



THE CULTURAL FIQH APPROACH IN THE PERSPECTIVES OF ISLAM NUSANTARA, PROGRESSIVE ISLAM, AND SALAFUS SALEH ISLAM

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ABSTRACT

This research focuses on the attempt to understand and formulate the concept of *fiqh al-thaqāfah* (cultural jurisprudence) as a methodological approach to integrating the universal values of Islam with the socio-cultural realities of society. In the Indonesian context, Islam does not exist in a cultural vacuum; it grows within a civilization shaped by diverse values, customs, and traditions. Thus, this study seeks to explore how *fiqh al-thaqāfah* can serve as an epistemological medium between the text of revelation (*al-naş*) and the reality of life (*al-wāqī'*). The research applies a qualitative-descriptive approach using library-based analysis, drawing upon classical (*turāth*) and modern sources. The main data are derived from the Qur'an, Hadith, and the works of *ushul fiqh* scholars such as Al-Syātibī, Al-Qarāḍāwī, Ibn Khaldūn, as well as contemporary Indonesian thinkers. It further examines Islam's interaction with local culture through three paradigms: Islam Nusantara, Progressive Islam, and Salafus Saleh Islam. The findings reveal that *fiqh al-thaqāfah* serves as a bridge between the ideality of revelation and the sociological reality of human life. Islam Nusantara emphasizes acculturation and respect for local wisdom as part of cultural *da'wah*; Progressive Islam emphasizes rationality, knowledge, and social welfare; while Salafus Saleh Islam focuses on the purity of faith and moral integrity. When integrated within the framework of *maqāṣid al-syarī'ah*, these paradigms form a moderate and civilization-oriented model of Islam. The contribution of this study lies in its attempt to synthesize Islamic legal theory with cultural anthropology. The *fiqh al-thaqāfah* approach opens the way for Islamic law to function not only as a normative system but also as a contextual, responsive, and transformative framework for plural societies.

Keywords: Cultural fiqh, islam nusantara; progressive islam; salafus saleh; *maqāṣid al-syarī'ah*; contextualization of sharia

1. INTRODUCTION

Islam is a religion that is not only theological, but also cultural. It does not exist in a vacuum, but rather within societies that have diverse values, traditions, and social systems. Since its inception, Islam has interacted dynamically with human cultures without negating the essence of revelation. It is this interaction that has given rise to the universal principles of Islam, which remain relevant and applicable in every time and place. Historically, the spread of Islam in

various parts of the world has always been accompanied by a process of cultural dialogue. When Islam arrived in the Arabian Peninsula, it did not completely eradicate local cultures, but rather purified noble values and eliminated practices that contradicted monotheism. The same thing happened in the Indonesian archipelago: Islam was peacefully accepted through an adaptive cultural approach. This is where an important concept was born, later known as cultural fiqh (fiqh al-thaqāfah), which is an effort to interpret and apply Islamic law by taking into account the socio-cultural context of the local community.

The cultural fiqh approach generally integrate Islamic law with elements of local culture that do not conflict with sharia, while specifically varying between perspectives to adapt ijtihad to the context. Its main objectives include purifying teachings, contextual adaption, and responding to socio-cultural challenges. This approach aims to produce relevant, inclusive laws and prevent conflicts between religion and culture.

Cultural fiqh is important because Islamic law cannot be separated from two main dimensions: revelation as a normative source and social reality as a field of application. Without understanding the social context, the law can lose its applicability. Conversely, without being grounded in revelation, it will lose its moral and spiritual direction. Therefore, a balance between the two is necessary. The Al-Qur'an explicitly recognizes human diversity as part of sunnatullah. In Surah Al-Hujurāt verse 13, Allah Swt says:

يَا أَيُّهَا النَّاسُ إِنَّا خَلَقْنَاكُمْ مِنْ ذَكَرٍ وَأُنْثَىٰ وَجَعَلْنَاكُمْ شُعُوبًا وَقَبَائِلَ لِتَعَارَفُوا ۚ إِنَّ أَكْرَمَكُمْ عِنْدَ اللَّهِ أَتْقَاكُمْ ۚ إِنَّ اللَّهَ عَلِيمٌ خَبِيرٌ

"O mankind, indeed We have created you from a male and a female and made you into nations and tribes so that you may know one another. Indeed, the most noble of you in the sight of Allah is the most righteous." (QS. Al-Hujurāt [49]: 13)

