

Implementation of Islamic sharia in Banten from the perspective of Nahdlatul Ulama students

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Abstract

This study explores how students from Nahdlatul Ulama (NU), particularly those involved in the Indonesian Islamic Student Movement (PMII), view the discourse surrounding the implementation of Islamic law (sharia) in Banten Province, as well as the factors that shape their perspectives. This research employed a qualitative approach with a descriptive-analytical design. The data were collected from six students affiliated with NU/PMII in Banten, selected through purposive sampling based on specific criteria. Data collection instruments included in-depth interviews, observation, documentation, and questionnaires to ensure comprehensive data. Data analysis followed the interactive model of Miles and Huberman, involving data reduction, data display, and conclusion drawing, while data validity was ensured through source and technique triangulation. The findings reveal that respondents interpret Islamic law in a comprehensive manner, encompassing aspects of worship, morality, and social relations, rather than limiting it to formal legal frameworks. The majority of respondents reject the formalization of sharia into state law and instead emphasize a substantive approach grounded in the values of justice and public welfare. Their perspectives tend to be cautious, contextual, and responsive to the realities of a pluralistic society, with NU's principles of religious moderation, such as *tawassuth* (moderation) and *tasamuh* (tolerance), play a significant role in shaping inclusive and non-coercive views, as well as in rejecting the politicization of religion in order to maintain national unity.

Keywords: *Islamic sharia; NU student; PMII; public policy; religious moderation.*

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INTRODUCTION

The discourse on the implementation of Islamic law (sharia) in Indonesia continues to generate dynamic academic and public debate, as it directly intersects with theological, social, political, and legal dimensions. Within the context of a nation-state founded on Pancasila and the 1945 Constitution, this issue goes beyond purely religious norms, as it also involves questions of societal pluralism, national principles, and the protection of citizens' rights. This phenomenon reflects an ongoing effort to find a balance between religious identity and national commitment within a democratic public sphere. The tension between these domains often gives rise to a wide range of perspectives, from those supporting the formalization of sharia to those opposing it in order to preserve social cohesion and national unity.

Historically, this discourse cannot be separated from Indonesia's political and historical development, which has long been shaped by compromise between nationalist and Islamic groups. Debates over the foundation of the state during the early years of independence laid the groundwork for the relationship between religion and the state that continues to evolve today. Over time, calls to accommodate Islamic values within the national legal system have emerged in various forms, including regional regulations, public policies, and religious social movements. However, Indonesia's diverse social, cultural, and religious backgrounds make the implementation of sharia a complex issue that cannot simply be reduced to the demands of a majority.

In contemporary democratic and plural societies, approaches to sharia have increasingly shifted from a formalistic orientation toward a more substantive understanding. Many groups, particularly intellectuals and younger generations, emphasize that the essence of sharia lies in universal values such as justice, public welfare, and respect for human dignity. This perspective is considered more relevant for maintaining social harmony while still acknowledging religious identity. In this regard, examining the perspectives of specific social groups, such as university students, becomes important for understanding how this discourse is interpreted and developed within an increasingly complex and dynamic context.

Banten Province occupies a strategic position in this discourse due to its strong Islamic socio-religious foundation. Historically, Banten was one of the major centers of Islamic civilization and development in the Indonesian archipelago, particularly during the Banten Sultanate in the 16th century. According to Guillot (2008), the legacy of the Banten Sultanate has shaped a deeply rooted Islamic identity that continues to influence the region's social and cultural life today. This historical background as a center of Islamic propagation and education has often linked Banten with aspirations for the local implementation of sharia.

However, contemporary Banten society is far from homogeneous. It is characterized by diversity in cultural backgrounds, levels of religiosity, and religious perspectives. This heterogeneity is shaped by modern social dynamics such as urbanization, population mobility, and globalization, all of which contribute to an increasingly complex social structure. In this context, discussions on the implementation of sharia cannot be separated from the realities of pluralism, meaning that any attempt at formalization must also consider the need to maintain social harmony. As noted by Azra (2011), Indonesian Muslim society generally reflects a moderate character capable of accommodating Islamic values within an inclusive national framework. Therefore, approaches to sharia in the public sphere must take into account diverse social contexts to avoid exclusivity and potential conflict.

