

Collective Ijtihad (Ijtihād Jamā'ī) as a Method of Contemporary Legal Reasoning in Indonesia

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Abstract

The increasing complexity of modern socio-legal issues such as financial technology, bioethics, environmental crises, and public health has challenged the adequacy of classical individual ijtihad in providing comprehensive legal responses. In this context, Ijtihad Jama'i, or collective reasoning, has emerged as a methodological alternative that combines scriptural fidelity with institutional legitimacy. This study examines how Ijtihad Jama'i has been institutionalized and practiced in Indonesia, the world's largest Muslim-majority country. Employing a qualitative methodology that integrates normative legal analysis, socio-legal inquiry, and content analysis, the research draws on fatwas and institutional rulings from the Indonesian Council of Ulama (MUI), Nahdlatul Ulama's Bahtsul Masail, and Muhammadiyah's Majelis Tarjih, alongside interviews with scholars and a review of secondary literature. The findings show that Indonesian collective reasoning functions as a negotiation between textual sources and contextual realities. Fatwas on Covid-19 vaccination, environmental protection, and Islamic finance illustrate how institutions integrate classical juristic methods with scientific knowledge, public welfare considerations, and policy frameworks. This process has given rise to what can be termed collective epistemic authority, in which legitimacy is constructed through inclusivity, deliberation, and representativeness rather than individual scholarship alone. Despite tensions such as internal power hierarchies and institutional politics, the trajectory of Ijtihad Jama'i reflects a maturing legal culture capable of balancing tradition with modern demands.

Keywords

Ijtihad Jama'i
Islamic law
Collective reasoning
Fatwa
Indonesia

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Introduction

The question of how Islamic law should adapt to the complexities of modern life has become one of the most pressing concerns in contemporary Muslim societies (Kausar et al., 2024; Khan, 2024; Faizi & Ali, 2024). The rapid development of science and technology, the rise of global ethical debates, and the increasing interdependence of socio-political systems have generated problems that classical juristic frameworks could not have anticipated. Issues such as bioethics, artificial intelligence, climate change, public health crises, and financial technology require legal responses that are both faithful to the scriptural sources of Islam and relevant to the realities of modern society. In this regard, the traditional model of individual ijtihad, while historically significant and normatively respected, is increasingly perceived as insufficient to address the multifaceted and interdisciplinary challenges of the present era. This gap has paved the way for collective reasoning, known as Ijtihad Jama'i, to emerge as an alternative methodology that combines the intellectual authority of multiple scholars with the institutional legitimacy of organized deliberative bodies (Rasyid et al., 2024).

Historically, the practice of collective reasoning is not entirely foreign to Islamic legal thought (Uddin, 2024; Ahmad & Zamri, 2024). The concept of ijma' (consensus) has long occupied a central place in the hierarchy of Islamic legal sources, reflecting the recognition of collective agreement among scholars as a source of authority. However, contemporary Ijtihad Jama'i differs from classical ijma' in important ways. Rather than

requiring unanimous consensus, modern collective reasoning operates through deliberation, negotiation, and often compromise within institutional forums. It embodies not only a legal-epistemic function but also a socio-political one, as institutions seek to maintain legitimacy both within the religious community and in relation to the state. This transformation reflects a broader trend in Islamic law toward institutionalization, where authority is increasingly constructed through collective bodies rather than resting solely on individual scholars.

Indonesia offers a particularly compelling context in which to examine the development and significance of Ijtihad Jama'i. As the world's largest Muslim-majority country, home to more than 230 million Muslims, Indonesia represents a complex landscape of religious pluralism, democratic governance, and vibrant civil society. Unlike contexts where Islamic law is tightly controlled by the state, Indonesia's legal reasoning is shaped by a dynamic interaction between semi-autonomous religious organizations, state institutions, and societal demands. Three institutions stand at the forefront of Ijtihad Jama'i in Indonesia: the Indonesian Council of Ulama (MUI), Nahdlatul Ulama (NU), and Muhammadiyah. Each embodies distinct methodological approaches rooted in their organizational identities: MUI as a semi-official body bridging state and society, NU as the guardian of pesantren-based traditionalism, and Muhammadiyah as a reformist-modernist movement emphasizing rationality and systematic jurisprudence.