This verse forms the theological basis that diversity is God's will. Islam does not reject plurality, but directs it toward a noble goal: mutual understanding and mutual respect. This is the philosophical basis of cultural fiqh, that Islamic law does not exist to eliminate culture, but to guide and purify it in accordance with divine values. In a hadith narrated by Imam Muslim, the Prophet Muhammad said:

أَنْتُمْ أَعْلَمُ بِأُمُورِ دُنْيَاكُمْ

"You know better about your worldly affairs." (HR. Muslim)

This hadith is often used as the basis for flexibility in Islamic law in worldly matters, including in the social and cultural spheres. The Prophet recognized that humans have the rational ability to adapt social rules to the needs of their time as long as they do not conflict with the principles of Sharia. Therefore, cultural fiqh is not intended to replace revelatory texts, but rather to bridge the gap between revelation and context. In the Indonesian context, the encounter between Islam and local culture has given rise to unique forms of religious expression, such as the maulid tradition, communal zikir, village deliberations, and the custom of mutual cooperation, which embody Islamic moral values. All of these are expressions of Islam that have adapted without losing the spirit of sharia.

However, in the modern era, various challenges to the relationship between religion and culture have emerged. Some groups consider culture to be an obstacle to religious purity, while others make culture the main measure of religiosity. These two extremes need to be bridged through a moderate scientific approach that recognizes the authority of revelation while respecting socio-cultural values. This is where the importance of cultural fiqh lies. Historically,

the interaction between Islam and culture in the archipelago can be seen in the works of scholars such as Syekh Yusuf al-Makassari, Nuruddin ar-Raniri, and Hamzah Fansuri, who combined Sufism, fiqh, and local culture. The character of Islam in the archipelago is proof that Islam is able to adapt to local wisdom without losing its theological identity. A similar phenomenon occurred in various other regions such as Africa and South Asia, where Islam grew with the colors of the local culture. From this framework emerged three major paradigms that colored modern Indonesian Islamic discourse:

1. Islam Nusantara, which emphasizes the harmonization of Sharia law with local culture.
2. Progressive Islam, which emphasizes rationality and social welfare.
3. Salafus Saleh Islam, which focuses on the purity of faith and morals of the salaf generation.

The three have different epistemological orientations, but complement each other in building a moderate and contextual Islamic paradigm. Through a cultural fiqh approach, the differences between the three can be approached in a dialogical and scientific manner.

This research is expected to contribute scientifically to the development of Islamic law that is more adaptive to changing times. The cultural fiqh approach serves as an alternative discourse for the reconstruction of Islamic law that is not only normative but also sociological, so that Islam can appear as a religion of mercy for the whole universe (rahmatan lil alamin)

2. METHODS

The research approach to cultural fiqh in the per

spectives of Islam Nusantara, progressive Islam, and Salafus Saleh Islam is generally qualitative in nature, focusing on library research or literature studies, which analyze primary and secondary literature related to contextual legal thinking. This approach often combines normative, sociological, historical, and philosophical aspects to integrate Islamic law with local culture or purification of teachings. Data analysis is conducted descriptively and qualitatively, such as data reduction, verification, and thematic analysis to draw contextual conclusion perspektif.

The research uses library research with a normative-sociological-historical-philosophical approach, collecting data from primary sources such the works of Abdurrahman Wahid and secondary sources such as books and magazines. Primary data sources include local fiqh thinking that integrates Islamic law with customs that do not conflict with sharia, while data analysis is qualitative through documentation and literature review. The Nusantara fiqh methodology emphasizes *urf* (local wisdom) and *ijtihad manhaji* from the four schools of thought, which are adaptive to the realities of the nusantara.

3. RESULTS AND DISCUSSION

a. The Meaning of Cultural Fiqh

Etymologically, the term *fiqh* (فقه) comes from the root word *faqaha-yafqahu-fiqhan*, which means "to understand deeply." In the context of Islamic scholarship, *fiqh* is defined as the result of human *ijtihad* (independent reasoning) on the practical laws of sharia, based on detailed arguments. Imam al-Ghazālī in *al-Mustashfā* explains that *fiqh* is not merely knowledge of the law, but also the ability to understand the wisdom behind the provisions of sharia.

Meanwhile, culture or al-thaqāfah in Arabic means “civilization” or “knowledge that develops within society.” From an anthropological perspective, culture encompasses the systems of values, norms, customs, and symbols that shape the social identity of a community. Thus, cultural fiqh can be understood as an effort to understand Islamic law by taking into account the social and cultural aspects of society.

