracy (Ansori, 2022). By engaging directly with the sources, the researcher ensures that the nuances of each institution's methodology are fully captured. This human-centric approach allows for a more profound understanding of religious and social intersections.

Data collection is conducted through a structured documentation technique and secondary data analysis. The process involves identifying sources of information through digital archives and official institutional publications (Masrukhin, 2018). Data gathering includes the normalization of needed information to ensure consistency across the three primary pillars. To ensure the credibility of the collected data, a document checklist is utilized during the categorization phase. This systematic gathering ensures that no significant institutional decree is omitted from the comparative analysis. Furthermore, the use of internet-based media facilitates the retrieval of the most recent and relevant publications until 2022.

Data analysis is performed using qualitative content analysis and thematic interpretation. Content analysis is applied to identify the specific *ijtihad* approaches—such as *bayani*, *ta'lili*, and *istishlahi*—employed by each body. This technique allows for the detection of differences in methodological patterns and institutional logic (Jalili et al., 2023). The study also incorporates a comparative-descriptive analysis to solve problems by looking at theory in related data and books (Setyaningsih, 2022). By analyzing the transformation of rulings through the sociology of knowledge, the analysis identifies broader sociopolitical drivers. This multi-layered analysis provides a holistic view of the nationalization of Islamic law.

Data validation is achieved through the rigorous application of triangulation and peer review. Triangulation involves comparing official fatwas, scholarly articles, and academic books to cross-reference legal claims. This process ensures that the research remains objective and minimizes individual bias in interpretation. Validity is further reinforced through consultations with experts in the field of Islamic law to verify technical nuances. The reliability of the findings is supported by consistent coding procedures reviewed by independent scholars. Such measures are critical for establishing the trustworthiness of qualitative findings in a pluralistic context.

The final stage of the research involves conclusion drawing based on inductive reasoning. Following the Miles and Huberman model, the conclusion drawing phase is the culmination of data identification, reduction, and presentation. These are formulated by synthesizing patterns and themes that emerge from the comparative analysis. The final results emphasize meaningful interpretations rather than simple generalizations of the law. This reflective process ensures that the study answers the research questions regarding methodological differences and convergences.

Ultimately, the conclusions provide a foundation for future discourse on the harmonization of religious and civil norms.

RESULTS AND DISCUSSION

The comparative analysis of legal istinbāt methodologies until 2022 reveals a sophisticated multi-polar system of religious authority in Indonesia. This system is defined by a dynamic dialectic between the preservation of classical intellectual heritage and the necessity of responding to modern societal complexities (Ansori, 2022). The findings indicate that while the three institutions—MUI, NU, and Muhammadiyah—diverge in their foundational epistemological starting points, they increasingly share a common trajectory toward contextualization. This evolution ensures that Islamic law remains a living tradition capable of bridging the quantitative gap between finite scriptural texts and infinite modern realities .

The results demonstrate that the institutionalization of fatwas has transformed religious advisories into powerful instruments of social and legal architecture. These organizations act as critical mediators in Indonesia's legal pluralism, balancing religious purity with the exigencies of a modern state. The following sub-sections detail the distinctive procedural frameworks of each body, their application to contemporary challenges such as digital family law and the economy, and their eventual convergence on the higher objectives of Sharia. Ultimately, the study highlights the resilience of these intellectual traditions in maintaining religious relevance within a pluralistic democracy.

Epistemological and Procedural Foundations of Legal Istinbāt

The epistemological landscape of Indonesian jurisprudence is anchored by the traditionalist methodology of Nahdlatul Ulama, which prioritizes the preservation of the sanad of knowledge through classical texts. NU's procedural framework is built upon a strict hierarchy of authority within the Shafi'i school, where the consensus of Imam al-Nawawi and Imam al-Rafi'i occupies the highest priority (Jalili et al., 2023). This approach reflects a deep-seated caution against direct scriptural ijtihad by contemporary scholars who may lack the qualifications of a mujtahid muthlaq (Mutakin, 2018). Instead, NU utilizes the ilhaqi method to link new legal problems to existing classical rulings based on shared legal logic (Daud & Hambali, 2022). This methodology ensures that the intellectual heritage of previous scholars remains the foundational anchor for modern legal decisions (Azhari & Asmuni, 2023). Consequently, NU's traditionalism is best described as an 'evolving continuity' that respects historical context while offering modern remedies.