Contemporary developments show that the discourse on the implementation of Islamic law is often reflected in regional regulations, public morality policies, and even the symbolic expression of religious identity in public spaces. This phenomenon has prompted a range of critical responses, particularly from university students, who represent a group of young intellectuals with strong analytical capacity and social awareness. Students are not merely passive recipients of policy, but active and critical actors capable of offering reflective assessments of the socio-religious dynamics in their surroundings. From a sociological perspective, their role as agents of change positions them as key contributors to shaping a more rational and inclusive public discourse (Suchman, 1995). In this sense, students' responses to the issue of Islamic law provide an important lens for understanding the direction of thought among younger Muslim generations in Indonesia.

Students affiliated with Nahdlatul Ulama (NU), particularly members of the Indonesian Islamic Student Movement (commonly shorten as PMII in Bahasa Indonesia), demonstrate distinctive perspectives in responding to this issue. Their views are grounded in the Ahlussunnah wal Jama'ah (Aswaja) tradition, which emphasizes principles such as tawassuth (moderation), tasamuh (tolerance), tawazun (balance), and i'tidal (justice). These principles form the foundation for an inclusive and context-sensitive religious outlook (Ministry of Religious Affairs of the Republic of Indonesia, 2019), and shape how they approach the question of sharia formalization. For PMII members, sharia is not understood as a rigid legal framework, but as a set of substantive values aimed at promoting public welfare (maslahah) for all citizens without discrimination. This perspective is consistent with the view of Al-Shatibi (2003), who emphasizes that the primary objective of sharia is the realization of universal human welfare, rather than the mere enforcement of formal legal rules.

The tendency of NU students to prioritize substantive values over legal formalization is closely related to the concept of maqāṣid al-sharī'ah. As outlined by Al-Shatibi (2003), the fundamental objectives of sharia include the protection of five essential elements: religion, life, intellect, lineage, and property. From a moderate perspective, the implementation of sharia in the public sphere should therefore be oriented toward social justice and the protection of citizens' rights. This orientation is

particularly important given the risks of religious politicization and the potential misuse of power, both of which may undermine the very purpose of sharia itself.

In addition, awareness of legal pluralism plays an important role in shaping these views. Griffiths (1986) argues that in a pluralistic society, the imposition of a single religious norm through state mechanisms may threaten equal access to justice and potentially lead to social conflict. As a result, NU students in Banten tend to adopt a cautious and context-sensitive stance, taking into account the uneven readiness of society and the potential for discrimination against minority groups.

Against this backdrop, this study aims to provide an in-depth analysis of how Nahdlatul Ulama (NU) students, particularly members of the PMII interpret the concept of Islamic sharia and the factors that shape their attitudes toward its implementation in Banten Province. The focus extends beyond normative understanding to examine how these values are internalized within a contextual framework that responds to the realities of a plural society. In doing so, the study explores how students construct their perspectives at the intersection of religious identity and national commitment, while also considering the influence of organizational background, social experiences, and cadre training processes on their views regarding the formalization of religion.

Finally, this study also examines how values of religious moderation are applied in responding to sensitive issues related to the formalization of Islamic law in the public sphere. Principles such as moderation, tolerance, balance, and justice serve as key indicators in understanding students' attitudes toward this issue. The findings are expected to contribute theoretically to the study of moderate Islam among younger generations, while also offering empirical insights into how Islamic values can be articulated in an inclusive manner within a plural society. In addition, the results may serve as a reference for public policy formulation that is grounded in social justice while remaining sensitive to cultural diversity and the socio-religious dynamics of Indonesian society. landscape.