This concept stems from the awareness that Islamic law does not only originate from texts, but also interacts with social reality. As emphasized by Ibn Qayyim al-Jawziyyah, “Changes in law occur due to changes in time, place, conditions, and customs of society.” (I’lām al-Muwaqqi’īn).

Cultural fiqh is not merely a “compromise” between religion and custom, but rather the actualization of Islamic values in the social sphere. It serves as a bridge between the idealism of revelation and the empirical reality of human life.

b. The Foundations of Ushul Fiqh in Cultural Fiqh

In the science of usul fiqh, there are a number of principles that explain the relationship between Islamic law and socio-cultural conditions. These principles form the basis for the legitimacy of cultural fiqh, including:

1. Al-’Ādah Muḥakkamah (custom can be a source of law)

This means that customs prevailing in society can be used as legal considerations as long as they do not contradict Islamic law. Imam al-Suyūṭī in al-Asybah wa al-Nazā’ir emphasizes, “Changes in law in line with changes in customs are something recognized by Islamic law.”

2. Taghayyur al-aḥkām bi taghayyur al-azmān wa al-amkinah

This means that “the law can change with the times and places.” This principle demonstrates the flexibility of Islamic law in responding to social and cultural dynamics without losing the essence of Sharia.

3. Al-Maṣlaḥah al-Mursalah (kemaslahatan umum)

This principle affirms that all legal provisions must be oriented towards human welfare. As long as a culture brings collective good and does not contradict the text, it can be used as a legal basis.

4. Dar’u al-Mafāsīd Muqaddam ‘alā Jalb al-Maṣāliḥ

This means that preventing harm takes precedence over seeking benefit. This principle acts as a filter for cultures that are not in line with Islamic values.

These principles show that Islamic law is very dynamic and open to social change. Islamic law does not exist to reject culture, but rather to guide it so that it is in harmony with maqāṣid al-syarī’ah.

c. The Qur'an and Hadith Perspectives on Culture

The Qur'an acknowledges the existence of culture as a social product of humans that can be used as a means of preaching and moral improvement. In Surah Al-A'raf verse 199, Allah SWT says:

خُذِ الْعَفْوَ وَأْمُرْ بِالْعُرْفِ وَأَعْرِضْ عَنِ الْجَاهِلِينَ >

Khudzil ‘afwa wa’mur bil ‘urfi wa a’rid ‘anil jāhilīn.

“Be forgiving, enjoin what is right, and turn away from the ignorant.” (QS. Al-A’rāf [7]: 199)

The word al-'urf in this verse is interpreted by exegetes as "good customs accepted by society." This verse forms the basis for the legitimacy of accepting customs as part of the social legal structure as long as they do not deviate from Sharia values.

The Prophet Muhammad also exemplified how he respected the local traditions of the Arab community, such as in peace agreements, trade practices, and the muamalah system. He said:

خَيْرُ الْأُمُورِ أَوْسَطُهَا >

Khairu al-umūri awsathuha

"The best of matters is the middle ground." (HR. Baihaqi)

This hadith contains the principle of balance (tawāzun) which is the spirit of cultural fiqh. Islam rejects extremism—both in rejecting culture and in excessive worship of culture.

d. Cultural Fiqh as a Dialectic between Text and Context

One of the main issues in contemporary Islamic legal studies is how to connect the revealed text (al-naṣ) and social reality (al-wāqī'). In this case, cultural fiqh plays an important role as a dialectical approach that places text and context in a complementary relationship.

Yusuf al-Qaradawi, in *Fiqh al-Wāqī'*, asserts that mujtahids are not only required to understand the text, but also the social conditions in which the law is applied. Without understanding the context, the results of ijtihad can be rigid and irrelevant.

Cultural fiqh stems from the awareness that Islam is not only a legal system, but also a civilization. It demands a balance between normative values (revelation) and empirical values (culture). When Islamic law is ignored in its social context, it loses its human dimension; when culture is left without the guidance of sharia, it loses its moral direction.