In contrast, Muhammadiyah operates through a reformist vision that emphasizes the dynamic modernization of faith through its Majelis Tarjih. Its methodology is defined by the principle of return to the Qur'an and Sunnah, deliberately avoiding binding adherence to any specific school of thought (Amalia, 2019). Muhammadiyah utilizes a sophisticated interdisciplinary framework involving Bayani, Ta'lili, and Istishlahi approaches to modernize religious teachings (Rachmadhani et al., 2022). The Ta'lili method is particularly significant, as it seeks the underlying cause ('illah) of a ruling to allow for its expansion in contemporary

settings (Rachmadhani et al., 2022). This rational-based *ijtihad* allows Muhammadiyah to be highly responsive to social changes, often producing progressive results in worldly affairs (Amalia, 2019). Such a framework facilitates the reaktualisasi of Islamic values in line with modern scientific and social standards.

The Majelis Ulama Indonesia (MUI) serves as a national bridge, utilizing a methodology that synthesizes diverse juristic traditions to achieve national consensus (Ansori, 2022). Its *istinbāt* process follows a procedural hierarchy consisting of *Nash Qath'i*, *Qauli*, and *Manhaji* approaches. A significant innovation within this body is the use of *talfiq manhaji*, which combines different juristic opinions to provide flexible solutions to modern crises (Iqbal, 2020). By integrating multidisciplinary expert consultation, MUI ensures that its fatwas are normatively valid and scientifically accountable. This eclectic approach allows the council to reconcile technological innovation with religious principles for the broader community. Consequently, the MUI functions as a primary architect of a moderate national jurisprudence.

Dialoguing with previous research, Ansori (2014) noted that the friction between these orientations often resides at the level of branch issues rather than core principles. NU's dependency on the Yellow Books reflects a sociology of knowledge that prioritizes educational continuity within the *pesantren* system (Mutakin, 2018). Conversely, Muhammadiyah's selective use of accepted hadiths highlights a rigorous search for authentic evidence that aligns with public welfare (Rachmadhani et al., 2022). The MUI's methodological hierarchy functions as a neutral arbiter, ensuring that no single school-based view dominates the national discourse (Setyaningsih, 2022). This multi-polar landscape prevents the stagnation of thought and fosters a healthy pluralism within the Indonesian Muslim community.

Recent literature by Sholeh et al. (2022) emphasizes that the procedural nuances of these organizations are increasingly influenced by global economic and technological shifts. While NU remains cautiously tethered to scholarly consensus, it has begun to embrace the *Manhaji* framework to avoid legal deadlock (Mahfudin, 2021). Muhammadiyah's approach, summarized by the 'Back to the Qur'an' jargon, is actually an intricate interdisciplinary engagement with sociology and history (Amalia, 2019). The MUI further complicates this by adopting specialized principles like *tahqīq al-manat* to verify legal causes in changing contexts. This procedural diversity is a defining feature of Indonesian legal pluralism, where religious law is constantly negotiated.

The role of *Qawā'id Fiqhiyyah* serves as a shared heuristic tool among these institutions, providing consistency in legal reasoning across diverse contexts. Maxims such as 'hardship begets facility' are frequently invoked to justify modifications in religious practice during times of crisis. This reliance on legal maxims allows scholars to distill complex modern situations into coherent legal decisions that respect the spirit of the law. While the interpretation of these maxims may vary, they offer a structured framework for adapting Islamic law to contemporary societal needs (Setyaningsih, 2022). Ultimately, this shared procedural heritage facilitates a degree of methodological harmony amidst institutional diversity.

By 2022, the shift from purely textual to methodological reasoning across these bodies indicates a broader trend toward social jurisprudence (Mahfudin, 2021). This evolution acknowledges that the authority of classical texts is best preserved by reviving the creative spirit of the classical imams rather than rigid literalism. NU's transition toward a progressive-moderate orientation at the 1992 Lampung conference was a pivotal moment in this trajectory (Daud & Hambali, 2022). Muhammadiyah's continued emphasis on *tajdid* ensures that religious norms are not isolated from modern scientific advancements (Amalia, 2019). This collective movement toward procedural flexibility ensures the continued relevance of Sharia in a rapidly developing nation.

The findings confirm that the technical derivation of law in Indonesia is not a static imitation of the past but a dynamic engagement with reality (Ansori, 2022). The procedural differences identified—from NU's hierarchical consensus to Muhammadiyah's rational evidence—reflect the unique socio-cultural identities of their respective memberships (Ansori, 2014). Despite these divergent paths, all three institutions utilize *istinbāt* as a sophisticated mechanism for connecting sacred tradition with human context (Azhari & Asmuni, 2023). This ensures that Islamic law functions as a source of justice and ethics within the unique landscape of the Indonesian archipelago.

