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Bhineka Tunggal Ika and Hasbi ash-Shiddieqy's Indonesian Moderate Fiqh

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Abstract

Before Hasbi ash-Shiddieqy, Indonesian fiqh was predominantly characterized by a rigid and blind imitation (*taqlid*) rigidly adopting interpretations from Islamic schools in regions such as the Hijaz, Egypt, and India. These foreign teachings often lacked relevance to Indonesia's cultural context, causing friction between Islamic jurisprudence and local customary law (*bukum adat*). In response, Hasbi developed an Indonesian fiqh that integrated local traditions, aligning with the national motto *Bhineka Tunggal Ika*, which UN Secretary-General Antonio Guterres praised as crucial for a harmonious future in Southeast Asia. This approach fosters unity through the respectful recognition of cultural diversity. This study explores how sustaining *Bhineka Tunggal Ika* can be achieved through religious moderation based on Indonesian fiqh, particularly focusing on Hasbi ash-Shiddieqy. Employing qualitative research, the study utilized a literature review and thematic content analysis through four steps: data collection (gathering relevant information), data reduction (filtering out irrelevant data), data display (visually organizing key themes), and inference (synthesising findings to address research questions). This study reveal that Hasbi ash-Shiddieqy's Indonesian fiqh approach strengthens religious

moderation by integrating universal Islamic principles with local traditions and promoting peaceful conflict resolution, while being consistent with national regulations-Presidential Regulation 58/2023 and Minister of Religion Regulation 3/2024-that promote unity in diversity and foster social cohesion in Indonesia. Therefore, Hasbi ash-Shiddieqy's Indonesian fiqh modernizes Islamic law by integrating *maslahah* (public welfare) and *urf* (cultural practices), moving beyond rigid *taqlid*, and deserves recognition as a vital source for strengthening religious moderation and sustaining *Bhineka Tunggal Ika* in Indonesia.

Keywords: *Bhineka Tunggal Ika*; Religious Moderation; Indonesian Fiqh; Hasbi ash-Shiddieqy

Abstrak

Sebelum Hasbi ash-Shiddieqy, fiqh di Indonesia didominasi oleh *taqlid*, yakni adopsi kaku terhadap interpretasi mazhab-mazhab Islam dari wilayah seperti Hijaz, Mesir, dan India. Ajaran-ajaran asing ini sering kali tidak relevan dengan konteks budaya Indonesia, sehingga menyebabkan benturan antara hukum Islam dan hukum adat setempat. Merespons hal ini, Hasbi mengembangkan fiqh Indonesia yang mengintegrasikan tradisi lokal, sejalan dengan moto nasional *Bhineka Tunggal Ika*, yang dipuji oleh Sekretaris Jenderal PBB Antonio Guterres sebagai hal yang krusial untuk masa depan yang harmonis di Asia Tenggara. Pendekatan ini mendorong persatuan melalui pengakuan yang penuh hormat terhadap keberagaman budaya. Studi ini menggali bagaimana mempertahankan *Bhineka Tunggal Ika* dapat dicapai melalui moderasi beragama berbasis fiqh Indonesia, dengan fokus khusus pada kontribusi Hasbi ash-Shiddieqy. Dengan menggunakan metode penelitian kualitatif, studi ini melakukan tinjauan literatur dan analisis isi tematik melalui empat langkah: pengumpulan data (mengumpulkan informasi yang relevan), reduksi data (menyaring data yang tidak relevan), penyajian data (mengorganisasi tema-tema utama secara visual), dan penarikan kesimpulan (mensintesis temuan untuk menjawab pertanyaan penelitian). Studi ini mengungkapkan bahwa pendekatan fiqh Indonesia oleh Hasbi ash-Shiddieqy memperkuat moderasi beragama dengan mengintegrasikan prinsip-prinsip universal Islam dengan tradisi lokal serta mempromosikan resolusi konflik yang damai, selaras dengan regulasi nasional-Peraturan Presiden 58/2023 dan Peraturan Menteri Agama 3/2024-yang mendukung persatuan dalam keberagaman dan memperkuat kohesi sosial di Indonesia. Oleh karena itu, fiqh Indonesia ala Hasbi ash-Shiddieqy memodernisasi hukum Islam dengan mengintegrasikan *maslahah* (kesejahteraan publik) dan *urf* (praktik budaya), melampaui *taqlid* yang kaku, dan patut diakui sebagai sumber penting untuk memperkuat moderasi beragama serta mempertahankan *Bhineka Tunggal Ika* di Indonesia.

Kata Kunci: *Bhineka Tunggal Ika*; Moderasi Beragama; Fiqh Indonesia; Hasbi ash-Shiddieqy

Introduction

The development of fiqh in Indonesia prior to the contribution of Hasbi ash-Shiddieqy was heavily influenced by the Shafi'i school and Middle Eastern traditions, particularly from the Hijaz, Egypt and India. This approach to fiqh was characterised by a rigid and blind imitation (*taqlid*) that emphasised uniformity in religious practice without taking into account the complexities of Indonesia's diverse society.¹ One piece of evidence is that most books refer to Shafi'iyah jurisprudence, which also aligns with the religious practices of the majority of Indonesian society.² With more than 1,331 ethnic groups, 1,700 local languages and six official religions spread across some 17,001 islands.³ the need for a more flexible and inclusive fiqh became urgent.

As the fourth most populous country in the world-279 million people or about 3.45% of the world's total population-Indonesia boasts a rich diversity of cultures and beliefs that coexist peacefully.⁴ *Bhineka Tunggal Ika*, the national motto of Indonesia, meaning 'unity in diversity', is inscribed on the national emblem, the Garuda Pancasila.⁵ Pancasila,⁶ with its five main principles,⁷ serves as the foundation for maintaining national harmony.⁸ UN Secretary-General, António Guterres, praised *Bhineka Tunggal Ika* as a model that inspires global unity.⁹ Despite this international recognition, however, the internal commitment of scholars and intellectuals remains crucial to preserving unity and diversity.

In this context, Hasbi ash-Shiddieqy emerged as a reformer who emphasised the importance of a more relevant and adaptable

¹ Muhammad Hasbi Ash-Shiddieqy, *Syari'at Islam Menjawab Tantangan Zaman* (Jakarta: Bulang Bintang, 1996).

² Mahfudz Junaedi, "Fikih Indonesia: Epistemologi Sosio-Kultural," *YUDISIA: Jurnal Pemikiran Hukum Dan Hukum Islam* 9, no. 2 (2018).

³ "Statistik-Indonesia-2024," n.d.

⁴ Worldometer, "Indonesian People (Live)," Worldometer, April 30, 2024.

⁵ Thung Ju Lan, "Managing Multiculturalism in 21st Century Indonesia amid Ethnic and Religious Diversity," *Indonesia at The Crossroads: Transformation and Challenges*, 2023, 29.

⁶ Muhammad Al Mighwar, "The Impact of Trimurti's Intrinsic and Extrinsic Motivation on Pondok Modern Darussalam Gontor" 18, no. 105 (2022): 129–63.

⁷ Yudi Latif, "The Religiosity, Nationality, and Sociality of Pancasila: Toward Pancasila through Soekarno's Way," *Studia Islamika* 25, no. 2 (2018): 207–45.

⁸ Muhammad Hanif al Hakim and Hudzaifah Muhammad Maricar, "On Islamic Concept of Man and Justice in Pancasila," *TSAQAFAH* 19, no. 2 (2023): 335–52.

⁹ "Secretary-General's Opening Remarks at Press Conference at ASEAN," UN Secretary-General, September 7, 2023.

fiqh, which he termed fiqh Indonesia. Through his various works, Hasbi articulated several important ideas, including: (1) His first article, *Memoedahkan Pengertian Islam* (1940), in which he stressed the importance of deriving fiqh rulings through ijtihad relevant to the needs of the Indonesian nation. Hasbi rejected the notion of fiqh as rigid and antiquated, and he sought to avoid the sanctification of existing Islamic legal thought by encouraging scholars to engage in new, contextual ijtihad; (2) His article in *Aliran Islam* entitled *Menghidupkan Hukum Islam dalam Masyarakat* (1948), where Hasbi proposed the idea of 'Fiqh Indonesia' (Indonesian fiqh) as a more relevant alternative. He advocated for collective work (*Ijtihad Jama'i*) and established the institution of *Ahlul Halli wal Aqdi*, which consisted of two sub-institutions:¹⁰ First, a political body (*hay'at al-siyasah*) whose members were elected by the people and had expertise in their respective fields, functioning as an legislative body such as The People's Representative Council (DPR) and the People's Consultative Assembly (MPR); second, the *Ahlul Ijtihad* (mujtahids) or judicial body such as Supreme Court (MA) and Indonesian Ulema Council (MUI) etc., and *Ahlul Ikhtisas* (specialists) or executive body such as the government, the Association of Indonesian Muslim Intellectuals (ICMI) etc.,¹¹ who were also representatives of the people;¹² and (3) his scholarly address during the first Dies Natalis of IAIN Sunan Kalijaga, entitled *Syari'at Islam Menjawab Tantangan Zaman* (1966), where Hasbi asserted that the goal of studying Islamic law is to ensure that fiqh can accommodate the public interest and become a fundamental basis for the development of law in Indonesia. He emphasised that Indonesian fiqh must be adapted to the character of the Indonesian nation, rather than simply adopting fiqh from Hijaz, Egypt or India based on local customs and 'urf, as his complete statement below:¹³

"Maksud untuk mempelajari syariat Islam di universitas-universitas Islam sekarang ini supaya fiqh atau syariat Islam dapat menampung seluruh kemaslahatan masyarakat dan dapat menjadi pendiri utama bagi perkembangan

¹⁰Nourouzzaman Siddiqi, "Muhammad TM Hasbi Ash-Shiddieqy Dalam Perspektif Sejarah Pemikiran Islam Di Indonesia," *Al-Jami'ah* 35 (1987): 215–16.

¹¹ Muhammad Hasbi, "Metode Ijtihad TM Hasbi Ash-Shiddieqy Sebagai Produk Pemikiran Hukum Islam," *DIKTUM: Jurnal Syariah Dan Hukum* 15, no. 1 (2017): 109–26.