The practical significance of Ijtihad Jama'i in Indonesia is evident in its responses to pressing contemporary issues. Fatwas on the permissibility of Covid-19 vaccines, rulings on environmental protection, decisions regarding Islamic banking and financial technology, and guidelines on disaster management illustrate how collective reasoning operates in practice. These cases demonstrate not only textual engagement with the Qur'an, Hadith, and classical jurisprudence but also the integration of scientific evidence, policy considerations, and public welfare (maslaha). Such a model reveals how Islamic law can maintain normative fidelity while simultaneously engaging in pragmatic adaptation (Farahat, 2024; Muslih & Jera, 2024; Habibolahi, 2024).

Beyond its practical dimension, the Indonesian model of Ijtihad Jama'i carries broader theoretical implications for the study of Islamic law (Rosidin et al., 2024; Solehudin et al., 2024). It illustrates the emergence of what may be called collective epistemic authority, where legitimacy is derived not from the expertise of a single jurist but from the representativeness, inclusivity, and dialogical processes of an institutional body. This represents a paradigmatic shift in the construction of authority in Islamic law, moving from the individual to the collective, from the solitary mujtahid to the deliberative forum. At the same time, it raises important questions about the internal dynamics of power, the influence of organizational politics, and the extent to which inclusivity is truly achieved in practice.

While existing scholarship has examined fatwas and institutional practices in Indonesia, relatively little attention has been given to the theoretical significance of Ijtihad Jama'i as a methodological innovation in Islamic legal thought. Much of the literature focuses either on the outcomes of specific fatwas or on the sociological role of religious institutions, but fewer studies have sought to conceptualize Indonesia's collective reasoning as part of a global transformation in Islamic law. This research therefore seeks to fill that gap by offering both an empirical and theoretical examination of Ijtihad Jama'i in Indonesia (La Harisi et al., 2024; Pauzi et al., 2023; Ibrahim & Rahman, 2022; Zuhdi et al., 2024).

Accordingly, this article has three main objectives. First, it explores how Ijtihad Jama'i has been institutionalized in Indonesia through the major platforms of MUI, NU, and Muhammadiyah. Second, it analyzes how collective legal reasoning negotiates between fidelity to textual sources and responsiveness to contemporary realities, with attention to case studies such as health, finance, and environmental ethics. Third, it reflects on the implications of collective reasoning for authority, legitimacy, and the global discourse on Islamic legal methodology. By situating Indonesia within this broader conversation, the study aims to highlight the country's unique contribution to the evolving landscape of Islamic law in the modern world (Fahmi, 2024; Marheni, 2024).

Methods

This study employs a qualitative approach that combines both normative and socio-legal dimensions. The normative approach is essential because the central issue of this research is rooted in the corpus of Islamic law, particularly in examining how the concept of *ijtihād jamā'ī* is positioned as a methodological instrument in contemporary legal reasoning. In this sense, foundational religious texts—such as the Qur'an, Hadith, principles of *uṣūl al-fiqh*, and the legal products issued by formal Islamic institutions in Indonesia—serve as the primary basis for analysis. However, this research does not confine itself solely to normative inquiry. The socio-legal approach is equally crucial in order to capture the dynamics of *ijtihād jamā'ī* in the socio-political context of Indonesia, where fatwas and collective decisions of institutions such as the Indonesian Council of Ulama (MUI), Nahdlatul Ulama through *Bahtsul Masā'il*, and Muhammadiyah through the Majelis Tarjih and Tajdid, emerge not in a vacuum but in direct response to societal needs and the challenges of modernity.