Methodological Influence on Contemporary Fatwa Content

The divergence in *istinbāt* methodologies produces significantly different legal outcomes in contemporary sectors such as digital family law. Nahdlatul Ulama remains the most conservative regarding online marriage, declaring it invalid due to the non-fulfillment of the physical assembly requirement. NU's scholars argue that virtual presence cannot satisfy the essential condition of *ittihad al-majlis*, which historically requires a single physical location. In contrast, Muhammadiyah permits online marriage if real-time audio-visual interaction is maintained to ensure the contract is uninterrupted. This modernist approach prioritizes the essence of communication over physical proximity to accommodate global mobility. Such differences illustrate how institutional identity shapes the boundaries of religious practice in the digital era.

The MUI adopts a moderate path by recognizing online marriage only under specific conditions, most notably requiring formal government recognition. This position reflects the council's role as a bridge between religious tradition and state administration to ensure legal certainty. Regarding divorce, the organizations also display varying levels of strictness. Muhammadiyah mandates court reporting to prevent the misuse of divorce rights, using the principle of *sadd az-zari'ah* to avoid future harm (Nurhidaya, 2023). Conversely, NU and MUI recognize the validity of divorce declared outside the court if the intention is clear, prioritizing the textual autonomy of the husband's declaration. These varying stances on digital family law highlight a complex relationship between faith, technology, and legal administration.

The rise of digital assets provided another significant test for institutional methodologies until 2022. Both Nahdlatul Ulama and Muhammadiyah have consistently declared cryptocurrencies as haram due to excessive uncertainty and

speculation . Their reasoning focuses on the principle of gharar, where the lack of state backing and high volatility are seen as bordering on gambling . However, the MUI provides a more nuanced stance, declaring cryptocurrency haram as a currency but permissible as a digital asset if it possesses an underlying physical value and clear utility (Zamroni, 2018). This nuanced ruling demonstrates the MUI's ability to reconcile technological innovation with Sharia principles through an eclectic methodology (Zamroni, 2018). Such diversity in financial rulings reflects the different ways institutions prioritize economic stability and religious purity.

Dialoguing with previous research, Ansori (2022) observed that the effectiveness of these fatwas often hinges on organizational loyalty. For instance, Muhammadiyah members showed significant drops in smoking rates after their organization issued a haram fatwa, whereas NU members largely ignored it, adhering to their organization's makruh status (Ansori, 2022). This 'sociology of the fatwa' suggests that the technical content of a ruling is only one factor in its social impact. The institutional infrastructure and the cultural identity of the community are equally critical for ensuring socialization (Ansori, 2022). Consequently, the diversity of fatwas contributes to a dynamic space for negotiation within the national legal landscape.

In the realm of bioethics, the three institutions show a high degree of convergence on reproductive cloning but subtle differences in their reasoning for therapeutic methods. All three strictly prohibit reproductive cloning as it threatens the natural order and the protection of lineage (Setyaningsih, 2022). However, therapeutic cloning is generally viewed as permissible if it serves a life-saving medical purpose, reflecting the principle of necessity . Organ transplantation also receives broad agreement, though NU provides more detailed rules regarding the honor of the human body to prevent the commercialization of organs (Ansori, 2022). These bioethical rulings demonstrate how institutions balance modern medical potential with traditional ethical imperatives.

The digitization of marital administration has triggered a new wave of debate regarding the role of the state in religious affairs. Muhammadiyah's requirement for court reporting reflects a legal custom (*urf qanuni*) that aims to align religious practice with national order . This emphasis on formal procedures illustrates a willingness to integrate religious law into the civil framework to ensure justice . In contrast, the NU's recognition of out-of-court divorce preserves the textual autonomy of the religious tradition . Such tensions highlight the ongoing struggle between purely doctrinal interpretations and the practical needs of a modern state.

The differences in fatwa content regarding the digital economy also have implications for inclusive economic growth. The skepticism of NU and Muhammadiyah toward cryptocurrency reinforces ethical standards in financial transactions but may slow fintech adoption . Conversely, the MUI's nuance allows for a controlled integration of digital assets into the national Sharia economy (Zamroni, 2018). This ongoing dialogue between scholars, regulators, and industry stakeholders is essential for reconciling Sharia compliance with financial innovation . Ultimately, the trajectory of these rulings shapes the contours of Indonesia's Islamic financial landscape.

The findings confirm that these institutions do not merely react to change but actively participate in shaping the religious and social norms of the nation. The procedural nuances identified lead to a rich field of diverse outcomes that enrich the national legal discourse (Ansori, 2022). This multi-polar dynamic ensures that no single interpretation of Islamic law prevails, fostering a space for constant negotiation (Jalili et al., 2023). Such plurality is not a source of confusion but a core characteristic of Indonesia's resilient intellectual tradition.