Therefore, cultural fiqh is not a compromise between religion and culture, but a contextual interpretation method that seeks to translate revelatory values into the real lives of society. This approach is in line with the spirit of maqāṣid al-syarī'ah, which is oriented towards the benefit and welfare of humanity.

e. The Relevance of Cultural Fiqh for Modern Muslim Society

In modern societies characterized by globalization, plurality, and technological development, challenges to Islamic law are becoming increasingly complex. Many social, economic, and cultural issues are not explicitly addressed in classical texts. This is where the relevance of cultural fiqh emerges as a means of responding to new problems with an approach that remains rooted in the principles of sharia.

Cultural fiqh encourages the formation of an open and inclusive Islamic mindset, rejecting narrow and exclusive views. This approach teaches that being a true Muslim does not mean rejecting culture, but rather using it as a vehicle for conveying Islamic values.

As stated by Ibn Khaldun in *al-Muqaddimah*, "No civilization is born without culture." Thus, understanding culture is as important as understanding revelatory texts, because both shape the moral order of humankind.

1. Islam in the Archipelago: Cultural and Sharia Integration

The concept of Islam Nusantara is the result of a dialectic between universal Islamic values and the local culture of Indonesian society. This paradigm emphasizes that Islam can adapt to

social and cultural contexts without losing its essence of tawhid. Azyumardi Azra (2015) refers to Islam Nusantara as a form of Islam that is rooted in local traditions, inclusive, tolerant, and rejects narrow puritanism.

Islam Nusantara emphasizes the importance of a cultural approach to proselytizing. Islam spread throughout the archipelago not through violence, but through education, trade, and cultural acculturation. Early scholars such as the Walisongo successfully converted communities by integrating Islamic values into local symbols and traditions. For example, the concept of slametan, which was originally an animistic tradition, was transformed into a form of communal prayer that embodies the principle of tawhid.

The normative basis of Islam Nusantara can be found in the hadith of the Prophet Muhammad (peace be upon him):

مَا رَأَى الْمُسْلِمُونَ حَسَنًا فَهُوَ عِنْدَ اللَّهِ حَسَنٌ

Mā ra'āhu al-muslimūna ḥasanan fahuwa 'inda Allāhi ḥasan.

"What is considered good by Muslims is also good in the sight of Allah." (Narrated by Ahmad).

This hadith forms the basis for the acceptance of cultures that have positive values from a Sharia perspective. Cultures that bring benefits and do not contradict the principles of monotheism can be part of Islamic expression.

Islam Nusantara also promotes the concepts of tawassuṭ (moderation) and tasāmuh (tolerance). This principle is based on the words of Allah SWT in Surah Al-Baqarah verse 143:

وَكَذَلِكَ جَعَلْنَاكُمْ أُمَّةً وَسَطًا لِتَكُونُوا شُهَدَاءَ عَلَى النَّاسِ >

Wa kadzālika ja'alnākum ummatan wasaṭan li takūnū syuhadā'a 'ala al-nās.

"And we make you a middle nation so that you may be witnesses over mankind." (QS. Al-Baqarah [2]: 143)

This verse affirms the principle of balance that forms the theological basis of Islam in the archipelago. This paradigm rejects extremism and promotes cultural dialogue as a means of preaching. Cultural fiqh in this context serves as an instrument for interpreting sharia law in accordance with the social context of Indonesia's pluralistic society.

2. Progressive Islam: Rationality and Maqāṣid al-Syarī'ah

The Progressive Islam paradigm has its roots in the Muhammadiyah movement pioneered by K.H. Ahmad Dahlan. This school of thought emphasizes the importance of rationality, science, and social welfare as instruments for the advancement of the Muslim community. Islam must not be trapped in romanticism of the past, but must emerge as a religion of civilization that is relevant to the challenges of modernity.

The concept of Progressive Islam is based on verse 11 of Surah Al-Mujādilah in the Qur'an:

يَرْفَعُ اللَّهُ الَّذِينَ آمَنُوا مِنْكُمْ وَالَّذِينَ أُوتُوا الْعِلْمَ دَرَجَاتٍ >

Yarfa'illāhu alladzīna āmanū minkum wa alladzīna ūtū al-'ilma darajāt.

"Allah will raise those who have believed among you and those who were given knowledge several degrees." (QS. Al-Mujādilah [58]: 11)

This verse shows that faith and knowledge are the two pillars of Islamic progress. Within the framework of cultural fiqh, Progressive Islam teaches that social ijtihad must be carried out by considering the realities of the times and the needs of modern society.

The principles of *usul fiqh* used as the basis for this paradigm are:

تَصَرُّفُ الْإِمَامِ عَلَى الرَّعِيَّةِ مَنُوطٌ بِالْمَصْلَحَةِ >

Taşarrufu al-imām ‘ala al-ra’iyyah manūṭun bi al-maṣlaḥah.