¹² Mansur Mansur, "Kontekstualisasi Gagasan Fiqh Indonesia TM Hasbi Ash-Shiddieqy (Telaah Atas Pemikiran Kritis Yudian Wahyudi)," *Asy-Syir'ah: Jurnal Ilmu Syari'ah Dan Hukum* 46, no. 1 (2012).

¹³ Muhammad Hasbi Ash-Shiddieqy, *Syari'at Islam Menjawab Tantangan Zaman*.

hukum-hukum di tanah air kita yang tercinta ini. Maksud kita supaya dapat menyusun suatu fiqh yang berkepribadian kita sendiri sebagaimana sarjana-sarjana Mesir sekarang ini sedang berusaha me-Mesir-kan fiqhnya. Fiqh Indonesia ialah fiqh yang ditetapkan sesuai dengan kepribadian Indonesia, sesuai dengan tabi'at dan watak Indonesia. Fiqh yang berkembang dalam masyarakat kita sekarang ini sebagiannya adalah fiqh Hijaz, fiqh yang terbentuk atas dasar adat istiadat dan 'urf yang berlaku di Hijaz, atau fiqh Mesir, yaitu fiqh yang telah terbentuk atas dasar adat istiadat dan kebiasaan Mesir, atau fiqh Hindi, yaitu fiqh yang terbentuk atas 'urf dan adat istiadat yang berlaku di India. Selama ini, kita belum menunjukkan kemampuan untuk berijtihad, menunjukkan hukum fiqh yang sesuai dengan kepribadian Indonesia. Karena itu kadang-kadang kita paksakan fiqh Hijazi atau fiqh Misri atau fiqh Iraqi berlaku di Indonesia atas dasar taklid' ("The purpose of studying Islamic law in Islamic universities today is so that fiqh or Islamic law can accommodate all the interests of society and become the main foundation for the development of laws in our beloved homeland. Our goal is to be able to develop a fiqh with our own personality, just as Egyptian scholars are trying to develop their fiqh today. Indonesian fiqh is fiqh that is determined in accordance with the personality of Indonesia, in accordance with the temperament and character of Indonesia. The fiqh that is developing in our society today is partly Hijaz fiqh, fiqh that has been formed on the basis of the customs and 'urf that prevail in Hijaz, or Egyptian fiqh, fiqh that has been formed on the basis of Egyptian customs and habits, or Hindi fiqh, fiqh that has been formed on the basis of the 'urf and customs that prevail in India. So far, we have not shown the ability to do Ijtihad, to show fiqh laws that are in accordance with the Indonesian personality. That is why we sometimes impose Hijazi fiqh or Misri fiqh or Iraqi fiqh in Indonesia on the basis of taklid').

Mukti Ali, a cleric, scholar and former Minister of Religious Affairs of Indonesia in the Second Development Cabinet (1923-2004), regarded Hasbi ash-Shiddieqy as a significant reformer of Islamic thought in Indonesia, especially in the field of fiqh. Hasbi's aim was to create an "Indonesian Fiqh" that resonated with the country's distinct character and cultural identity.¹⁴ Ahmad Sjadzali referred to him as "Syaikh Fuqaha Indonesia" ("Indonesian Sheikh of Jurisprudence").¹⁵ His son, Nourouzzaman, author of *Fikih Indonesia: Penggagas dan Gagasanannya*, described Hasbi as an eclectic mujtahid who emphasized unity in his approach.¹⁶

¹⁴ Fikri Hamdani, "Hasbi Ash Shiddieqy Dan Metode Penafsirannya," *Rausyan Fikr* 12, no. 1 (2016).

¹⁵ Waryani Fajar Riyanto, "MAZHAB SUNAN KALIJAGA (Refleksi Setengah Abad Genealogi Epistemologi Studi Ilmu Hukum Islam Integratif Di Fakultas Syari'ah Dan Hukum UIN Sunan Kalijaga 1963-2013)," *Asy-Syir'ah Jurnal Ilmu Syari'ah Dan Hukum* 47, no. 2 (2013): 371-416.

¹⁶ Hasbi Ash-Shiddiqy, "Tafsir Al-Qur'an Majid An-Nuur Jilid 1," 2000, 264-65. Tafsir

The overarching idea of Indonesian fiqh proposed by Hasbi ash-Shiddiqy, characterised by moderation and an emphasis on social harmony, inclusiveness, and alignment between religious principles and the realities of Indonesia's diverse society, indicates that he was a religious nationalist scholar. His thoughts resonate with the spirit and meaning of the national motto *Bhineka Tunggal Ika*, which reinforces unity in diversity.

Historically, *Bhineka Tunggal Ika* describes the unity (living in harmony and peace) or religious tolerance of Hindus and Buddhists in the Majapahit Kingdom led by King Hayam Wuruk and Patih Gajah Mada. This motto is mentioned explicitly in the Kakawin Sutasoma Book in pupu 139 verse 5 by Mpu Tantular at the end of the 14th century, "*Rwaneka dhatu winuwus Buddha Wiswa, Bhinnêki rakwa ring apan kena parwanosen, Mangka ng Jinatwa kalawan Siwataatwa Tunggal, Bhinnêka singular ika tan hana dharma mangrwa*" (It's commonly believed that Buddhism and Hinduism have distinct teachings. However, how can the divine be divided when the truth of Jina and Shiva is singular? They may seem diverse, yet fundamentally united. Additionally, there is no dharma with two goals.¹⁷ The Nahdlatul Ulama (NU) and Muhammadiyah, the two largest Islamic organizations in Indonesia, accept and support *Bhineka Tunggal Ika* as a national motto within the framework of the Unitary State of the Republic of Indonesia (NKRI) based on Pancasila and the 1945 Constitution. Both adopt a moderate Islamic approach that rejects violence, seeing this principle of diversity as aligned with the peaceful values of Islam as well as the concept of *rahmatan lil 'alamin* (mercy for all nature).¹⁸ The acceptance of the NU and Muhammadiyah, became clear on 7 September 1944 during the discussions of the 62-member BPUPKI (Investigating Committee for Preparatory Work for Indonesian Independence). Within the BPUPKI, K.H. Wahid Hasyim and K.H. Masykur from NU and Ki Bagus Hadikusumo from Muhammadiyah were involved in the "Nine Committee", which formulated and agreed on the philosophical basis of the state, including the national motto *Bhineka Tunggal Ika*, which

al-Qur'anul Majid an-Nuur, (Semarang: Pustaka Rizki Putra, 2000

¹⁷ Ni Wayan Somawati and I Wayan Karja, "Contemporary Wayang Beber: Transformative Narration in the Discourse of Philosophy and Society," *Int. J. Soc. Sci. Hum. Res* 6, no. 08 (2023).

¹⁸ Masdar Hilmy, "Whither Indonesia's Islamic Moderatism? A Reexamination on the Moderate Vision of Muhammadiyah and NU," *Journal of Indonesian Islam* 7, no. 1 (2013): 24–48.

Muhammad Yamin had proposed to Ir. Soekarno.¹⁹ This agreement was based on an awareness of the importance of unity in diversity and cooperation for the common good, in line with the Medina Charter.²⁰ The use of this motto was officially included in Government Regulation No. 66 of 1951 on the State Emblem. Mukti Ali strongly accepted and agreed with the motto *Bhineka Tunggal Ika* as the basis for promoting harmony among religious communities in the concept of “agree in disagreement”, which means to agree in disagreement based on mutual respect and appreciation for differences in religious beliefs.²¹

The presence of *Bhineka Tunggal Ika* in the 1945 Constitution is evident in Chapter XV, specifically in articles 35-36, which regulate the National Flag, Language, State Emblem, and National Anthem. The Red and White flag, with its two colors united in one flag, reflects unity. The Indonesian language, being the language of unity, functions as a means of communication tool that embraces various ethnicities and cultures throughout the archipelago. The State Emblem of Garuda Pancasila emphasizes courage and justice as shared values. The national anthem, Indonesia Raya, ignites the spirit of unity and pride in diversity. Afifah²² emphasizes that these articles are not only instruments of unity and identity but also embodiments of the *Bhineka Tunggal Ika* motto in realizing the aspirations of a united nation. This constitution affirms the significance of *Bhineka Tunggal Ika* as the state motto, representing the unity of Indonesian society amidst diversity in any terms.

While diversity is undoubtedly a national strength, it can potentially threaten unity if not managed strategically and wisely. A review of historical events reveals that inter-ethnic conflicts, religious tensions, and the emergence of extremism and radicalism, both overt and covert, have posed significant risks to societal stability. In Indonesia, religious moderation has been effectively employed to address these

¹⁹ Nurhayati Nurhayati, Rini Setiyowati, and Yunisca Nurmalisa, “Bhinneka Tunggal Ika as a National Consensus and a Universal Tool of the Indonesian Nation,” *JED (Jurnal Etika Demokrasi)* 6, no. 2 (2021): 254–63.

²⁰ Muhammad Adnan, Satria Aji Imawan, and Hendra Try Ardianto, “Pancasila Sebagai Piagam Madinah Indonesia: Peran Nahdlatul Ulama (NU) Dalam Menjaga Kebinekaan Bangsa,” 2024.

²¹ Siti Muna Hayati, “Mengingat Kembali Pemikiran Abdul Mukti Ali: Pendekatan Scientific-Cum-Doctrinaire Dan Konsep Agree In Disagreement,” *Jurnal Ilmiah Ilmu Ushuluddin* 16, no. 2 (2017): 161–78.