The data for this research is drawn from two main layers. First, primary data includes official documents that represent collective *ijtihād*, such as the MUI fatwa on Islamic financial technology (2017), the fatwa on Covid-19 vaccination (2021), as well as *Bahtsul Masā'il* decisions addressing environmental issues. These documents illustrate the concrete manifestations of *ijtihād jamā'ī* in the Indonesian context. In addition, semi-structured interviews with ulama, academics, and members of fatwa commissions are conducted to uncover the internal logic and discursive dynamics that may not always be fully evident in formal texts. Second, secondary data consists of scholarly literature, including books, peer-reviewed journal articles, and dissertations, which explore *ijtihād*, contemporary Islamic law, and the role of religious institutions in Indonesia.

Data collection relies on three strategies: documentation study, interviews, and literature review. The documentation study enables a systematic examination of collective Islamic legal products. Semi-structured interviews are chosen because they allow flexibility in probing deeper insights from key actors regarding the methodologies employed and the socio-political considerations underpinning legal decisions. The literature review functions as a triangulation instrument, both to enrich the theoretical framework and to validate primary data.

Data analysis follows a process of reduction, categorization, and interpretation. Reduction is applied to filter information directly relevant to the practice of *ijtihād jamā'ī*, while categorization organizes the findings into key themes such as methods of *istinbāt*, the construction of collective authority, and the socio-political implications of legal rulings. Content analysis is then employed to identify argumentative patterns within fatwas and decisions, whereas qualitative interpretation connects the empirical findings with broader theoretical discourses in Islamic legal studies and the lived realities of contemporary Indonesian society. Through this framework, the research seeks not only to describe the phenomenon of *ijtihād jamā'ī*, but also to critically assess its significance and to situate it within the wider global academic conversation on Islamic legal methodology in the modern era.

Results and Discussion

The Institutional Manifestations of *Ijtihād Jamā'ī* in Indonesia

The research reveals that *ijtihād jamā'ī* in Indonesia has achieved a high level of institutionalization, embedded within major Islamic organizations and councils that exercise significant authority in shaping religious discourse and guiding Muslim society. Three dominant institutional actors emerge: the Indonesian Council of Ulama (MUI), Nahdlatul Ulama (NU) through its *Bahtsul Masā'il*, and Muhammadiyah through the Majelis Tarjih and Tajdid. While all three are committed to the principle of collective reasoning, their methodologies, epistemological preferences, and institutional structures differ in important ways.

MUI, as the most nationally recognized institution, functions as an umbrella body where scholars from diverse streams—traditionalist, reformist, and academic deliberate on issues of national and sometimes global concern. Its fatwas on Islamic banking, halal certification, and Covid-19 vaccination illustrate how collective reasoning seeks not only textual grounding but also national policy alignment. By contrast, NU's *Bahtsul Masā'il* is grounded in the *pesantren* tradition and relies heavily on *turāth* (classical texts) as its epistemological

anchor. However, recent deliberations on environmental issues and digital finance show NU's willingness to creatively extend classical methodologies into contemporary domains. Muhammadiyah's Majelis Tarjih, meanwhile, reflects its reformist legacy by employing a rational-textual method, emphasizing coherence, systematic reasoning, and adaptability to modern scientific knowledge.

These institutional variations highlight that *ijtihād jamā'ī* in Indonesia is not a singular phenomenon but a constellation of practices shaped by organizational histories and theological orientations. Yet, the common denominator across these institutions is the conviction that contemporary challenges—ranging from biotechnology to climate change demand a collective epistemic effort that transcends the authority of individual *mujtahids*. This underscores an ongoing shift from personal to institutionalized authority in the production of Islamic law.

Collective Legal Reasoning and its Engagement with Contemporary Realities

One of the most striking findings of this study is how *ijtihād jamā'ī* in Indonesia consistently negotiates between textual fidelity and contextual responsiveness. Unlike classical *ijtihād*, which was primarily textual and jurist-centered, collective reasoning today is shaped by broader pragmatic considerations, including public interest (*maṣlaḥa*), state policies, and scientific advancements.