METHOD

This study employed a qualitative approach with a descriptive-analytical design to examine NU/PMII students' perspectives on the implementation of Islamic sharia in Banten. This approach was used to understand students' meanings, attitudes, and interpretations shaped by social experiences, ideological backgrounds, and organizational involvement. Qualitative research is appropriate for exploring complex social and religious phenomena contextually, particularly issues concerning religion, law, and the state. Moleong (2017) states that qualitative inquiry seeks to understand phenomena experienced by research subjects in natural settings, while Creswell (2014) emphasizes the exploration of meanings assigned by individuals or groups. Participants were active PMII students in Banten Province, selected through purposive sampling based on their involvement in NU/PMII, familiarity with Islamic law discourse, and willingness to provide reflective responses. The number of informants was determined through data saturation, reached with the sixth informant, following Guest, Bunce, and Johnson (2006) and Moleong (2017).

Data were collected through semi-structured interviews, observation, documentation, and questionnaires. Interviews explored participants' experiences and arguments, consistent with Kvale (1996) and Creswell (2014). Observation, documentation, and questionnaires supported contextual and structured understanding. Data were analysed using Miles, Huberman, and Saldaña's (2014) interactive model: data reduction, data display, and conclusion drawing. Validity was ensured through source and methodological triangulation, as emphasized by Denzin (1978), Moleong (2017), and Sugiyono (2018).

FINDINGS AND DISCUSSION

The Meaning of Islamic Sharia: Between Formal Norms and Substantive Values

Based on data gathered through in-depth interviews, observations, documentation, and questionnaires with six students affiliated with NU and PMII in Banten Province, the findings show a largely consistent understanding of Islamic law among respondents. Rather than viewing sharia narrowly as criminal law or a set of formal regulations, participants interpret it as a comprehensive

system of values encompassing worship, morality, and social relations. This reflects a contextual and substantive mode of thinking, in which Islamic teachings are understood as ethical guidelines governing both human relationships with God and with others. This perspective is consistent with Saeed (2006), who emphasizes the importance of interpreting Islamic teachings in light of contemporary social contexts to avoid rigid textualism.

This holistic understanding of sharia also points to an orientation toward its fundamental objectives (*maqāṣid al-sharī'ah*), particularly the promotion of welfare and the prevention of harm. From this viewpoint, sharia functions as a framework for achieving social justice, public welfare, and the protection of fundamental human rights. As highlighted by al-Shatibi (2003), the essence of sharia lies in safeguarding five essential elements of human life: religion, life, intellect, lineage, and property. Accordingly, the findings suggest that NU/PMII students tend to understand sharia within an inclusive framework oriented toward universal welfare, rather than as an exclusive and strictly legalistic system.

In this sense, Islamic law is seen as a living and evolving system derived from the Qur'an, Sunnah, and scholarly interpretation (*ijtihad*), aimed at guiding human life in a comprehensive way. It encompasses spiritual, moral, and social dimensions that shape both individual behavior and collective life. This view resonates with al-Qaradawi (1997), who describes sharia as a value-oriented system intended to promote human welfare rather than a rigid legal code. Consequently, understanding sharia cannot be separated from the realities of everyday life, which require flexibility and contextual interpretation.

The emphasis on sharia as a system of values is further reinforced by the *maqāṣid al-sharī'ah* framework, which highlights the importance of the purposes underlying legal provisions. Within a modern and pluralistic society, this perspective becomes increasingly relevant, as it allows for the alignment of Islamic principles with diverse social realities. In a similar vein, Saeed (2006) underscores the need for contextual interpretation to ensure the continued relevance of Islamic teachings. The orientation of NU/PMII students toward values and welfare thus reflects a broader tendency toward inclusive, adaptive, and socially responsive interpretations.

These findings point to a broader shift in perspective among NU/PMII students—from a formal-legal orientation toward a more substantive understanding of sharia. In other words, sharia is no longer seen as something that must be formally institutionalized within state law, but rather as a set of values that can be internalized across various aspects of life, including public policy. This shift also reflects a more mature understanding of the complex relationship between religion and the state within Indonesia's pluralistic society.