“A leader's policies toward his people must be based on the common good.”

This principle indicates that Islamic law and public policy must be oriented towards social welfare (*maṣlaḥah ‘āmmah*). Thus, Progressive Islam views modern culture and civilization not as a threat, but as an opportunity to translate the values of *maqāṣid al-syarī‘ah* into real life.

Haedar Nashir (2015) explains that Progressive Islam serves to present “an enlightening religion.” Within this framework, cultural fiqh becomes a space for actualizing Islamic teachings that are rational, just, and progressive, without abandoning the principles of strong faith.

3. Islam Salafus Saleh: Purification of Faith and Moral Exemplarity

The Salafus Saleh Islamic paradigm (the piety of the early generations of Islam) emphasizes the importance of purity of faith, obedience to the Sunnah, and emulation of the best generations of Muslims. This movement is rooted in the principle of *al-rujū’ ilā al-Qur’ān wa al-Sunnah* (returning to the Qur’an and Sunnah) in its purest form.

The theological basis comes from the words of the Prophet Muhammad (peace be upon him):

خَيْرُ النَّاسِ قَرْنِي، ثُمَّ الَّذِينَ يَلُونَهُمْ، ثُمَّ الَّذِينَ يَلُونَهُمْ >

Khairu al-nāsi qarnī, tsumma alladzīna yalūnahum, tsumma alladzīna yalūnahum.

“The best of people are my generation, then the generation after them, then the generation after them.” (Narrated by Bukhari and Muslim)

This hadith explains that the salaf generation (the companions, *tabi’īn*, and *tabi’ut tabi’īn*) are ideal examples in understanding Islam as a whole. Salafus Saleh Islam emphasizes the importance of returning to the purity of Islamic teachings by avoiding innovation (*bid’ah*) in creed and worship.

However, in the context of cultural fiqh, this paradigm needs to be placed in proportion. Purification of faith should not be understood as a total rejection of culture. Salafus Saleh Islam actually provides moral guidelines so that culture remains within the corridor of monotheism and morals. As explained by Yusuf al-Qaradawi (2001), “Islam does not reject culture, but guides it to be in line with the values of truth.” Thus, Salafus Saleh Islam plays a role in maintaining the spirituality and integrity of Islamic values amid social change. It acts as a counterbalance to relativistic tendencies in modern culture.

4. Epistemological Synthesis between Three Paradigms

These three paradigms—Islam Nusantara, Islam Berkemajuan, and Islam Salafus Saleh—basically have common ground in universal Islamic values. All three can be synthesized within the framework of cultural fiqh based on *maqāṣid al-syarī‘ah*.

Aspects of Islam in the Archipelago Progressive Islam Salafus Saleh Cultural Orientation Rational and Social Theological and Moral Foundations Acculturation of local values and

traditions Science and public interest Purification of tawhid and sunnah. Objectives Social balance and tolerance Social progress and justice Purity of teachings and morality

Cultural Da'wah methods, local adaptation Rational and contextual Ijtihad Preservation of Sunnah and exemplary behavior Potential in Cultural Fiqh Realizing culturally friendly Islam Encouraging Islamic legal reform Maintaining the foundations of Aqidah

From this table, it can be concluded that cultural fiqh serves as a vessel for integration between three major orientations:

1. Culture and society (Islam Nusantara)
2. Rationality and public interest (Progressive Islam)
3. Spirituality and purity of teachings (Islam Salafus Saleh)

This integration reflects a comprehensive model of Islam: textual in principle, contextual in application. Thus, cultural fiqh is not only about adapting the law to customs, but about forming a comprehensive paradigm of Islam—spiritual, social, and intellectual.

5. Challenges and Relevance of Cultural Fiqh in the Global Era

In the era of globalization and digitalization, Muslim communities face new challenges such as secularization, commercialization of religion, and cultural shifts. In this context, cultural fiqh can serve as an evaluative and adaptive tool. It helps Muslims assess modern culture through the lens of Sharia: accepting what is beneficial and rejecting what is harmful.

For example, in the world of technology and social media, the principle of cultural fiqh guides Muslims to use technology for preaching and education, not for spreading hoaxes or slander. The principle of moderation (wasathiyyah) is the spirit of cultural fiqh in maintaining a balance between openness and caution.