For instance, the MUI's fatwa on Covid-19 vaccines (2021) demonstrates an explicit balancing act: while affirming the importance of *ḥalāl* certification, the fatwa nonetheless permitted vaccines of uncertain status on the basis of *ḍarūra* (necessity) and the *maqāṣid al-sharī'a* imperative of protecting life. Similarly, NU's rulings on environmental issues reinterpret classical fiqh concepts such as *ḥimā* (protected land) and *fasād* (corruption) in light of global ecological crises, producing a jurisprudence of sustainability that resonates with both religious texts and international environmental ethics. Muhammadiyah, meanwhile, has pioneered fatwas on smoking, reproductive health, and disaster management, employing collective reasoning that incorporates modern science while framing it within the *maqāṣid* paradigm.

These cases suggest that *ijtihād jamā'ī* in Indonesia operates as a dynamic negotiation rather than a rigid application of scriptural sources. Collective forums serve as discursive arenas where classical juristic tools (such as *qiyās*, *istiḥsān*, and *sadd al-dharā'i'*) intersect with contemporary knowledge systems. The outcome is a form of what may be termed “**contextualized pragmatism**”: legal reasoning that is both anchored in tradition and responsive to the demands of modern governance, public health, finance, and environmental sustainability. This negotiation process not only enhances the applicability of Islamic law in everyday life but also contributes to the broader discourse on how religious norms can remain authoritative in rapidly changing societies.

Authority, Legitimacy, and the Theoretical Significance of Ijtihād Jamā'ī

Beyond its practical outcomes, *ijtihād jamā'ī* carries profound implications for questions of religious authority and legitimacy in contemporary Islamic law. Unlike individual *ijtihād*, which often struggles to gain wide acceptance, collective reasoning derives legitimacy from its plural composition, bringing together diverse voices and institutional credibility. Interviews with MUI and Muhammadiyah scholars indicate that inclusivity both in terms of scholarly diversity and representational breadth—is perceived as essential to the authority of collective decisions. In this sense, *ijtihād jamā'ī* functions as a mechanism for democratizing legal authority, dispersing interpretive power across institutional collectives rather than concentrating it in individual jurists. At the same time, the research uncovers tensions within the process. Power hierarchies, institutional politics, and the influence of state agendas often shape deliberations, raising questions about whether inclusivity always translates into genuine plurality. For example, in MUI, senior scholars often dominate decision-making, while in NU, pesantren-based authority can overshadow younger or more reformist voices. These dynamics illustrate that *ijtihād jamā'ī* is as much a socio-political process as it is a legal one.

Theoretically, the Indonesian experience points to the emergence of what can be called “collective epistemic authority.” This concept emphasizes that legitimacy in Islamic law today is increasingly anchored in institutional collectivity rather than individual expertise. Such authority is not merely symbolic but has practical impact: MUI fatwas, for instance, directly influence state policy, halal industry regulation, and public behavior. NU’s and Muhammadiyah’s collective decisions shape the moral-legal orientation of millions of adherents, demonstrating how institutional *ijtihād* has become a decisive factor in guiding Muslim societies. When situated in a global context, Indonesia offers a distinctive model of *ijtihād jamā'ī* that contrasts with the more state-centric approaches of Egypt’s Islamic Research Academy or Pakistan’s Council of Islamic Ideology. Indonesia’s hybrid model autonomous yet dialogical with state institutions illustrates how Islamic law can maintain both religious legitimacy and socio-political relevance without being fully subsumed under state authority. This positions Indonesia as a significant case study in the global conversation on the future of Islamic legal methodology, highlighting that the vitality of Islamic law lies not in rigid textualism but in the capacity of collective reasoning to mediate between tradition, modernity, and lived realities.