Convergence on Maqāṣid al-Sharī'ah and Public Welfare

A defining trend until 2022 is the increasing reliance on Maqāṣid al-Sharī'ah as the normative compass for Indonesian religious authorities. Initially treated as a supplementary interpretive tool, the higher objectives of Sharia have moved to the center of legal derivation across MUI, NU, and Muhammadiyah. This shift allows these institutions to prioritize public health, economic stability, and universal human welfare in their rulings (Ansori, 2022). The integration of Maqasid theory enables religious scholars to bridge the gap between sacred texts and modern ethical standards (Setyaningsih, 2022). Consequently, Islamic law is increasingly framed as a medium for ensuring social harmony and justice in a pluralistic nation.

The MUI utilizes the principle of *ḥifz al-dīn* (protection of religion) as a primary lens for its heresy fatwas to safeguard the purity of the faith. These pronouncements are presented as preventive mechanisms against doctrinal deviations that could threaten communal harmony. However, this focus on religious protection often encounters tension with modern human rights standards and constitutional freedoms (Rokhmadi et al., 2023). To navigate this, the MUI increasingly incorporates the other four pillars of Maqasid—life, intellect, lineage, and property—to justify its rulings on medical and economic issues. This utility-oriented reasoning helps harmonize traditional values with modern legal requirements.

Muhammadiyah's *istishlahi* approach is deeply philosophical, relying on the objectives of Sharia to prioritize the public good in its *tajdid* efforts (Amalia, 2019). This focus on *maslahah* allows the organization to develop innovative financial and medical guidelines that meet modern spiritual needs (Rachmadhani et al., 2022). For instance, their support for online marriage is grounded in the Maqasid of facilitating ease and maintaining social bonds in a digital world. This prioritization of utility over rigid form ensures that religious guidance remains relevant to the everyday lives of Muslims (Amalia, 2019). Such a trajectory points toward an inclusive and adaptive framework for Islamic modernized jurisprudence.

Nahdlatul Ulama has also integrated Maqasid-based reasoning into its tradition of *Bahtsul Masail*, particularly through its *manhaji* approach (Jalili et al., 2023). Initially focused on school-based adherence, NU scholars like Kyai Sahal Mahfudz advocated for prioritizing *maslahah* in social and political determination (Daud & Hambali, 2022). By the 2015 Jombang Mukhtar, NU formally codified the *istishlahi* or *maqasidi* method as an operational standard for resolving contemporary legal deadlock (Mahfudin, 2021). This shift illustrates that even traditionalist circles recognize the necessity of aligning religious law with universal human welfare (Jalili

et al., 2023). Consequently, NU's traditionalism has become more contextually responsive to Indonesia's developing society.

Previous research by (Ansori, 2022) identifies that this convergence on Maqasid serves as a solution to the crisis of thought in the Islamic world. Collective ijihad allows for the involvement of medical, economic, and scientific experts to ensure that fatwas achieve their intended social benefits (Ansori, 2022). This trend toward interdisciplinary collaboration ensures that the voice of the ulama is informed by the best of human knowledge (Iqbal, 2020). Furthermore, it facilitates the 'nationalization' of Islamic law by balancing revelation with local custom and rationality (Ansori, 2014). Such a development fosters a resilient intellectual diversity that enriches the national legal landscape.

The application of Qawā'id Fiqhiyyah further supports this convergence by providing universally applicable principles like 'harm shall not be inflicted nor reciprocated'. These legal maxims act as heuristics that guide scholars toward consistent and coherent decisions that promote social stability. This principled flexibility allows for modified religious practices during global health crises like the COVID-19 pandemic. The integration of socio-cultural values into legal frameworks enhances public trust and compliance (Ansori, 2022). Ultimately, these maxims ensure that Islamic law remains dynamic, relevant, and responsive to societal needs.

Despite this convergence, challenges remain regarding the alignment of Sharia with secular constitutional rights, particularly in matters of gender equality and religious minorities (Rokhmadi et al., 2023). The potential for conflict between traditional interpretations and modern human rights standards necessitates a continuous dialogical reinterpretation. Institutions must consistently apply transparent methodologies grounded in Maqasid to maintain their moral legitimacy. This ongoing struggle highlights the complexities of integrating diverse legal systems in a modern democracy. Nonetheless, the collective shift toward utility reasoning points toward a more harmonious coexistence of faith and state.

