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Halaqah Fiqh Peradaban in Pesantren: Harmonizing Classical Fiqh and National Law through Comparative Jurisprudence in Indonesia

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Abstract

This study examines how *halaqah fiqh peradaban* in Indonesian pesantren functions as a mechanism of comparative jurisprudential reasoning for harmonizing classical fiqh with Indonesia's national legal principles founded upon Pancasila. The study addresses two questions: (1) how comparative jurisprudential reasoning is constructed through *halaqah* deliberation; and (2) how this deliberative process contributes to the harmonization of Islamic jurisprudence with constitutional values and national law. Employing a qualitative socio-legal multi-site case study, data were collected through in-depth interviews, participant observation, and document analysis in three pesantren located in West Java and Central Java. The findings demonstrate that *halaqah fiqh peradaban* is not merely a forum for studying classical jurisprudence but an institutionalized process of legal harmonization. Comparative discussions among madhhab opinions are reconstructed through three interconnected stages: comparative interpretation of classical fiqh, contextualization using *maqāṣid al-shari'ah* and public benefit (*maṣlaḥah*), and harmonization with constitutional principles and Pancasila. This process enables pesantren scholars to preserve the authority of classical Islamic jurisprudence while responding to contemporary socio-legal challenges within Indonesia's plural legal system. The study proposes the Comparative Jurisprudential Harmonization Model (CJHM) as a conceptual framework explaining how pesantren integrate Islamic legal tradition, national law, and Pancasila without diminishing the integrity of either legal system. The findings contribute to contemporary debates on Islamic legal reform, legal pluralism, and the development of contextual Islamic jurisprudence in Indonesia.

Keywords: Comparative Jurisprudence, Legal Harmonization, Pancasila, Pesantren, Socio-Legal Studies.



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Introduction

Islamic boarding schools (*pesantren*) have historically functioned not only as institutions for transmitting classical Islamic sciences but also as socio-religious institutions that shape legal consciousness, ethical values, and civic responsibility within Indonesian Muslim society. Throughout their historical development, *pesantren* have demonstrated a remarkable capacity to preserve the authority of classical *fiqh* while simultaneously responding to changing social, political, and constitutional realities. Rather than treating Islamic jurisprudence as a static body of legal doctrine, *pesantren* cultivate interpretative traditions that enable classical legal reasoning to interact dynamically with local customs, state institutions, and contemporary legal developments (Muafiah et al., 2022; Thoha & Hannan, 2022; Muharir et al., 2026; Hidayat et al., 2026). Consequently, *pesantren* have become one of the principal institutions through which Islamic legal thought continues to evolve within Indonesia's pluralistic legal system.

The increasing complexity of Indonesia's constitutional democracy has intensified the need for Islamic legal reasoning capable of responding to religious diversity, legal pluralism, technological transformation, environmental challenges, and the expansion of constitutional citizenship. These developments require juristic interpretations that preserve the authority of classical *fiqh* while simultaneously supporting Indonesia's constitutional framework founded upon Pancasila. Accordingly, the principal challenge facing contemporary Islamic jurisprudence is no longer whether classical legal doctrine should adapt to social change, but rather how such adaptation can be achieved without undermining the epistemological integrity of Islamic legal tradition (Asmuni et al., 2023; Burhanuddin, 2023; Suntana et al., 2023; Toyibah & Riyani, 2025; Akhtar, 2026).

Recent scholarship demonstrates that legal transformation within Indonesian Islamic law increasingly occurs through legal harmonization rather than doctrinal replacement. Studies examining inheritance law, intellectual property rights, abortion, minority jurisprudence, and Islamic family law reveal that contemporary *ijtihad* employs *maqāṣid al-sharī'ah*, *maṣlaḥah*, and proportional legal reasoning to reconcile classical jurisprudence with evolving national legislation and constitutional values (Jalili et al., 2024; Aziz et al., 2024; Rahmawati et al., 2024). These findings suggest that Indonesian Islamic law develops through an adaptive process of legal reform in which continuity with classical jurisprudence is maintained while accommodating contemporary legal demands.