²² Tatu Afifah, “Identitas Nasional Di Tinjau Dari Undang-Undang Dasar 1945 Dan Undang-Undang Nomor 24 Tahun 2009,” *Ajudikasi: Jurnal Ilmu Hukum* 2, no. 2 (2018): 187–98.

threats through coordinated efforts by ulama and fuqoha from groups such as Nahdlatul Ulama (NU) and Muhammadiyah, under the guidance of the Ministry of Religious Affairs and other relevant ministries. This collaboration is evident in four notable cases. The first is the Shia conflict in Sampang, Madura, where ulama emphasized *wasathiyah* (moderation) through fiqh, advocating for the peaceful reintegration of displaced Shia followers Under the Ahlus Sunnah wal Jamaah principles, actions included mediation, reconciliation, relocation, rehabilitation, and reconstruction.²³ The second is the ISIS threat, countered by ulama using fiqh-based arguments to condemn violence, uphold the sanctity of life (*hifz al-nafs*), and prohibit chaos, thereby fortifying resistance to radical ideologies. The third is the Tolikara incident in Papua in 2015, where ulama promoted reconciliation and respect for other faiths, rooted in fiqh principles, which encompass civic and religious education.²⁴ The fourth case is the Aceh Singkil church burning. This shows how religious conflicts, particularly between Muslims and Christians, can arise from places of worship that are not built according to agreed-upon terms. The government and religious leaders in Aceh Singkil worked to balance religious freedom and public order. They did this by sharing rules, encouraging respect between groups, and starting discussions.²⁵ This led to a joint rule from the Minister of Religious Affairs and the Minister of Home Affairs in November 2020. This rule was made to promote religious harmony. These efforts show how important ulama or religious leaders are in keeping the peace.²⁶ Similarly, Thailand's Thai Wasatiyyah Institute for Peace and Development (TWIPD) promotes tolerance and counters extremism to sustain community harmony.²⁷

²³ Fita Mustafida, M Fahrudin Andriyansyah, and Dian Mohammad Hakim, "Sunni-Shia Conflict Resolution Strategy And Its Impact On Harmonizing The Society: Evidence From Sampang, Madura," *Al-Qanatir: International Journal of Islamic Studies* 33, no. 3 (2024): 423–30.

²⁴ Erica Michelle Larson, "Civic and Religious Education in Manado, Indonesia: Ethical Deliberation About Plural Coexistence" (Boston University, 2019).

²⁵ Arifin Zain and Maturidi Maturidi, "Building Bridges, Not Walls: Navigating Inter-Religious Conflict Over Worship Spaces in Aceh Singkil, Indonesia," *Religious: Jurnal Studi Agama-Agama Dan Lintas Budaya* 7, no. 3 (2023): 209–22.

²⁶ Abdul Yasin, Lukman S Thahir, and Ubay Harun, "Moderasi Beragama Dalam Tinjauan Hukum Islam," *Prosiding Kajian Islam Dan Integrasi Ilmu Di Era Society (KIIES)* 5.0 1, no. 1 (2022): 499–502; Mochammad Nginwanun Likullil Mahamid, "Moderasi Beragama: Pandangan Lukman Hakim Saifuddin Terhadap Kehidupan Beragama Di Indonesia Article History," *Jurnal Ilmu-Ilmu Keislaman*, vol. 23, 2023.

²⁷ Sulaiman Dorloh and Kamarussalam Bin Yusuf, "Wasatiyyah and Islamic Values

The Indonesian government has proactively enacted various policies and initiatives, including measures to strengthen regulations and conflict resolution mechanisms, national tolerance campaigns, multicultural education, and religious moderation.²⁸ Presidential Regulation of the Republic of Indonesia 58/2023 concerning the Strengthening of Religious Moderation, Article 1 paragraph (1) characterizes religious moderation as the outlook, demeanor, and application of religion in community existence, encapsulating the fundamental tenets of religious doctrines that prioritize human dignity and advance societal welfare, guided by principles of equity, equilibrium, and commitment to Pancasila and the 1945 Constitution as the nation's collective agreement.

In Indonesia, religious moderation is a tangible reality, evident in societal and governmental practices. In the conceptual foundation aspect, major religions in Indonesia, including Islam, Christianity, Catholicism, Buddhism, and Confucianism, advocate principles of tolerance, compassion, and coexistence. Quranic teachings in Surah Al-Mu'minun verse 96 prompt Muslims to prioritize dialogue over conflict, while Christianity and Catholicism emphasize love, forgiveness, and solidarity. Buddhism teaches non-violence and compassion, and Confucianism promotes moral virtues like benevolence and sincerity. These principles form the bedrock of religious moderation, fostering understanding and cooperation among individuals and communities. In empirical experiences, religious moderation manifests through interfaith dialogue and cooperation across mosques, churches, temples, and other places of worship in Indonesia. Communities celebrate each other's traditions during religious and cultural events, showcasing tolerance and unity. Everyday interactions among Indonesians of diverse religious backgrounds reflect acts of kindness and solidarity, transcending religious boundaries and reinforcing shared values of compassion and empathy. In strategic policies, the Indonesian government actively promotes religious moderation through campaigns, educational programs, and interfaith initiatives. These efforts aim to disseminate knowledge and foster understanding among people of all ages and backgrounds. Religious moderation is integrated

in Reinforcing Malay Muslim Ethnic Relations: A Case Study of Thai Wasatiyyah Institute for Peace and Development in Thailand," *International Journal of Nusantara Islam* 3, no. 2 (2015): 61–68.

²⁸ Abdul Muid, "Multicultural Education in the Life of Nation, State, and Religion in Islam Perspective," *IJIRR* 5 (n.d.): 5020–28.

into national development plans like The National Medium-Term Development Plan (RPJMN) 2020-2024 highlights the government's dedication to building a peaceful and harmonious society where individuals of all faiths can thrive together.²⁹

However, the role of fiqh in shaping religious moderation is significant, particularly as developed by Hasbi ash-Shiddieqy, a leading reformer of Islamic law in Indonesia. He introduced 'Fiqh Indonesia', which advocates the adaptation of Islamic law to the socio-cultural context of the nation. Hasbi emphasised that laws should evolve with society, selecting relevant aspects of traditional fiqh while incorporating *urf* (custom), *mashlahah mursalah* (public welfare) and *sadd al-dhari'ah* (prevention of harm). His reforms included collective prayers, permission to shake hands with non-mahram women, zakat provisions for non-Muslims, the establishment of formal zakat institutions, and the use of astronomical calculations to determine Ramadan. By balancing Islamic principles with local traditions, Hasbi's contextual fiqh promotes religious moderation, embraces diversity and strengthens social cohesion in Indonesia.³⁰

Since 2016, the Indonesian Ministry of Religious Affairs has been vigorously enhancing religious moderation through a series of flagship programs,³¹ which have become increasingly structured, systematic, and widespread with the release of Presidential Regulation 58/2023. This regulation designates the Indonesian Ministry of Religious Affairs as the primary sector responsible for strengthening religious moderation, involving various government agencies and communities in efforts related to socialization, advocacy, and support. Through planned, structured, and sustainable measures to strengthen religious moderation, it is hoped that this will serve as the key to preserving unity amidst diversity (*Bhineka Tunggal Ika*), creating a harmonious, peaceful, and prosperous Indonesian society, in line with the principles of Pancasila and the 1945 Constitution.

²⁹ Tim Penyusun Kementerian Agama RI, "Moderasi Beragama," *Jakarta: Badan Litbang Dan Diklat Kementerian Agama RI*, 2019; Engkos Kosasih, "Literasi Media Sosial Dalam Pemasarakatan Sikap Moderasi Beragama," *Jurnal Bimas Islam Vol 12*, no. 2 (2019): 264.

³⁰ Stain Teungku and Dirundeng Meulaboh, "Contribution of T . M . Hasbi Ash-Shiddieqy in the Renewal of Islamic Law in Indonesia," 2006, 797–807.

³¹ Egi Sukma Baihaki, "Strengthening *Bhineka Tunggal Ika* as an Identity and Unifier of the Nation: Realizing a Peaceful Islam and Statehood Harmonization," *Addin 11*, no. 1 (2017): 55–76.

Presidential Regulation 58/2023 which was followed up by Minister of Religion Regulation 3/2024 concerning Procedures for Coordination, Monitoring, Evaluation and Reporting on the Implementation of Strengthening Religious Moderation underscore that the effectiveness of enhancing religious moderation is gauged by the degree of acceptance demonstrated by religious communities and followers towards four indicators: (1) National Commitment, assessed through the embrace of the esteemed values of the Indonesian nation, encompassing Pancasila, the 1945 Constitution, NKRI, and *Bhineka Tunggal Ika*, demonstrated through affection for the homeland; (2) Tolerance, measured by attitudes of respecting differences, allowing space for others' beliefs, expressing opinions, and appreciating equality and cooperation among individuals; (3) Anti-Violence, measured by the rejection of physical or psychological violence by certain individuals or groups; and (4) Acceptance of Tradition is assessed by the willingness to embrace and peacefully coexist with local customs and cultures in religious observance, provided they align with the tenets of religious teachings and beliefs.

Presidential Regulation 58/2023 emphasizes too the important role of Religious Moderation in building a moderate character in Indonesia. Indonesia is not secular or governed by a single religion; rather, religious values are an integral part of society's life, consistent with Pancasila and the 1945 Constitution. Strengthening religious moderation is pursued through five main strategies: promoting moderate religious practices, fostering harmony and unity among religious communities and believers, aligning religious and cultural practices, improving the quality of religious and public services, and developing economic and religious resources. This strengthening involves six ecosystems (society, education, religion, media, politics, and government) and eight strategic groups (bureaucracy, educational institutions, Indonesian National Armed Forces, Indonesian National Police, media, civil society, political parties, and the business sector). Although Presidential Regulation No. 58/2023 and Minister of Religious Affairs Regulation No. 3/2024 do not explicitly cite any specific fiqh or fuqaha, these regulations reflect the principles of Indonesian fiqh or contextual fiqh developed by Hasbi ash-Shiddieqy. These principles reconcile Islamic values with local customs, promoting coexistence and respect for diversity. Research on *Bhineka Tunggal Ika* and religious moderation, which refers to Hasbi's work, is highly relevant

and supports government policies and flagship programmes of the Ministry of Religious Affairs.

Indonesian fiqh by Hasbi ash-Shiddieqy offers an interpretation of Islamic law adapted to the Indonesian context, emphasizing the principles of inclusivity, coexistence, and adaptation to local customs.³² Hasbi emphasizes in *Falsafah Hukum Islam* that, “Hukum Islam menempuh jalan tengah, jalan wasathah, jalan yang imbang-tidak terlalu berat ke kanan mementingkan kejiwaan dan tidak pula berat ke kiri mementingkan kebendaan. Inilah yang diistilahkan sebagai teori wasathiyah, menyelaraskan antara kenyataan dan fakta dengan ideal dan cita-cita” (“Islamic law follows the middle path, the wasathiyah path, a balanced approach—not overly emphasizing the spiritual to the right nor overly emphasizing the material to the left. This is what is referred to as the theory of wasathiyah, harmonizing between reality and facts with ideals and aspirations”).³³ In *Tafsir al-Nur*, Jilid 2, while interpreting Surah Al-Baqarah: 185, Hasbi emphasizes that, “Al-Qur’an itu diturunkan untuk membimbing manusia dalam kehidupan duniawi dan ukhrawi, dan petunjuknya harus dipahami sesuai dengan kebutuhan zaman dan tempat” (“The Qur’an was revealed to guide humanity in both worldly and spiritual life, and its guidance must be understood according to the needs of the time and place”).³⁴ This approach underscores the importance of ijtihad in shaping a contextualized fiqh that fosters tolerance and unity amidst Indonesia’s diverse cultural landscape.