Attitudes toward the Formalization of Sharia: A Critical and Reflective Rejection

The majority of respondents expressed a tendency to reject the full formalization of Islamic law into state law. Importantly, this rejection does not stem from anti-religious sentiment, but rather from rational, constitutional, and social considerations shaped by Indonesia's pluralistic context. Respondents emphasized that the state has a responsibility to protect all citizens regardless of religious background. As such, the formal implementation of sharia must be approached with caution to avoid undermining principles of justice and equality. From this perspective, Islamic values can still be practiced and upheld in national life without being codified into state law. This position aligns with Madjid (2008), who argues that Islam does not need to be expressed through formal political structures, but can instead be realized through its substantive ethical values.

Respondents also highlighted that not all aspects of sharia are suitable for formalization, particularly when such efforts risk generating social conflict, discrimination, or injustice in a plural society. Differences in interpretation, combined with diverse social backgrounds, may lead to resistance if a uniform legal framework is imposed. In this regard, a more inclusive and dialogical approach is seen as more effective in promoting Islamic values without creating social tension. In line with this, Griffiths (1986), through the concept of legal pluralism, argues that in diverse societies, multiple systems of values and norms need to be accommodated proportionally in order to maintain social balance. Therefore, the critical stance of NU/PMII students toward the formalization of sharia reflects an

awareness of the importance of preserving social harmony while upholding Islamic values within the framework of national and civic life.

A key argument raised by respondents is that Indonesia is founded on Pancasila rather than a specific religious system. Thus, any discourse on the formal implementation of sharia must take into account constitutional principles, diversity, and the protection of minority rights. Respondents viewed the Indonesian state as inherently designed to accommodate religious and cultural plurality, making it inappropriate to impose a single religious legal system exclusively. In this context, Islamic values can still be internalized without altering the foundational structure of the state. This view again reflects the thought of Madjid (2008), who emphasizes that Islam is not tied to a particular form of state, but can be expressed through universal values such as justice, honesty, and social welfare.

Respondents further stressed the importance of balancing religious identity with national commitment. They expressed concern that formalizing sharia could lead to social exclusion if not accompanied by sensitivity to diversity. A substantive approach, centered on ethical and moral values, is therefore considered more relevant and contextually appropriate than a purely formalistic one. This perspective resonates with Azra (2011), who describes Indonesian Islam as inherently moderate and adaptable to democratic and pluralistic systems. So the stance of NU/PMII students in rejecting the total formalization of sharia reflects an effort to preserve social harmony while actualizing Islamic values within the framework of an inclusive Pancasila state.

In addition, respondents raised concerns about the potential politicization of religion if sharia were formally institutionalized within state law. In such cases, religion risks being used as a tool for legitimizing power, thereby deviating from its original moral purpose. As noted by Azra (2011), the politicization of religion often reduces it to an instrument of power rather than a source of ethical guidance. Therefore, respondents' rejection of sharia formalization should not be interpreted as opposition to religion itself, but rather as a cautious effort to maintain balance between religious values and the plural socio-political realities.

Attitudes toward the Implementation of Sharia in Banten: Conditional and Contextual

Although most respondents rejected the full formalization of Islamic law into state law, they did not reject the application of Islamic values in social life. Instead, they adopted a moderate stance, supporting the implementation of sharia in the form of substantive values that can be internalized in everyday practice. Values such as justice, honesty, responsibility, and public welfare were seen as core Islamic principles that can be upheld without being institutionalized through formal legal structures. This approach reflects an effort to distinguish the essence of Islamic teachings from their formal expression, allowing these values to remain relevant within a pluralistic society. This perspective is consistent with Saeed (2006), who highlights the importance of contextual approaches in interpreting and applying Islamic teachings in response to contemporary needs.

Moreover, respondents also emphasized that the implementation of sharia-inspired values through fair, inclusive, and non-discriminatory public policies may be more effective in promoting social welfare. In their view, the state can incorporate Islamic ethical principles without relying on explicit religious labels or symbols in formal regulations. This perspective reflects the framework of *maqāṣid al-sharī'ah*, which prioritizes the achievement of core objectives such as the protection of human rights and the promotion of collective welfare (Al-Shatibi, 2003). Similarly, the Ministry of Religious Affairs of the Republic of Indonesia (2019), through its concept of religious moderation, underscores the importance of inclusivity and non-coercion in religious expression within the public sphere. Overall, the attitudes of NU/PMII students in this study indicate a preference for adaptive, contextual, and socially constructive applications of Islamic values.