In conclusion, the methodology of legal istinbāt in Indonesia until 2022 represents a resilient intellectual tradition that successfully balances textuality with reality (Ansori, 2022). The MUI has mastered the art of collective consensus, while NU and Muhammadiyah continue to offer vital competing visions of authority. The increasing reliance on Maqāṣid al-Sharī'ah as a foundational framework ensures that Islamic law continues to function as a source of justice and social harmony. While pluralism occasionally leads to public confusion, it primarily reflects a healthy intellectual diversity (Ansori, 2014). As Indonesia navigates its path as a modern democracy, these refined methodologies will remain essential for ensuring religious guidance remains relevant for the modern era.

CONCLUSION

The landscape of Islamic legal authority in Indonesia reflects a resilient and dynamic intellectual tradition. The three primary institutional pillars—the Indonesian Council of Ulama (MUI), Nahdlatul Ulama (NU), and Muhammadiyah—act as critical mediators between sacred texts and the evolving reality of a modern pluralistic nation. Through the systematic practice of istinbāt al-ḥukm, these

organizations have successfully navigated the complexities of religious jurisprudence, ensuring that Islamic law remains an adaptive medium for connecting divine doctrine with the practical needs of the Muslim community through 2022. This multi-polar system of authority ensures that religious interpretations are constantly negotiated, preventing the stagnation of thought and fostering a space for healthy intellectual pluralism.

The study successfully mapped the distinctive epistemological and procedural foundations of legal istinbāt utilized by these three institutions, proving that their starting points are rooted in their unique socio-cultural identities. It was found that Nahdlatul Ulama maintains a traditionalist identity by prioritizing school-based continuity through a hierarchical framework of qauli, ilhaqi, and manhaji methods, largely rooted in the Shafi'i school and the preservation of the sanad of knowledge. In contrast, Muhammadiyah adopts a reformist vision centered on the return to the Qur'an and Sunnah, utilizing a rational-interdisciplinary framework consisting of bayani, ta'lili, and istishlahi procedures. Meanwhile, the MUI operates as a national consensus-building body, synthesizing diverse juristic traditions into a procedural hierarchy that integrates multidisciplinary expert consultation to achieve a moderate national jurisprudence.

The research demonstrated how these divergent methodologies directly influence the resulting fatwas on contemporary challenges such as the digital economy and online marriage. The findings revealed that NU remains more conservative due to its strict requirement for physical assembly in marriage contracts, while Muhammadiyah exhibits greater flexibility by prioritizing real-time audio-visual interaction over physical proximity to accommodate global mobility. Similarly, the MUI serves as a pragmatic bridge, recognizing online marriage only with specific conditions and state oversight, while offering nuanced stances on digital assets that balance technological innovation with religious principles. These diverse outcomes reflect a sophisticated engagement with modernity where institutional frameworks determine the boundaries of religious practice in the digital era.

Finally, the study identified a significant convergence among all three institutions on the concept of Maqāsid al-Shari'ah and public interest as a normative compass for resolving modern legal deadlock. By the end of 2022, the higher objectives of Sharia moved from the periphery to the center of legal derivation across MUI, NU, and Muhammadiyah, allowing these bodies to prioritize human welfare, public health, and social stability in their rulings. This shared reliance on utility-oriented reasoning and legal maxims has facilitated the nationalization of Islamic law, enabling religious authorities to engage effectively with secular state policies and global health crises. This trajectory indicates that despite methodological differences, there is a unified effort toward creating a living legal tradition that ensures social harmony and justice within a modern democracy.

This study is primarily limited by its qualitative-comparative nature, focusing exclusively on purely textual data from official records, published academic materials, and institutional documents until the end of 2022. Consequently, it does not account for the empirical grassroots implementation of these fatwas or the subjective perceptions of the broader Muslim public regarding institutional authority. The

research is also restricted to the three major national pillars and does not include the diverse landscape of smaller regional religious organizations or the influence of individual preachers at the local level. Furthermore, the dynamic nature of the digital era means that legal responses to rapidly evolving technologies occurring after 2022 require further synchronic investigation to evaluate their continuing relevance.

Future research is recommended to explore the empirical effectiveness of these institutional fatwas through field studies to understand how they are accepted and applied by Muslims at the grassroots level. It is also suggested that scholars investigate the impact of digital literacy, user infrastructure, and local cultural factors on the socialization of religious decrees. Furthermore, there is a need for deeper synchronic and interdisciplinary collaboration between religious scholars and experts in science, technology, and civil law to harmonize religious norms with national administration more effectively. Finally, the government should consider these diverse religious interpretations when developing legal frameworks for digitizing marriage and financial administration to ensure that new regulations balance religious legitimacy with legal certainty.

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