Prior studies pertinent to this topic have substantially enriched our comprehension of religious matters in Indonesia. For instance, the research conducted by Darmaputra³⁵ elucidated that Indonesia is profoundly diverse, with *Bhineka Tunggal Ika* often accentuating its ‘diversity’ more than its unity. Consequently, the possibility of disintegration remains a latent and tangible threat. The research

³² Abdurrohman Kasdi, “Actualizations of Maqāṣid Al-Shariah in Modern Life; Maqāṣid Al-Shariah Theory as a Method of the Development of Islamic Laws and Shariah Economics,” *Justicia Islamica* 16, no. 2 (2019): 247–68.

³³ Hasbi Ash-Shiddieqy, *Falsafah Hukum Islam* (Jakarta: Bulan Bintang, 1993).

³⁴ Teungku Muhammad Hasbi Ash-Shiddieqy, “Tafsir Al-Qur’anul Majid An-Nuur 2 (Surat 5-10),” 1986. “mendeley”:{“formattedCitation”：“Teungku Muhammad Hasbi Ash-Shiddieqy, “Tafsir Al-Qur’anul Majid An-Nuur 2 (Surat 5-10

³⁵ Gunaryo Sudarmanto and Dina Elisabeth Latumahina, “Encountering the Religious Radicalism Movement through Reconstructing the Multicultural Theology and Its Implication for Christian Leaders in Indonesia,” *Analisa: Journal of Social Science and Religion* 5, no. 01 (2020): 87–105.

conducted by Nurhayati et al³⁶ concluded that *Bhineka Tunggal Ika* serves as a unifying force for Indonesia, embracing diversity. Its outcome can vary from a boon to, on the contrary, a possible catalyst for catastrophe, depending on how we perceive and handle it. Top of Form

The research conducted by Atmaja et al³⁷ underscores the significance of *Bhineka Tunggal Ika* in Indonesia's Legal Pluralism. It acts as a crucial political catalyst by integrating Traditional and Religious Laws into State Legislation, while also molding Traditional Law in response to contemporary challenges. The research by Ali Sodiqin and Roehana Rofaidatun Umroh³⁸ suggests that integrating fiqh teachings with local culture, as practiced in Kaloran, Temanggung, and Central Java, can lead to religious moderation. The research by M. Mukhibat et al³⁹ emphasizes sustainable religious moderation education's effectiveness against conservatism and intolerance, with IAIN Ponorogo students averaging 81.9 in moderation ability. The research by Arbanur Rasyid et al⁴⁰ shows how national fiqh fosters unity, sovereignty, and religious moderation through a contextualist interpretation of Islam, promoting moderate and tolerant attitudes in Indonesia. The research by Khairunnas Jamal and Derhana Bulan Dalimunthe⁴¹ found that Hasbi ash-Shiddieqy, as a consistent modernist, transformed Indonesian fiqh by blending reason and tradition to address societal issues. The research by Suud Sarim Karimullah⁴² and Moh. Mukri⁴³

³⁶ Nurhayati Nurhayati, Rini Setiyowati, and Yunisca Nuralisa, "Bhineka Tunggal Ika as a National Consensus and a Universal Tool of the Indonesian Nation," *JED (Jurnal Etika Demokrasi)* 6, no. 2 (2021): 254–63.

³⁷ Gede Marhaendra Wija Atmaja, Ida Ayu Komang Arniati, and Gede Yoga Kharisma Pradana, "Bhineka Tunggal Ika as Source Politics and Identity of Indonesian Culture in the Formation of Law," *Cultura* 17, no. 1 (2020): 57–72.

³⁸ Ali Sodiqin and Roehana Rofaidatun Umroh, "Towards an Interreligious Fiqh: A Study of the Culture-Based Religious Tolerance in the Kaloran Community, Central Java, Indonesia," *Al-Jami'ah: Journal of Islamic Studies* 61, no. 1 (2023): 159–80.

³⁹ M Mukhibat et al., "Development and Evaluation of Religious Moderation Education Curriculum at Higher Education in Indonesia," *Cogent Education* 11, no. 1 (2024): 2302308.

⁴⁰ Arbanur Rasyid et al., "The Actualization of the Concept of National Fiqh in Building Religious Moderation in Indonesia," *Millah: Journal of Religious Studies*, 2022, 433–64.

⁴¹ Khairunnas Jamal and Derhana Bulan Dalimunthe, "Corak Pemikiran Hasbi Ash-Shiddieqy Terhadap Fiqh Indonesia (Antara Moderasi Dan Purifikasi)," *Akademika: Jurnal Keagamaan Dan Pendidikan* 16, no. 1 (2020): 25–38.

⁴² Suud Sarim Karimullah, "Pursuing Legal Harmony: Indonesianization of Islamic Law Concept and Its Impact on National Law," *Mazahib* 21, no. 2 (2022): 213–44.

⁴³ Moh Mukri, "Dinamika Pemikiran Fikih Mazhab Indonesia (Perspektif Sejarah

highlights Hasbi As-Shiddieqy's pivotal role in shaping Indonesian Fiqh in the 1940s, leading to new fiqh concepts such as Hazairin's "National School," Munawir Sjadzali's contextualization of Islamic Law, K.H. Sahal Mahfuzh's Indonesian social jurisprudence, K.H. Abdurrahman Wahid (Gus Dur)'s domestication and contextualization of Islamic law based on Pancasila, A. Qodri Azizy's politicization of Islamic Law, Ibrahim Hosen's reinterpretation of *Naş Qat'I* (Definitive Text), Makhrus Munajat's Islamic Criminal Law, and Moh. Mahfud MD's proposal for Islamic Law is based on Pancasila, among others. Additionally, Mansur's research⁴⁴ highlights that in formulating contextual Indonesian fiqh, Hasbi ash-Shiddieqy integrates consensus (*ijma*), analogy (*qiyas*), legal preference (*istihsan*), and local customs (*'urf*), alongside the Qur'an, Sunnah, and ijihad as sources of law (*masadir al-ahkam*), while emphasizing collective ijihad (*al-ijihad al-jama'i*) over individual ijihad (*al-ijihad al-fardhi*).

However, significant issues remain overlooked by researchers, particularly concerning the significance of Hasbi ash-Shiddieqy's Indonesian Fiqh and its alignment with the four pillars of religious moderation in sustaining the national motto *Bhineka Tunggal Ika*, which is the primary focus of this research. Understanding how Ash-Shiddieqy's approach to fiqh contributes to religious moderation in Indonesia holds significant relevance for several reasons. Firstly, it represents the active engagement of the academic community in strengthening religious moderation, aligning with the policy direction of Presidential Regulation 5/2023 driven by the Ministry of Religion. Secondly, it underscores the pivotal function of Islamic scholarship in fostering social harmony within Muslim-majority societies, which often adhere to four schools of jurisprudence (Hanafi, Maliki, Shafi'i, Hanbali), whose teachings may not always align with the diverse cultural context of Indonesia. Thirdly, it offers valuable insights for other religiously diverse nations grappling with similar challenges. Finally, it enhances our comprehension of Islamic civilization (*tsaqafah*), which underscores the fusion or dynamic synthesis of Islamic jurisprudence, culture, and knowledge by prioritizing unity and social cohesion.

Sosial)," *Analisis: Jurnal Studi Keislaman* 11, no. 2 (2017): 189–218.

⁴⁴ Mansur, "Kontekstualisasi Gagasan Fiqh Indonesia TM Hasbi Ash-Shiddieqy (Telaah Atas Pemikiran Kritis Yudian Wahyudi)."

This study explore how Hasbi Ash-Shiddieqy's fiqh promotes religious moderation and aligns with Indonesia's national ethos of *Bhineka Tunggal Ika*, using a structured qualitative approach based on Miles and Huberman's four-step methodology.⁴⁵⁴⁶ The research focuses on three core questions: (1) how Ash-Shiddieqy's approach to fiqh promotes religious moderation in Indonesia; (2) what elements of his fiqh specifically contribute to the nation's motto of *Bhineka Tunggal Ika*; and (3) To what extent does Ash-Shiddieqy's approach aligns with the intention to strengthen religious moderation to foster inclusivity and harmony in Indonesian society.

The data collection phase involved an extensive review of Ash-Shiddieqy's foundational texts, such as *Memoedahkan Pengertian Islam, Menghidupkan Hukum Islam dalam Masyarakat, Syari'at Islam Menjawab Tantangan Zaman, Pengantar Hukum Islam, and Tafsir An-Nur Jilid 1-5*, supported by *Fikih Indonesia: Peggagas dan Gagasannya* written by his son, Nourouzzaman, supplemented by secondary analysis from scholarly journals and academic research. These works highlight Hasbi's emphasis on *maslahah* (public welfare) and *urf* (cultural practices), which play a central role in adapting Islamic principles to Indonesia's diverse cultural context.

The data reduction phase filtered out irrelevant information to focus on key themes that demonstrate how Hasbi's fiqh integrates Islamic law with principles of social harmony and religious moderation. The data display phase then organised these themes visually, illustrating how Hasbi's interpretations support the national value of *Bhineka Tunggal Ika* (unity in diversity).

Finally, the inference phase synthesised the findings, demonstrating that Hasbi's moderate interpretations of Islam are not only consistent with, but actively promote, Indonesia's vision of a united, peaceful and pluralistic society. This comprehensive analysis underscores Hasbi's significant influence in embedding Islamic teachings that advocate inclusivity and peace within Indonesia's socio-cultural fabric, providing a sustainable model of religious moderation that maintains the nation's unity.

⁴⁵ Engkos Kosasih and Muhammad Al Mighwar, "The Relevance of Hermeneutics to Yusuf Al-Qaradhâwî's Understanding in Formulating Islamic Law Based on the Prophet ﷺ's Hadith," *Al-Afkar, Journal For Islamic Studies* 7, no. 2 (2024): 135–48.