Therefore, the integration of these three paradigms is not only relevant to the Indonesian context, but also to the global Muslim community. Moderate, rational, and moral Islam is a reflection of Islam rahmatan lil 'ālamīn, as idealized in the Qur'an.

1. The Concept of Maqāṣid al-Sharī'ah as a Normative Foundation.

Maqāṣid al-sharī'ah are the main objectives of Islamic law, which are aimed at realizing the welfare of humanity. Terminologically, maqāṣid means "goal" or "purpose," while shari'ah means "path to the source of water" — a symbol of life and sustainability. Imam al-Shāṭibī in al-Muwāfaqāt explains that all provisions of Sharia law are essentially aimed at jalb al-maṣāliḥ wa dar'u al-mafāsīd (bringing about benefit and repelling harm). The Qur'an affirms this principle in Surah Al-Anbiyā 'verse 107:

وَمَا أَرْسَلْنَاكَ إِلَّا رَحْمَةً لِّلْعَالَمِينَ >

Wa mā arsalnāka illā raḥmatan lil 'ālamīn.

"And We have not sent you (Muhammad) except as a mercy to all the worlds." (QS. Al-Anbiyā' [21]: 107)

This verse forms the philosophical basis for all Islamic legal activities, including the application of cultural fiqh. Islamic law is not merely a set of legal-formal rules, but rather a system of values that brings mercy to all human beings, regardless of differences in ethnicity, nationality, or culture.

2. Hierarchy of Welfare and Cultural Adaptation

Within the framework of *maqāṣid al-syarī'ah*, scholars divide public interest into three levels:

1. Necessities (primaries): protecting religion (*ḥifẓ al-dīn*), life (*ḥifẓ al-naḥs*), intellect (*ḥifẓ al-'aql*), lineage (*ḥifẓ al-nasl*), and wealth (*ḥifẓ al-māl*).
2. *Ḥājiyyāt* (secondary): needs that support human survival without causing hardship.
3. *Taḥsīniyyāt* (tertiary): things that beautify and perfect life, such as manners, ethics, and art.

Local culture, from a cultural *fiqh* perspective, generally falls into the categories of *ḥājiyyāt* and *taḥsīniyyāt*. This means that culture serves to complement and beautify human life, as long as it does not violate the basic values of *sharia*.

For example, the tradition of deliberation in Bugis-Makassar society (*siri' na pacce*) has moral values that are in line with Islamic principles of honor (*al-karāmah al-insāniyyah*) and social solidarity (*ukhuwwah insāniyyah*). Although not a formal teaching of Islam, such values are in line with *maqāṣid* because they strengthen social welfare. In this regard, Imam Ibn 'Āsyūr in *Maqāṣid al-Syarī'ah al-Islāmiyyah* states: "Sharia law was revealed to bring about social and universal benefits. There is no particular law that does not have the wisdom of general benefit."

With this perspective, cultural *fiqh* occupies a strategic position as a vehicle for translating *maqāṣid* in the local context.

3. The Principles of Flexibility and Contextuality in Islamic Law

One of the main principles in *maqāṣid al-syarī'ah* is the flexibility of Islamic law in responding to social and cultural changes. In al-Qarāḍāwī's view, the flexibility of Islamic law reflects the nature of Islam as *ṣāliḥun li kulli zamān wa makān* — relevant for all times and places.

The following *usul fiqh* rule describes this principle:

لَا يُنْكَرُ تَغْيِيرُ الْأَحْكَامِ بِتَغْيِيرِ الْأَزْمَانِ وَالْأَحْوَالِ >

Lā yunkaru taghayyur al-aḥkām bi taghayyur al-azmān wa al-aḥwāl.

"It cannot be denied that laws can change due to changes in time and circumstances."

In this context, cultural *fiqh* plays a role in reinterpreting legal provisions based on *maqāṣid al-syarī'ah* in accordance with cultural and social dynamics. For example, *sharia* economic practices in the digital age must consider benefit and fairness in electronic transactions, rather than simply imitating classical patterns.

Similarly, in the fields of preaching and education, the use of cultural media such as art, film, or music can be justified if it contains moral and preaching values. This approach is in line with *maqāṣid al-da'wah*, which is to invite people to goodness in a wise manner. As Allah SWT says in Surah An-Naḥl verse 125:

ادْعُ إِلَى سَبِيلِ رَبِّكَ بِالْحُكْمَةِ وَالْمَوْعِظَةِ الْحَسَنَةِ >

Udu' ilā sabīli rabbika bil ḥikmati wal mau'izati al-ḥasanah.