Parallel developments have also occurred in the relationship between Islamic law and Pancasila. Contemporary studies increasingly argue that Pancasila should not be understood as an ideology competing with Islamic legal principles but rather as a constitutional framework within which Islamic jurisprudence can contribute to justice, religious moderation, public welfare, and democratic citizenship. Within this perspective, harmonization between Islamic law and national law is achieved through constitutional

accommodation rather than ideological confrontation (Setinawati et al., 2025; Harjanti et al., 2026).

One of the most significant contemporary manifestations of this harmonization process is the emergence of *halaqah fiqh peradaban* in Indonesian pesantren. Unlike conventional *baḥth al-masā'il*, which primarily seeks normative legal opinions for particular religious questions, *halaqah fiqh peradaban* develops a broader deliberative framework in which classical juristic opinions from different *madhhab* traditions are comparatively examined, critically evaluated, and contextualized within Indonesia's constitutional, social, and legal realities. Through this process, comparative jurisprudential reasoning becomes the primary mechanism for reconciling differences among classical legal authorities while addressing contemporary issues concerning citizenship, religious coexistence, environmental ethics, governance, human rights, and national development.

From a socio-legal perspective, this deliberative model reflects the interaction between multiple normative systems operating simultaneously within Indonesian society. Griffiths (1986) explains that legal pluralism emerges through the coexistence of different legal orders, while Ehrlich (2009) argues that effective law develops from social practices as living law rather than solely from statutory legislation. Complementing these perspectives, Friedman (1975) conceptualizes legal development as the interaction among legal substance, legal structure, and legal culture, whereas Pound (2003) and Rahardjo (2010) regard law as an instrument of social engineering capable of responding to societal transformation. Collectively, these theoretical perspectives provide the analytical foundation for explaining how *halaqah fiqh peradaban* facilitates the harmonization of Islamic jurisprudence with Indonesia's constitutional order.

Empirical studies further indicate that pesantren increasingly function as institutions for producing contextual Islamic legal reasoning rather than merely preserving classical scholarship. Previous research has documented the contribution of pesantren to religious moderation (Mutawali, 2023; Rahman et al., 2024), educational leadership (Abdurrahman et al., 2026), the reconstruction of *uṣūl al-fiqh* for contemporary justice (Hayeejehwee & Rozikin, 2025), the integration of *maqāṣid al-sharī'ah* into modern legal governance (Muharir & Lousada, 2024), and the revitalization of Islamic legal education within Indonesian higher education (Muthohirin, 2025; Irham, 2026). Collectively, these studies demonstrate the institutional capacity of Islamic educational institutions to facilitate legal adaptation within Indonesia's democratic and pluralistic society.

Nevertheless, existing scholarship remains fragmented. Most studies examine Islamic legal reform, pesantren education, religious moderation, legal pluralism, or constitutional integration as separate fields of inquiry. Little scholarly attention has been devoted to understanding the institutional mechanism through which comparative

jurisprudential reasoning within *halaqah fiqh peradaban* harmonizes classical *fiqh* with Indonesia's national legal principles and Pancasila. Consequently, the legal dialectics through which diverse *madhhab* opinions are comparatively interpreted, negotiated, and transformed into constitutional legal reasoning inside pesantren remain insufficiently explored. This unresolved issue constitutes the principal research gap addressed by the present study.

Accordingly, this study addresses two principal research questions: (1) How is comparative jurisprudential reasoning constructed within *halaqah fiqh peradaban* in Indonesian pesantren? and (2) How does this deliberative process facilitate the harmonization of classical *fiqh* with Indonesia's constitutional principles and Pancasila? Answering these questions provides a deeper understanding of the role of pesantren not merely as educational institutions but also as socio-legal actors contributing to contemporary Indonesian legal development.

The study contributes theoretically by integrating legal pluralism, socio-legal theory, legal change, and comparative Islamic jurisprudence into a unified analytical framework for explaining legal harmonization within Indonesia's plural legal order. Based on empirical evidence generated through multi-site qualitative research, this study proposes the Comparative Jurisprudential Harmonization Model (CJHM), which explains how comparative *madhhab* reasoning, *maqāṣid al-sharī'ah*, constitutional values, and Pancasila collectively facilitate the contextual harmonization of classical Islamic jurisprudence with Indonesia's national legal system. Empirically, the study demonstrates that *halaqah fiqh peradaban* represents an adaptive model of legal deliberation through which pesantren strengthen constitutional citizenship, religious moderation, and national legal development while preserving the epistemological foundations of classical *fiqh*.