⁴⁶ Mighwar, "The Impact of Trimurti's Intrinsic and Extrinsic Motivation on Pondok Modern Darussalam Gontor."

Result and Discussion

Short Biography of Hasbi ash-Shiddieqy

Teungku Muhammad Hasbi ash-Shiddieqy, born on March 10, 1904, in Lhokseumawe, North Aceh, emerged as a prominent intellectual figure from Aceh. His father, Tengku Muhammad bin Muhammad Su'ud, a respected scholar and proprietor of an Islamic boarding school (Dayah) and Qadi Chik, instilled in him a strong foundation of knowledge. His mother, Tengku Amrah, was the daughter of Tengku Abdul Aziz, who held the esteemed position of Qadi Chik Maharaja Mangkubumi in the Sultanate of Aceh. The appellation "Ash-Shiddieqy" was conferred upon him by his mentor, Syaikh Muhammad bin Salim al-Kalali, a Sudanese scholar, acknowledging his lineage as the 37th descendant of the first Khalifah, Abu Bakar al-Siddiq.⁴⁷

In 1933, Hasbi ash-Shiddieqy resided in Kutaraja where he engaged in various activities such as teaching at Jong Islamieten Bond (JIB), serving as the chairman of the Muhammadiyah branch in Kutaraja in 1938, establishing the Darul Irfan School in 1940, acting as the Consul (Chairman of the Regional Assembly) of Muhammadiyah in the Aceh Province from 1943 to 1946, and heading the Masyumi branch in North Aceh. At the 15th Congress of Indonesian Muslims (KMI) in Yogyakarta from December 20 to 25, 1949, he was introduced by Abu Bakar Aceh to the Minister of Religion, K.H Wahid Hasyim, and the chairman of the establishment of PTAIN (the precursor to IAIN/ UIN) Yogyakarta, Kiai Fatchurrahman Kafrawi. He was subsequently appointed as a lecturer at PTAIN in January 1951, and his works began to be published in 1957, thus gaining popularity in Indonesia. He also held various new positions, including Dean of the Faculty of Sharia (1960-1972) and Professor of Hadith at IAIN Sunan Kalijaga (1972), Dean of the Faculty of Sharia at IAIN Ar-Raniry, Dean of the Faculty of Sharia at Sultan Agung Semarang University, and Rector of al-Irshad University Surakarta (1963-1968). He passed away on December 9, 1975, in Jakarta, and his remains were laid to rest at the family cemetery of IAIN Syarif Hidayatullah Jakarta.⁴⁸

With his multifaceted roles, Hasbi ash-Shiddieqy is regarded as a significant figure in Islamic intellectualism, especially in the

⁴⁷ Ahmad Athoillah, "Hasbi Ash-Shiddieqy," Kemendikbudristekdikti RI, 2023, https://esi.kemdikbud.go.id/wiki/Hasbi_Ash-Shiddieqy.

⁴⁸ Athoillah.

advancement of Islamic tertiary education and the expansion of knowledge within Indonesia's Islamic context. He was awarded an honorary doctorate on March 22, 1975, by Bandung Islamic University, and on October 29, 1975, by IAIN Sunan Kalijaga. Through his dynamic and reformist insights into fiqh, and his written works including over 50 books such as *Tafsir An-Nur* (1952-1961) and *Tafsir al-Bayan*, as well as various modernist Islamic ideologies, he is recognized as one of the pioneers of Islamic renewal in the early 20th century, alongside figures like Buya Hamka (1908-1981) from West Sumatra and Hazairin (1906-1975) from Bengkulu, and others. Another remarkable concept he introduced is 'Fiqh Indonesia,' as stated in several of his works such as *Menghidupkan Kembali Hukum Islam dalam Masyarakat* and *Syariat Islam Menjawab Tantangan Zaman*, as well as the work of his son, Nourouzzaman, *Fiqh Indonesia: Penggagas dan Gagasannya*," advocating for flexible dynamics and concepts of Islamic law in alignment with the changing times, places, and socio-cultural contexts of Indonesia. Since the 1940s, through his writings, he emphasized the importance of revising Islamic jurisprudence to reflect Indonesia's uniqueness by considering the social and cultural contexts of society, advocating for legal adaptation to environmental and customary changes, and emphasizing justice, utility, and sustainability for the collective good.⁴⁹

The culmination of Hasbi ash-Shiddieqy's thoughts came to fruition in 1961 when he introduced the concept of Indonesian Fiqh during the Dies Natalies event at IAIN Sunan Kalijaga in 1961, with his scholarly discourse titled "Islamic Jurisprudence: Addressing Contemporary Challenges." He emphasizes the importance of studying Islamic law at Islamic universities to formulate a jurisprudence that is inclusive to Indonesian society. He highlights the need for a jurisprudence that reflects the Indonesian identity, distinct from the jurisprudence of Hijaz, Egypt, or India, which also considers the respective characteristics and local traditions of their countries. He notes that until 1961, no jurisprudence aligned with the Indonesian character, with fanaticism towards schools of thought being a major obstacle. Therefore, he urges Islamic universities to produce mujtahids capable of developing Indonesian Fiqh by utilizing all existing schools of jurisprudence (*muqâranah al-madzâhib*) as the foundation and primary source of its material. He emphasizes that the formation of Indonesian

⁴⁹ Zulhamdi Zulhamdi, "Pembaharuan Hukum Islam Di Indonesia Dan Tokoh-Tokohnya," *Islam Futura* 19, no. 2 (2019): 239–58.

Fiqh must consider local traditions and the similarities within Islamic law. He also underscores the importance of internalizing relevant fatwas from scholars within the Indonesian social and cultural context to mitigate conflicts between fiqh and customary law.⁵⁰

The Contribution of Hasbi ash-Shiddieqy's Indonesian Fiqh

In the realm of religious moderation, Hasbi ash-Shiddieqy's idea of Indonesian Fiqh offers a dynamic and inclusive approach, respecting the cultural diversity and Islamic traditions in Indonesia. By emphasizing the concept of *ijtihad* and legal adaptation, Hasbi ash-Shiddieqy seeks to create a legal framework that not only aligns with Islamic values but also takes into account the social, cultural, and environmental conditions of Indonesian society. Thus, his ideas make a significant contribution to promoting interfaith dialogue and fostering tolerance and a deeper understanding of religious diversity in Indonesia.

Hasbi ash-Shiddieqy presents a distinctive and genuine idea of religious moderation, influenced by the socio-cultural conditions of the tropical and maritime archipelago of Nusantara, aiming to maintain Indonesia's ecological balance within the framework of the NKRI. In his interpretation of "*ummatan wasa'an*" in Tafsir an-Nur, he defines it as a community that maintains a balanced and moderate approach to religion, neither excessively zealous (extremist) nor neglectful of religious obligations. He views moderation as a state of equilibrium, steering away from both extremes-be it right or left, top or bottom-not solely within the realm of the physical and tangible, as well as the metaphysical and intangible realm. Thus, his holistic and comprehensive definition leaves no room for deviation, emphasizing moderation across seven dimensions: Theology (principles of monotheism, not extreme atheism or polytheism), worship (balance between physical and spiritual movements according to time and place), law (enforcement of objective justice to prevent conflict), *muamalah* (reasonable and fair behavior in social interactions), the creation of human and the universe (balance and order in the structure of the human body and the universe as described in Surah al-Infihār verse 7), governance (balance of functions within executive, legislative, and judicial branches as implied in Surah al-ʿadīd verse 25), and

⁵⁰ Arhanuddin Salim et al., *Mozaik Kajian Islam Di Indonesia* (PT. Pustaka Alvabet, 2018).

cuisine (balance in food consumption according to tradition, without excess or deficiency).⁵¹

This study provides insightful findings on sustaining *Bhineka Tunggal Ika* through Religious Moderation, based on Hasbi Ash-Siddieqy's Indonesian Fiqh. It explores three key questions: Hasbi Ash-Siddieqy's role in promoting religious moderation, its contribution to *Bhineka Tunggal Ika*, and its alignment with strengthening religious moderation for a harmonious and inclusive Indonesian society. The findings focus on four indicator measures of achieving religious moderation. They will be analyzed, compared to prior research, and discussed regarding their significance for the field.

Promotion of Religious Moderation

Hasbi ash-Shiddieqy's influential stance on fiqh serves as a cornerstone for nurturing religious moderation across Indonesia. His approach, deeply rooted in the principles of contextualization and adaptability within Islamic jurisprudence, not only facilitates a profound understanding of religious practices but also cultivates a culture of tolerance and coexistence in the nation. His contextualization of *fiqh*, inspired by *tanqih al-manath* (identifying core rationale), adapts rulings to Indonesia's cultural context. For instance, he modified inheritance and marriage laws using *maslahah* (public interest) and local customs (*'urf*), aligning them with Shari'ah to maintain relevance and promote moderation in a diverse society. In this context, Hasbi ash-Shiddieqy's notion of 'Indonesian Fiqh' employs foundational Ushul Fiqh principles, including *Ushuliyyah Lughawiyah*, while in his *Tafsir an-Nuur, Jilid 1*,⁵² QS. An-Nisa (4:11), he interpreted inheritance laws through Arabic terminology analysis to align their application with Indonesia's kinship structures and Islamic principles.

Through his prolific writings and teachings, Hasbi ash-Shiddieqy champions a balanced interpretation of Islamic principles, actively combating extremism and promoting a harmonious societal ethos. His dedication to fostering moderation is exemplified through three pivotal approaches within Indonesian Fiqh.

⁵¹ Muhammad Ulinuha and Mamluatun Nafisah, "Moderasi Beragama Perspektif Hasbi ash-Shiddieqy, Hamka, Dan Quraish Shihab," *Suhuf* 13, no. 1 (2020): 55–76.