"Invite (people) to the way of your Lord with wisdom and good advice." (QS. An-Naḥl [16]: 125)

This verse is the basic principle of cultural da'wah — a gentle and contextual approach to social reality.

4. Integration of Cultural Values and Maqāṣid: Application Model

The integration of cultural fiqh and maqāṣid al-sharī'ah can be applied in various areas of life. Here are some concrete examples of its application:

- Areas of Life Cultural Values Related Maqāṣid Principles Forms of Integration
- Social Mutual cooperation, siri' na pacce, deliberation Ḥifẓ al-nafs and ḥifẓ al-māl Strengthening social solidarity, upholding justice
- Education Local wisdom, respect for teachers Ḥifẓ al-'aql and ḥifẓ al-nasl Curriculum based on Islamic cultural values
- Economy Local trading ethics, honesty Ḥifẓ al-māl Development of ethical sharia economics
- Law Customary mediation, social peace Ḥifẓ al-dīn and ḥifẓ al-nafs Dispute resolution based on deliberation.

From the table above, it can be seen that local culture can serve as a vehicle for the practical application of maqāṣid. In this case, cultural fiqh serves to interpret culture through the lens of maqāṣid so that Islamic law appears relevant, humanistic, and solution-oriented.

5. Implications for the Development of Islamic Law in Indonesia

The integration of cultural fiqh with maqāṣid al-syarī'ah has major implications for the development of Islamic law in Indonesia. First, it reinforces the character of moderate Islam that respects cultural diversity. Second, it encourages the renewal of Islamic law to be more contextual and responsive to the needs of society. Third, it opens up space for dialogue between scholars, academics, and the community in the process of social ijtihad.

This paradigm is in line with the spirit of tajdīd (renewal) promoted by classical and modern scholars. As stated by al-Syātibī, "There is no ijtihad without considering the interests of society." Thus, the renewal of Islamic law does not mean abandoning the text, but rather reviving the spirit of the text in a new context. Thus, cultural fiqh within the framework of maqāṣid al-syarī'ah can become a methodological foundation for the emergence of relevant and inclusive Islamic law, capable of responding to the challenges of the times without losing its divine substance.

4. CONCLUSION

Based on the description and analysis conducted in this study, it can be concluded that cultural fiqh is a highly relevant methodological approach for the development of Islamic law in a pluralistic society such as Indonesia. This approach combines the normative values of sharia with the socio-cultural context that exists in society. First, cultural fiqh is rooted in classical usul fiqh principles such as al-'ādah muḥakkamah (custom can be the basis of law), taghayyur al-aḥkām bi taghayyur al-azmān wa al-amkinah (laws change according to changes in time and place), and the orientation of jalb al-maṣāliḥ wa dar'u al-mafāsīd (bringing about benefits and rejecting harm). These principles indicate that Islamic law is dynamic and open to social change.

Second, in the Indonesian context, the interaction between Islam and local culture has given rise to a distinctive form of religious diversity, as illustrated by three major paradigms: 1. Islam Nusantara, which emphasizes harmony between religion and local culture, and views

tradition as a means of preaching and shaping society's morals. 2. Progressive Islam, which prioritizes rationality, science, and social welfare as the foundations for the advancement of the people. 3. Islam Salafus Saleh, which preserves the purity of faith and moral exemplary behavior of the early generations of Islam.

Third, the integration of these three paradigms can be realized through the *maqāṣid al-syarī'ah* approach, which places human welfare as the main objective of Islamic law. Through this framework, cultural fiqh acts as an epistemological bridge between revelation and culture. Islamic law is not only normative, but also functional and adaptive to social realities. Fourth, cultural fiqh offers an alternative paradigm for facing the challenges of globalization and modernity. It encourages the emergence of a moderate Islam (*wasathiyah*) that is open to dialogue and respects plurality. Thus, cultural fiqh becomes a strategic means of maintaining a balance between the purity of Islamic teachings and the needs of a dynamic modern society. Finally, the cultural fiqh approach emphasizes that true Islam is not one that rejects culture, but one that is able to purify and direct culture in accordance with the values of monotheism and justice. It is within this framework that Islam can appear as *rahmatan lil 'ālamīn* — a religion that brings mercy and prosperity to all of humanity.

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