The findings of this study indicate that *Ijtihad Jama'i* in Indonesia has crystallized into a comprehensive and adaptive model of contemporary Islamic legal reasoning that simultaneously engages with institutional structures, textual fidelity, and socio-political legitimacy. From an institutional perspective, the practices of MUI, NU, and Muhammadiyah reveal a significant transformation in the production of fatwas: what was once the domain of individual jurists is now embedded within deliberative forums that combine classical scholarship with the authority of structured organizations. Each institution embodies a different epistemological orientation MUI as a semi-official body balancing state policy and religious legitimacy, NU through its pesantren-rooted *Bahtsul Masail* which emphasizes continuity with classical jurisprudence while engaging with modern issues, and Muhammadiyah through its rationalist and reformist *Majelis Tarjih* which actively integrates scientific and empirical knowledge into its rulings. Despite these methodological variations, a convergence is visible in their shared acknowledgment that no single scholar can adequately address the multidimensional challenges posed by modernity, and that collective reasoning provides both intellectual depth and institutional durability. Equally important is the way these institutions negotiate between textual fidelity and contextual demands: the MUI’s fatwa on Covid-19 vaccination illustrates how principles of necessity and the higher objectives of Sharia were invoked to reconcile scriptural concerns with urgent public health needs; NU’s rulings on environmental ethics demonstrate how concepts like *hima* and *fasad* are reinterpreted to align with global ecological discourses; and Muhammadiyah’s positions on smoking, reproductive health, and disaster management highlight a consistent effort to employ scientific reasoning alongside *maqasid*-based interpretation. This dynamic reflects what may be termed contextualized pragmatism, where classical juristic tools such as *qiyas* and *istihsan* are not abandoned but repositioned within interdisciplinary and dialogical arenas. Beyond methodology, the study underscores the emergence of collective epistemic authority, whereby the legitimacy of fatwas derives not from the solitary reputation of a *mujtahid* but from the inclusivity, representativeness, and deliberative processes of institutions. Nevertheless, this authority is not without tensions: seniority-based hierarchies in NU, elite dominance in MUI, and technocratic tendencies in Muhammadiyah demonstrate that institutional politics inevitably shape outcomes, reminding us that collective reasoning is as much a socio-political process as it is a legal-theological one. When placed in comparative perspective, Indonesia’s model contrasts with state-centric structures in countries such as Egypt or Pakistan, offering instead a hybrid arrangement where religious institutions retain autonomy while engaging with state agendas and societal demands. This hybridization has enabled Islamic law in Indonesia to remain authoritative, adaptive, and socially responsive, providing a methodological blueprint that other Muslim societies can learn from. In sum, the Indonesian experience of *Ijtihad Jama'i* illustrates how Islamic law can negotiate the tension between tradition and modernity without sacrificing either, thereby contributing a distinctive and globally relevant model of collective reasoning that is capable of addressing the multifaceted realities of contemporary Muslim life.

Conclusion

This study demonstrates that Ijtihad Jama'i in Indonesia represents both a methodological innovation and a structural transformation in contemporary Islamic legal reasoning. By shifting the locus of authority from the individual mujtahid to collective institutional forums such as the Indonesian Council of Ulama (MUI), Nahdlatul Ulama's Bahtsul Masail, and Muhammadiyah's Majelis Tarjih, Indonesian Islam has developed a distinctive model of legal reasoning that is at once plural, dialogical, and deeply embedded in the socio-political fabric of the nation. The findings reveal that collective reasoning in Indonesia operates through a dynamic negotiation between fidelity to textual sources and responsiveness to contemporary realities. Fatwas and decisions on finance, health, environment, and ethics illustrate how Ijtihad Jama'i integrates classical methodologies with modern scientific knowledge, policy frameworks, and societal needs. This "contextualized pragmatism" not only ensures the applicability of Islamic law in addressing urgent challenges, but also reaffirms its moral relevance in the lives of Indonesian Muslims. At a theoretical level, Ijtihad Jama'i signifies the rise of collective epistemic authority in Islamic law. Legitimacy is no longer grounded primarily in individual scholarly expertise, but in institutional collectivity that embodies representativeness, inclusivity, and dialogical engagement. While power hierarchies and political influences remain challenges within these institutions, the overall trajectory of Indonesian Ijtihad Jama'i suggests a maturing legal culture that balances tradition and modernity. In the global discourse on Islamic law, Indonesia's model offers a distinctive contribution: a hybrid form of collective reasoning that is semi-autonomous from the state yet capable of influencing national policies and shaping public life. This underscores the possibility of constructing Islamic legal methodologies that are authoritative, adaptive, and socially responsive. In sum, Ijtihad Jama'i in Indonesia is not merely a local practice, but a significant case study that enriches the broader conversation on the future of Islamic legal thought in the modern world.

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