⁵² Ash-Shiddiqy, "Tafsir Al-Qur'an Majid An-Nuur Jilid 1." *Tafsir al-Qur'anul Majid an-Nuur*, (Semarang: Pustaka Rizki Putra, 2000

Table 1. The approach of Hasbi ash-Shiddieqy’s Indonesian Fiqh

Approaches of Hasbi ash-Shiddieqy’s Indonesian Fiqh	Description
Prioritizing Universal Islamic Principles	Hasbi ash-Shiddieqy ardently prioritizes universal Islamic principles, particularly the <i>Maqāsid al-Shariah</i> . He advocates for the flexible application of fiqh in Indonesia’s dynamic social landscape, fostering tolerance and inclusivity.
Embracing Local Traditions and Customs	Hasbi ash-Shiddieqy advocates for tolerance towards indigenous customs that align with Islamic principles, respecting Indonesia’s cultural diversity while upholding core Islamic values. This approach strengthens unity within society.
Promoting Peaceful Conflict Resolution and Dialogue	Hasbi ash-Shiddieqy emphasizes peaceful dialogue and mutual understanding in resolving religious differences, rejecting violence, and promoting open communication. He lays the groundwork for enduring social harmony.

Three main approaches by Hasbi ash-Shiddieqy toward Indonesian Fiqh are reflected in his works, such as *Tafsir An-Nur*, emphasizing the relevance of Islamic teachings in a culturally diverse society. The first approach, *Prioritizing Universal Islamic Principles*, emphasizes the application of Islamic law by considering the universal objectives of Sharia (*maqasid sharia*), such as welfare and justice.⁵³ In *Tafsir An-Nur, Jilid 3*,⁵⁴ Hasbi stated that Islamic law aims to protect life, intellect, lineage, and property, referring to the verse: “We did not send you except as a mercy to the worlds” (Al-Anbiya [21:107]) and in *Tafsir An-Nur, Jilid 1*⁵⁵ “Stand firm in justice” (An-Nisa [4:135]). The second approach, *Embracing Local Traditions and Customs*, highlighted the

⁵³ Hasbi Ash Shiddieqy, *Falsafah Hukum Islam* (Jakarta: Bulan Bintang, 1975).

⁵⁴ Hasbi Ash-Shiddiqy, *Tafsir An-Nuur Jilid 3*, n.d.

⁵⁵ Ash-Shiddiqy, “Tafsir Al-Qur’an Majid An-Nuur Jilid 1.” *Tafsir al-Qur’anul Majid an-Nuur*, (Semarang: Pustaka Rizki Putra, 2000)

importance of respecting local traditions that do not contradict Islam. In *Tafsir An-Nur, Jilid 1*,⁵⁶ Hasbi emphasized that Islam facilitates ease in life, referring to the verse: "Allah intends to provide ease for you" (Al-Baqarah [2:185]). The third approach, *Promoting Peaceful Conflict Resolution and Dialogue*, stressed the importance of peaceful dialogue and avoiding violence. In *Tafsir An-Nur, Jilid 1*,⁵⁷ Hasbi underlined the significance of consultation and speaking kindly, referring to the verse: "If you disagree about something, refer it back to Allah and His Messenger" (An-Nisa [4:59]) and "Speak to people in a good way" (Al-Baqarah [2:83]).

One example of Hasbi Asd-Shiddieqy's Indonesian Fiqh which promotes religious moderation is his *ijtihad* regarding handshakes. He rejected the fatwa prohibiting handshakes between men and women because it lacked strong evidence from the Quran or As-Sunnah, relying solely on analogies (*qiyas*). Although there is no explicit prohibition of handshakes in religious sources, he considers it a harmless tradition in Indonesian society, especially among farmers and planters, therefore seeing no reason for its prohibition.⁵⁸

In essence, Hasbi ash-Shiddieqy's contributions to Indonesian Fiqh transcend mere legalistic interpretations, embodying a profound commitment to fostering religious moderation and societal cohesion. His multifaceted approach, underscored by a dedication to Islamic principles and a deep respect for Indonesia's cultural diversity, serves as a guiding light for a nation navigating the complexities of religious discourse in the modern era.

Analyzing and comparing recent research on the three pivotal approaches within Indonesian Fiqh advocated by Hasbi ash-Shiddieqy provides valuable insights for the promotion of religious moderation in Indonesia.

Prioritizing Universal Islamic Principles: Recent research has continued to underscore the significance of prioritizing universal Islamic principles in promoting religious moderation. Recent researchers, such as Imam Wahyuddin,⁵⁹ have explored that *Maqashid al-Shariah*, with its

⁵⁶ Ash-Shiddiqy. *Tafsir al-Qur'anul Majid an-Nuur*, (Semarang: Pustaka Rizki Putra, 2000)

⁵⁷ Ash-Shiddiqy. *Tafsir al-Qur'anul Majid an-Nuur*, (Semarang: Pustaka Rizki Putra, 2000)

⁵⁸ Salim et al., *Mozaik Kajian Islam Di Indonesia*.

⁵⁹ Imam Wahyuddin, "Perspektif Maqashid Syariah Untuk Pancasila: Membingkai Relasi Ideal Agama Dan Negara," *Tasamuh: Jurnal Studi Islam* 12, no. 2 (2020): 253-76.

primary objectives (*al-dharūriyyât khamsah*), transcends mere textualist approaches to the Quranic text. It can serve as a guiding principle in comprehensively understanding and interpreting Pancasila. This relevance aligns with Hasbi ash-Shiddieqy's emphasis on *Maqāsid al-Shariah*, which allows for a nuanced interpretation of Islamic law, adaptable to Indonesia's socio-cultural context. This approach promotes tolerance and inclusivity by accommodating diverse perspectives within Islamic jurisprudence. Furthermore, scholars have examined the practical implications of applying universal principles in contemporary legal and social settings, highlighting their role in countering extremism and fostering a balanced understanding of Islamic teachings.

Embracing Local Traditions and Customs: Recent scholarship has also examined the importance of embracing local traditions and customs within the context of Indonesian Fiqh. Recent researchers, including R. Michael Feener,⁶⁰ pointed to mid-twentieth-century efforts to develop a uniquely Indonesian school of fiqh, or an "Indonesian madhhab," aimed at harmonizing Islamic law with Indonesia's cultural context. A key figure in this movement was the Islamic reformist Hasbi Ash Shiddieqy, whom Feener identifies as pivotal in formulating what became known as "Indonesian fiqh," or *Fiqh Indonesia*. Hasbi argued that a return to the Qur'an and Sunna, while rejecting unnecessary innovations (*bid'ah*), was essential but needed to be combined with a culturally sensitive and flexible interpretation of Islamic law. He emphasized incorporating local customs (*adat*) that aligned with Islamic principles, advocating for a complementary relationship between religious teachings and cultural practices. This approach has been shown to preserve cultural diversity while upholding core Islamic values. This is relevant to research findings that emphasize Hasbi Ash Shiddieqy's promotion of tolerance toward indigenous practices, which contributes to the preservation of cultural diversity while upholding core Islamic values. Studies have documented instances where local customs have been incorporated into religious discourse, fostering a sense of cultural pride and social cohesion. Moreover, scholars have examined the implications of this approach for interfaith dialogue and community relations, highlighting its role in fortifying the social fabric

⁶⁰ R. Michael Feener, *Muslim Legal Thought in Modern Indonesia*, Cambridge University Press, 1st ed., vol. 1 (Cambridge, New York, Melbourne, Madrid, Cape Town, Singapore, São Paulo, 2007).

and unity of Indonesian society.

Promoting Peaceful Conflict Resolution and Dialogue: The promotion of peaceful conflict resolution and dialogue remains a focal point of recent research on religious moderation in Indonesia. Recent research, such as Masnun Tahir (2016), found that the Indonesian Fiqh introduced by Hasbi ash-Shiddieqy from the 1940s to 1975 represents a first step in responding to the demands of national development. In light of Sukarno's criticism regarding the unresponsiveness of Islamic legal thought to social issues, Hasbi ash-Shiddieqy endeavored to formulate Fiqh that is more in line with the needs of Indonesian society, preventing it from being perceived as outdated. For him, Islamic law should be responsive to new challenges, particularly in matters of transactions that are not yet regulated, and should participate in shaping societal life. This underscores Hasbi ash-Shiddieqy's perception of Islamic jurisprudence as a means for societal restructuring. Through the promotion of dialogue and reconciliation, Hasbi ash-Shiddieqy's approach contributes to mitigating religious tensions and conflicts, thereby strengthening the ethos of *Bhineka Tunggal Ika*. Previous studies have highlighted the importance of dialogue and non-violent approaches in addressing interreligious and intercommunal conflicts, emphasizing the need for mutual understanding and respect among diverse religious groups.

Overall, recent research underscores the enduring significance of Hasbi ash-Shiddieqy's three pivotal approaches within Indonesian Fiqh for the promotion of religious moderation. By prioritizing universal Islamic principles, embracing local traditions and customs, and promoting peaceful conflict resolution and dialogue, Hasbi ash-Shiddieqy's contributions continue to shape the discourse on religious moderation in Indonesia and beyond.

Contribution to *Bhineka Tunggal Ika*

Hasbi ash-Shiddieqy's fiqh embodies the spirit of *Bhineka Tunggal Ika* by embracing diversity and unity amidst differences. His inclusive approach to fiqh accommodates various religious interpretations and traditions, fostering a sense of national unity. By recognizing the plurality within Islam and embracing interfaith dialogue, Hasbi ash-Shiddieqy's teachings contribute to realizing Indonesia's motto.

Table 2 presents how these approaches in Hasbi ash-Shiddieqy's fiqh contribute to Indonesia's motto of *Bhineka Tunggal Ika* and the corresponding indicators of religious moderation.