This position can be described as conditional: the implementation of sharia is considered acceptable as long as it upholds justice, promotes public welfare, and does not conflict with constitutional principles. Respondents stressed the importance of gradual, educational approaches, as well as the need for dialogue among stakeholders before implementing any related policies. Their views reflect an awareness of the complex and heterogeneous nature of Banten society in terms of social, cultural, and

religious diversity. Consequently, any implementation of sharia cannot be applied uniformly without considering local conditions. This aligns with Saeed (2006), who emphasizes the importance of contextualizing Islamic law within specific social settings.

Community Readiness: Between Potential and Challenges

An important finding of this study concerns respondents' perceptions of the readiness of Banten society to accept the implementation of Islamic law. In general, respondents acknowledged the region's strong religious potential, as reflected in its traditions, the presence of Islamic educational institutions, and the influential role of *ulama* in social life. However, this potential does not automatically translate into readiness for the formal implementation of sharia within the state legal system. Respondents noted that public understanding of Islamic law remains uneven, which could lead to misinterpretation if formalization is pursued without adequate preparation. This concern, again, resonates with Saeed (2006), who underscores the importance of contextual understanding to avoid reducing the meaning of Islamic teachings in practice.

The respondents further highlighted the increasingly plural nature of Banten society in terms of culture, economic conditions, and educational backgrounds. They argued that readiness for implementing sharia must extend beyond religious considerations to include legal awareness, social justice, and broad public acceptance. In this context, a gradual approach, focused on internalizing Islamic values within social life, is viewed as more realistic and effective than a top-down, structural imposition. This view is in line with Azra (2011), who argues that the transformation of Islamic values in Indonesian society tends to occur through cultural and gradual processes, rather than through formal imposition that may provoke social resistance. Accordingly, this study highlights that societal readiness is a crucial factor in determining the relevance and effectiveness of implementing Islamic law at the local level.

The perceived lack of readiness is linked to several factors, including differences in religious interpretation, socio-economic disparities, and the potential for social conflict if policies are implemented without careful consideration. For this reason, respondents emphasized the importance of strengthening moral and value-based education as a foundation before engaging in discussions of legal formalization. This supports Suchman (1995) who argues that the success of public policy depends heavily on social acceptance. Without legitimacy at the societal level, even well-designed policies may fail in practice.

The Influence of NU's Moderation Values: *Tawassuth* and *Tasamuh*

The values of religious moderation promoted by NU, particularly *tawassuth* (moderation) and *tasamuh* (tolerance), play a significant role in shaping respondents' perspectives on the implementation of Islamic law. Respondents consistently indicated that these values foster an inclusive and non-extremist mindset, while discouraging coercive approaches to religious practice in public spaces. *Tawassuth* encourages a balanced stance that avoids extremes, while *tasamuh* emphasizes respect for differences as an integral part of social life. These principles are not merely theoretical but are internalized through organizational experiences and cadre formation processes, shaping a more adaptive approach to religious and national issues. This aligns with the framework of religious moderation promoted by the Ministry of Religious Affairs of the Republic of Indonesia (2019) which stresses the balance between religious commitment and respect for diversity.

The internalization of these moderation values also shapes respondents' tendency to reject coercive approaches to the implementation of Islamic law. They view religion as a source of moral inspiration that fosters awareness, rather than as a tool of imposition that may generate social resistance. From this perspective, dialogical, educational, and role-model-based approaches are considered more effective in promoting Islamic values within society. In line with this, Azyumardi Azra (2011) emphasizes that the moderate and tolerant character of Indonesian Islam is the result of a long historical process of interaction between Islamic teachings and local culture, both of which uphold social harmony. Accordingly, the findings of this study suggest that values of religious moderation function not only as

an ideological identity, but also as a practical framework for shaping inclusive, peaceful, and welfare-oriented religious attitudes.