Table 2. Hasbi ash-Shiddieqy's Indonesian Fiqh and *Bhineka Tunggal Ika*

Approaches of Hasbi ash-Shiddieqy's Indonesian Fiqh	Contribution to <i>Bhineka Tunggal Ika</i>
Prioritizing Universal Islamic Principles	Emphasizes social harmony and national unity
Embracing Local Traditions and Customs	Fosters inclusivity and respect for diversity
Promoting Peaceful Conflict Resolution and Dialogue	Encourages peaceful coexistence

Three contributions of Hasbi ash-Shiddieqy to *Bhineka Tunggal Ika* through his three main approaches to Indonesian Fiqh are conceptually interpreted from the core ideas reflected in his works, including *Tafsir an-Nuur*, which emphasized the implementation of Islamic teachings in harmony with the social and cultural realities of Indonesia, as well as the importance of social harmony and national unity. The first contribution, "Emphasizes Social Harmony and National Unity," is reflected in *Tafsir an-Nuur, Jilid 5*,⁶¹ where Hasbi interpreted QS. Al-Hujurat (49:13) regarding the creation of human beings from one male and one female, emphasizing that Islam teaches unity and living in harmony regardless of cultural and ethnic differences, with the goal of maintaining social harmony and fostering national unity. The second contribution, "Fosters Inclusivity and Respect for Diversity," is evident in *Jilid 1*,⁶² where Hasbi referred to QS. Al-Baqarah (2:256), which affirmed that there is no compulsion in religion, highlighting the appreciation for religious freedom and cultural diversity, and stating that Islamic law can be adapted to the social and cultural conditions of local communities. The third contribution "Encourages Peaceful Coexistence" is apparent in *Jilid 5*,⁶³ when Hasbi discussed QS. Asy-Syura (42:38), which called for

⁶¹ Ash Shiddieqy Teungku Muhammad Hasbi, "Tafsir An-Nuur Jilid 5," 2020, 1060, [https://archive.org/details/tafsirannuur/Tafsir An-Nuur 5/page/4704/mode/2up](https://archive.org/details/tafsirannuur/Tafsir%20An-Nuur%205/page/4704/mode/2up).

⁶² Ash-Shiddiqy, "Tafsir Al-Qur'an Majid An-Nuur Jilid 1." Tafsir al-Qur'anul Majid an-Nuur, (Semarang: Pustaka Rizki Putra, 2000

⁶³ Ash Shiddieqy Teungku Muhammad Hasbi, "Tafsir An-Nuur Jilid 5."

mutual consultation as a method for conflict resolution and the creation of harmony, emphasizing that Islam values peace and encourages the resolution of conflicts wisely, thus enabling diverse communities to live together in understanding and tolerance.

In Table 2, The Contribution of Hasbi ash-Shiddieqy's Indonesian Fiqh to *Bhineka Tunggal Ika* is outlined as follows:

Prioritizing Universal Islamic Principles Approach: This approach emphasizes universal Islamic values such as justice, compassion, and equality. It contributes to emphasizing social harmony and national unity within the framework of *Bhineka Tunggal Ika*.

Embracing Local Traditions and Customs Approach: This approach highlights the importance of recognizing and respecting Indonesia's diverse cultural landscape. It fosters inclusivity and respect for diversity within the concept of *Bhineka Tunggal Ika*.

Promoting Peaceful Conflict Resolution and Dialogue Approach: This approach advocates for resolving conflicts through dialogue and reconciliation. It encourages peaceful coexistence among different religious and cultural groups, aligning with the principles of *Bhineka Tunggal Ika*.

One example of Hasbi Asd-Shiddieqy's Indonesian Fiqh which contributes to *Bhineka Tunggal Ika* is his ijtihad regarding zakat differently from the majority of classical scholars. He advocates for zakat on production machines in large factories, aligning with Abu Hanifah's views, to support the country's development requiring substantial capital for the welfare and unity of diverse communities.⁶⁴

In the context of Hasbi ash-Shiddieqy's contributions to Indonesian Fiqh, particularly within the context of *Bhineka Tunggal Ika*, there are significant implications for religious moderation and social cohesion in Indonesia. Previous research, such as Faizal Asdar,⁶⁵ has acknowledged the importance of universal Islamic principles in promoting social harmony and national unity. Hasbi ash-Shiddieqy offers a framework for Indonesian jurisprudence that remains rooted in the primary origins of Islamic law, such as the Quran, Hadith, *Ijma* (Consensus), *Qiyas* (Analogical Reasoning) *Ra'yu* (Opinion), and *Urf* (Custom). However, he also prioritizes Indonesianness and contextuality in fiqh thinking, thus ensuring that his legal answers

⁶⁴ Salim et al., *Mozaik Kajian Islam Di Indonesia*.

⁶⁵ Faizal Asdar, "Fikih Indonesia Hasbi ash-Shiddieqy," *Bilancia: Jurnal Studi Ilmu Syariah Dan Hukum* 17, no. 1 (2023): 171–86.

are relevant to local communities. For problems that do not yet have a definite legal answer, Hasbi ash-Shiddieqy encourages the use of collective *ijtihad* to produce comprehensive solutions from various points of view. By prioritizing principles such as justice, compassion, and equality, Ash-Shiddieqy advocates for an inclusive understanding of Islam that transcends sectarian divisions. This approach aligns with earlier research on interfaith dialogue and religious pluralism, which also emphasizes the importance of universal values in promoting social cohesion and national integration.

Hasbi ash-Shiddieqy's approach to promoting peaceful conflict resolution and dialogue resonates with previous research on peacebuilding and conflict resolution. One of the recent researchers in this field, Franklin Hutabarat,⁶⁶ has highlighted that Indonesia, with its motto *Bhineka Tunggal Ika*, boasts a rich tradition of pluralism. He concluded that nurturing the essence of *Bhineka Tunggal Ika* through sustained policy measures, community involvement, and educational restructuring is pivotal in the process of molding a society in Indonesia that is more unified, welcoming, and accepting of diversity. Accepting religious and cultural differences with reverence, comprehension, and receptivity can transform them into a source of resilience rather than discord. Hutabarat's findings align with the findings of this research, indicating that the ideas of Indonesian *fiqh* by Hasbi ash-Shiddieqy have reduced religious tensions through dialogue and mutual understanding, thus promoting social harmony in Indonesia. Although Hasbi ash-Shiddieqy does not explicitly mention *Bhineka Tunggal Ika*, his approach to Islamic law is in line with its principles, integrating *urf* (local customs) and prioritising *maslahah* (public welfare), thereby promoting inclusiveness and respect for Indonesia's cultural diversity through adaptable jurisprudence, collective *ijtihad* and interfaith dialogue.

Furthermore, Hasbi ash-Shiddieqy's advocacy for embracing local traditions and customs reflects a nuanced understanding of cultural diversity within the framework of Islamic jurisprudence, such as the result of research by Sobari bin Sutarip,⁶⁷ that Hasbi ash-

⁶⁶ Franklin Hutabarat, "Navigating Diversity: Exploring Religious Pluralism and Social Harmony in Indonesian Society," *European Journal of Theology and Philosophy* 3, no. 6 (2023): 6–13.

⁶⁷ Sobari bin Sutarip, "Pembaruan *Fiqh* Indonesia (Telaah Tafsir Al-Bayan Karya TM Hasbi ash-Shiddieqy)," *Jurnal Indo-Islamika* 10, no. 2 (2020).

Shiddieqy's concern for the disadvantaged and oppressed communities drives him to advance his nation. Through various forums and writings, he emphasizes the importance of renewal and *ijtihad* rooted in local uniqueness, advocating for Indonesian Fiqh as a manifestation of law aligned with national identity. This stance promotes inclusivity and respect for Indonesia's diverse cultural landscape, echoing the spirit of *Bhineka Tunggal Ika*. Previous research on cultural pluralism and religious syncretism in Indonesia recognizes the significance of integrating local customs and traditions into religious practices as a means of promoting tolerance and strengthening a sense of belonging among diverse communities.

Thus, Hasbi ash-Shiddieqy's contributions to Indonesian Fiqh offer valuable insights into promoting religious moderation and social harmony within the context of *Bhineka Tunggal Ika*. His emphasis on universal Islamic principles, the embrace of local traditions, and the promotion of peaceful conflict resolution align with previous research on interfaith dialogue, cultural pluralism, and peacebuilding. By integrating these principles into religious discourse and practice, Hasbi ash-Shiddieqy's efforts aid in the construction of a more encompassing and unified community in Indonesia.

Alignment with Strengthening Religious Moderation

Hasbi ash-Shiddieqy's three approaches to Indonesian Fiqh are in line with the contemporary efforts of the Indonesian Government led by the Ministry of Religion to strengthen four indicators of Religious Moderation in Indonesia, as in Table 3 below.

Table 3: Alignment of Hasbi ash-Shiddieqy's Indonesian Fiqh with Strengthening Religious Moderation

Approaches of Hasbi ash-Shiddieqy's Indonesian Fiqh	Strengthening Religious Moderation
Prioritizing Universal Islamic Principles	Tolerance, Non-Violence
Embracing Local Traditions and Customs	National Commitment, Tolerance
Promoting Peaceful Conflict Resolution and Dialogue	Tolerance, Non-Violence, Acceptance of Traditions

Three alignments of Hasbi ash-Shiddieqy's Indonesian Fiqh with Strengthening Religious Moderation with its four key indicators through his three main approaches to Indonesian Fiqh are conceptually interpreted from the core ideas presented in his works. In *Filsafat Hukum Islam*,⁶⁸ Hasbi emphasized that Islamic law follows a middle path, or *washatiah*, which is synonymous with religious moderation: "Hukum Islam menempuh jalan tengah, jalan *wasathan*, jalan yangimbang tidak terlalu berat ke kanan mementingkan kejiwaan tidak berat pula ke kiri mementingkan kebendaan, inilah yang diistilahkan teori *wasathiyah*, menyelaraskan di antara kenyataan dan fakta dengan ideal dan cita-cita"⁶⁹ ("Islamic law follows a middle path, a balanced way that does not lean heavily to the right, prioritizing spiritual matters excessively, nor to the left, emphasizing material aspects disproportionately. This is what is called the *wasathiyah* theory, which aligns reality with ideals and aspirations"). The alignment of Hasbi's core ideas with the indicators of religious moderation is also evident in *Tafsir an-Nuur*. The first alignment, "Tolerance and Non-Violence," is reflected in *Jilid 5*,⁷⁰ where Hasbi interprets QS. Al-Mumtahanah (60:8). He emphasized that Islam advocates for justice and kindness toward non-Muslims as long as there is no enmity or oppression, reinforcing values of non-violence and tolerance. The second alignment, "National Commitment and Tolerance," is found in *Jilid 1*,⁷¹ where Hasbi referred to QS. Al-Baqarah (2:256), "There is no compulsion in religion." He highlighted that this verse affirms religious freedom as a foundation for maintaining national unity and emphasizes the adaptability of Islamic law to the diverse society of Indonesia. The third alignment, "Tolerance, Non-Violence, and Acceptance of Traditions," is seen in *Jilid 2*,⁷² where Hasbi discussed QS. Al-A'raf (7:199): "Hold to forgiveness, enjoin what is good, and turn away from the ignorant." He stressed the importance of peaceful coexistence and the acceptance of local traditions that do not conflict with Islamic principles while rejecting extremist interpretations. These alignments demonstrate

⁶⁸ Shiddieqy, *Falsafah Hukum Islam*.

⁶⁹ Mara Ongku Hsb, "Konsep Wasathiyah Dalam Hukum Islam Perspektif Hasbi Ash-Shiddeqy," *An-Nida'* 46, no. 2 (2022): 150-73.

⁷⁰ Ash Shiddieqy Teungku Muhammad Hasbi, "Tafsir An-Nuur Jilid 5."

⁷¹ Ash-Shiddiqy, "Tafsir Al-Qur'an Majid An-Nuur Jilid 1." Tafsir al-Qur'anul Majid an-Nuur, (Semarang: Pustaka Rizki Putra, 2000

⁷² Ash-Shiddieqy, "Tafsir Al-Qur'anul Majid An-Nuur 2 (Surat 5-10)."" mendeley" :!["formattedCitation": "Ash-Shiddieqy, "Tafsir Al-Qur'anul Majid An-Nuur 2 (Surat 5-10

Hasbi's commitment to *washatiyah*, integrating Islamic law with religious moderation to create harmony in a diverse society.

The alignment of three approaches of Hasbi ash-Shiddieqy's Indonesian with four indicators aimed at Strengthening Religious Moderation in Table 3 above is described as follows.

Alignment of Prioritizing Universal Islamic Principles with Tolerance and Non-Violence: This refers to how Hasbi ash-Shiddieqy's emphasis on universal Islamic principles, such as justice, compassion, and equality, resonates with promoting tolerance and non-violence within society. By prioritizing these principles, his approach fosters an environment of inclusivity and understanding, thus contributing to greater tolerance and a reduction in conflicts or violence based on religious differences.

Alignment of Embracing Local Traditions and Customs with National Commitment and Tolerance: Hasbi ash-Shiddieqy's approach integrates *'urf* (local customs) into Islamic law to promote national unity and tolerance. He anchored this in *qaidah fiqhiyyah* (legal maxims) such as "*al-'adah muhakkamah*" (custom is authoritative in rulings), allowing for a culturally adaptive yet Sharia-compliant jurisprudence.⁷³ By emphasising *maslahah* (public welfare) and applying flexible interpretations, Hasbi harmonised Islamic teachings with Indonesia's multicultural society, reinforcing religious moderation in line with *Bhineka Tunggal Ika* (unity in diversity) to promote a cohesive and inclusive social framework.

Alignment of Promoting Peaceful Conflict Resolution and Dialogue with Tolerance, Non-Violence, and Acceptance of Traditions: Here, we consider how Hasbi ash-Shiddieqy's promotion of peaceful conflict resolution and dialogue resonates with multiple indicators of religious moderation. By advocating for dialogue and reconciliation, his approach fosters tolerance, non-violence, and acceptance of traditions within society. It emphasizes the importance of mutual understanding and respect among diverse religious groups, promoting harmony and social cohesion.

One example of Hasbi Asd-Shiddieqy's Indonesian Fiqh which algnig with strengthening religious moderation is his *ijtihad* regarding the distribution of *zakat*. He underscores the necessity

⁷³ Agus Moh Najib, "REESTABLISHING INDONESIAN MADHHAB 'Urf and the Contribution of Intellectualism," *Al-Jāmi 'ah: Journal of Islamic Studies* 58, no. 1 (2020): 171–208.

for zakat redistribution for the public interest, including supporting impoverished non-Muslims, citing the universality of zakat law across religions and historical instances of collecting zakat from Christian groups by Umar's companions. He promotes the establishment of specialized institutions, like the zakat council (*bait al-mal*), to manage zakat independently from state taxes, showcasing the harmony of Islamic law with constitutional and positive state law, along with its developmental potential.⁷⁴ In this context, Hasbi ash-Shiddieqy's notion of 'Indonesian Fiqh' employs foundational *Ushul Fiqh* principles, including *Tanqih al-Manath*, by redefining zakat distribution to focus on poverty alleviation with relevant recipient categories.

Analyzing the alignment of Hasbi ash-Shiddieqy's Indonesian Fiqh approaches with indicators of Strengthening Religious Moderation reveals significant insights into the promotion of harmony and inclusivity within Indonesian society.

Firstly, examining the alignment of the Prioritizing Universal Islamic Principles approach with the tolerance and non-violence indicators illustrates a continuity with earlier research findings. Recent studies, such as Muhammad Syahrial Razali Ibrahim⁷⁵ that in Hasbi ash-Shiddieqy's perspective, *wasathiyah* is a lifestyle grounded in the Qur'an that leads to genuine human happiness. Happiness, in this context, is the capacity to address diverse challenges through the notion of *ijtihad*. He underscores that the core principle of *wasathiyah* lies in fostering moral values like justice, tolerance, openness, and respect for diversity, which can propel Islamic society forward and cultivate civility. Consequently, I contend that Hasbi ash-Shiddieqy's conceptualization of *wasathiyah* may bridge the divide between those favoring traditionalism over modernism and those advocating liberalism and modernism.

Secondly, the alignment of the Embracing Local Traditions and Customs approach with national commitment and tolerance indicators reflects a nuanced understanding of cultural diversity within the framework of Indonesian Fiqh. Recent scholarship, exemplified by Abdurrohman Kasdi,⁷⁶ indicates that the reconstruction of Fiqh

⁷⁴ Salim et al., *Mozaik Kajian Islam Di Indonesia*.

⁷⁵ Muhammad Syahrial Razali Ibrahim, "MODERATE ISLAM REVISITS: A Lesson from TM Hasbi ash-Shiddieqy's Interpretation of Wasathiyah in Tafsir An-Nuur," *Journal of Contemporary Islam and Muslim Societies* 6, no. 1 (2022): 1–29.

⁷⁶ A Kasdi, "Reconstruction of Fiqh Nusantara: Developing the Ijtihad Methodology in Formulating Fiqh from Indonesian Perspective. QIJIS (Qudus International Journal of

Nusantara involves reinterpreting Shariah principles from traditional Fiqh, considering community circumstances to achieve Islamic law's objectives. This process utilizes the schools of thought (Mazhab) and Ijtihad to address Indonesia-specific issues, integrating local wisdom, traditions, and customs. This resonates with Hasbi ash-Shiddieqy's advocacy for embracing indigenous practices and promoting cultural pride and social cohesion. Such alignment underscores the ongoing importance of incorporating local traditions into religious practices to strengthen community bonds and foster tolerance, as evidenced in earlier research.

Finally, the alignment of the Promoting Peaceful Conflict Resolution and Dialogue approach with indicators such as tolerance, non-violence, and acceptance of traditions underscores the pivotal role of dialogue and reconciliation in mitigating religious tensions. Recent research, exemplified by Arbanur Rasyid et. al,⁷⁷ suggests that Hasbi ash-Shiddieqy's idea of Indonesian Fiqh aims to promote unity and safeguard national sovereignty within a framework of nationalism. The significance of Indonesian Fiqh and religious moderation complement each other, with national jurisprudence seeking to establish a nationalist humanistic model to reconcile differences. Implementing national fiqh to promote religious moderation in Indonesia involves appreciating Islamic teachings nuanced and contextually rather than rigidly adhering to normative or dogmatic approaches. This is further reinforced by fostering moderate, equitable, tolerant, humanistic, ethical, religious, and nationalist attitudes.

Conclusion

The research presented sheds light on the profound contributions of Hasbi ash-Shiddieqy's Indonesian Fiqh to the promotion of religious moderation within the contexts of *Bhineka Tunggal Ika*. Through prioritizing universal Islamic principles, embracing local traditions and customs, and promoting peaceful conflict resolution and dialogue, Hasbi ash-Shiddieqy's approach exemplifies a holistic understanding of Islamic jurisprudence rooted in Indonesia's sociocultural context.

Islamic Studies), 7 (2), 239," 2019.

⁷⁷ Rasyid et al., "The Actualization of the Concept of National Fiqh in Building Religious Moderation in Indonesia."

This study underscores the enduring relevance of Hasbi ash-Shiddieqy's ideas in navigating the complexities of religious discourse and fostering a harmonious and inclusive Indonesian society. In the context of civilization studies (*tsaqafah*) which emphasizes the fusion of Islamic culture and knowledge, this research contributes to the broader understanding of Islamic civilization as a dynamic synthesis of tradition and intellectual inquiry.

In essence, Hasbi ash-Shiddieqy's Indonesian Fiqh is a trailblazer in strengthening religious moderation, which reflects the richness of Islamic civilization in Indonesia which is shaded by the national motto *Bhineka Tunggal Ika*. This is aligned with Presidential Regulation 58/2023 emphasizes that the diversity of religions and beliefs is a divine grace bestowed upon every Indonesian citizen. While not explicitly mentioned, Hasbi's ideas are believed to have influenced this regulation, particularly through his role in formalizing the Compilation of Islamic Law, led by Busthanul Arifin, as a source of national law during Munawir Sazali's tenure as Indonesia's Minister of Religious Affairs (Najib, 2020). His contributions have been acknowledged by both the Ministry of Religious Affairs and scholars. Notably, his work *Tafsir An-Nur* advocates for tolerance and balance, and its publication was officially welcomed by Minister of Religious Affairs Tarmizi Taher in May 1995. Hasbi has received numerous honors, including two honorary doctorates—from Universitas Islam Bandung (March 22, 1975) and IAIN Sunan Kalijaga Yogyakarta (October 29, 1975)—as well as a professorship in 1960. He was also awarded the Satya Lencana Karya Satya Tingkat I by Presidential Decree No. 076/Tk/1976 on November 15, 1976, and recognized by the Ministry of Religious Affairs on January 3, 1989, pursuant to Ministerial Decree No. B.II/1-b/KP/08.8/1380, for his services in promoting Islamic education and governance.

God's grace in the form of diversity in unity can also be interpreted as people themselves who are true miniatures and examples of sustaining *Bhineka Tunggal Ika* through religious moderation in harmony and peace. National commitment is reflected in the unity of the body, tolerance is reflected in respect for sensory differences, non-violence is reflected in loving one another and maintaining the well-being of the body, and acceptance of tradition is reflected in respect for the unique function of each member of the body.

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