More broadly, religious moderation functions as an ethical framework guiding respondents in navigating sensitive issues such as the implementation of sharia. It is understood not simply as a middle position, but as an active effort to balance religious commitment with social realities. According to the Ministry of Religious Affairs of the Republic of Indonesia (2019), religious moderation serves as a key strategy for maintaining harmony in plural societies by promoting tolerance, non-violence, and respect for diversity. The findings suggest that these values have been meaningfully internalized by NU/PMII students.

The Role of NU Students: Agents of Moderation and Policy Guardians

In this study, NU students, particularly those affiliated with PMII, emerge as strategic actors who function both as agents of moderation and as informal guardians of public policy. They are not only critical thinkers but also social actors capable of bridging diverse perspectives within a plural society. This role is supported by their access to knowledge, participation in public discourse, and engagement in wide social networks. As such, students are not merely observers of social dynamics but active contributors to shaping more rational and inclusive public opinion. This aligns with the broader view that students act as agents of change with a moral responsibility to promote social transformation toward greater justice and democracy (Creswell, 2014).

Within the intellectual tradition of NU, which emphasizes moderation, PMII students also play an important role in monitoring public policy to ensure alignment with principles of justice and diversity. They may act as mediators in addressing potential conflicts arising from differing religious perspectives, while also fostering constructive dialogue among community groups. This role becomes especially important in the context of sensitive and potentially polarizing issues such as the implementation of Islamic law. Accordingly, the Ministry of Religious Affairs of the Republic of Indonesia (2019) highlights the importance of youth involvement in strengthening religious moderation and social harmony. Here, NU/PMII students are not only positioned as research participants, but also as strategic actors in maintaining a balance between religious values and national commitment within a pluralistic society.

More specifically, this role includes three key functions: educational (promoting values of moderation and tolerance), advocacy (ensuring policies serve the common good), and mediative (facilitating dialogue and conflict resolution). Through these roles, NU students are positioned as important drivers in fostering inclusive religious discourse and encouraging policies that prioritize substantive outcomes over symbolic expression.

Policy Implications: A Substantive and Inclusive Approach

The findings of this study suggest several policy implications for the Banten Provincial Government in responding to the discourse on the implementation of Islamic law. First, policy formulation should be grounded in comprehensive, evidence-based academic studies. These studies need to consider not only theological dimensions but also the social, political, and cultural complexities of a diverse society. Such an approach helps ensure that policies are not merely symbolic or reactive, but genuinely responsive to societal needs. This aligns with Dunn (2018) who promotes the importance of systematic and rational analysis in effective policymaking.

Second, policymaking processes should involve a wide range of stakeholders, including religious leaders, academics, civil society organizations, and minority group representatives, in order to ensure inclusivity and participation. Policies should prioritize the substantive values of Islamic law such as justice (*al-'adl*), public welfare (*maslahah*), and the protection of human rights, rather than focusing on formal symbolism that may provoke resistance. Finally, the implementation of such policies should adopt an educational, persuasive, and gradual approach that takes into account the level of societal readiness. This resonance with what the Ministry of Religious Affairs of the Republic of Indonesia (2019) emphasizes, namely that strengthening religious moderation in public policy must prioritize

inclusivity, tolerance, and balance in order to maintain social harmony within Indonesia's diverse society.

CONCLUSION

Overall, the findings of this study suggest that NU/PMII students in Banten adopt moderate, critical, and context-sensitive perspectives on the implementation of Islamic law. Rather than rejecting sharia as a set of values, they question its formalization, which they see as potentially leading to injustice and social conflict. Instead, they favor a substantive approach that emphasizes principles such as justice, public welfare, and tolerance—an approach they consider more relevant to the realities of Indonesia's pluralistic society. The study also highlights the significant role of NU's values of religious moderation in shaping these perspectives. In this sense, the findings point to a broader implication: the future of Islamic law in Indonesia may lie not in legal formalization, but in the internalization of values that can respond to contemporary challenges in an inclusive and equitable manner.

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