Methods

This study employed a qualitative multi-site case study with a socio-legal approach to examine how *halaqah fiqh peradaban* functions as a deliberative mechanism for harmonizing classical Islamic jurisprudence with Indonesia's national legal principles. The socio-legal approach was selected because the study focuses not only on legal doctrines but also on the interaction between religious norms, institutional practices, and constitutional values within pesantren communities.

The research was conducted in three pesantren that actively organize *halaqah fiqh peradaban*: Miftahul Huda Al Azhar (Banjar City, West Java), Ar-Risalah (West Bandung, West Java), and Sunan Kalijaga Metal Tobat (Cilacap, Central Java). These institutions were purposively selected because they consistently implement deliberative *fiqh* forums that discuss contemporary legal, social, and constitutional issues from the perspective of

classical Islamic jurisprudence. The multi-site design enabled comparison of deliberative practices, legal reasoning, and institutional responses across different pesantren settings.

Data were collected between January and April 2026 through three complementary techniques: in-depth interviews, participant observation, and document analysis. Eighteen informants participated in this study, consisting of six *kiai* or *ustadz*, nine *santri*, and three pesantren administrators. Informants were selected using purposive sampling based on their direct involvement in planning, facilitating, or participating in *halaqah fiqh peradaban*. Semi-structured interviews explored participants' understanding of comparative fiqh reasoning, the application of *maqāṣid al-sharī'ah*, the integration of Pancasila and constitutional values, and the contribution of halaqah to addressing contemporary socio-legal issues.

Participant observation was undertaken during halaqah sessions to examine patterns of deliberation, interpretation of classical fiqh texts, modes of legal argumentation, and interactions among *kiai* and *santri*. Document analysis complemented the field data by examining halaqah modules, institutional guidelines, discussion records, and educational documents produced by the participating pesantren. These sources were used to identify how legal arguments were formulated and how national legal principles were incorporated into jurisprudential discussions.

The data were analyzed using thematic analysis through four stages: data reduction, open coding, thematic categorization, and interpretative synthesis. The analysis focused on identifying recurring themes related to comparative jurisprudential reasoning, legal harmonization, legal pluralism, constitutional awareness, and civic values. Interpretation of the findings was guided by socio-legal theory, legal pluralism (Griffiths, 1986), the concept of living law (Ehrlich, 2009), and the legal system perspective (Friedman, 1975), enabling examination of the interaction between Islamic legal reasoning and Indonesia's constitutional framework.

To enhance the trustworthiness of the findings, methodological triangulation was applied by comparing interview data, observational findings, and documentary evidence. Member checking was conducted with several key informants to confirm the accuracy of the researchers' interpretations, while cross-site comparison strengthened analytical consistency among the three pesantren. Ethical principles were maintained throughout the research by obtaining informed consent from all participants, protecting confidentiality, and ensuring that the analysis remained academically objective without evaluating theological positions or institutional preferences.

Result and Discussion

Halaqah Fiqh Peradaban as a Deliberative Model for Harmonizing Classical Fiqh and National Legal Principles

Halaqah *fiqh peradaban* in the selected pesantren functions as a deliberative forum that extends beyond the conventional transmission of classical Islamic jurisprudence, serving instead as an institutional mechanism for harmonizing madhhab-based legal reasoning with Indonesia's constitutional order and the philosophical values of Pancasila. Rather than positioning classical fiqh as a fixed and immutable legal corpus, participants collectively reinterpret authoritative juristic opinions through dialogical discussions that consider contemporary social realities, constitutional norms, and the broader objectives of Islamic law (*maqāṣid al-sharī'ah*). This finding demonstrates that the halaqah represents a form of contextual legal reasoning in which Islamic jurisprudence is continuously reconstructed to remain responsive to the legal and social transformations of the Indonesian nation-state while preserving the epistemological authority of classical fiqh traditions (Achmad et al., 2025; Ezzerouali et al., 2026).

Field observations revealed that every halaqah session began with the collective reading of classical *turāth* texts, followed by structured discussions evaluating the applicability of juristic opinions to contemporary legal and societal issues. Rather than accepting legal doctrines without critical examination, participants distinguished between permanent doctrinal principles (*thawābit*) and contextual legal applications (*mutaghayyirāt*), enabling the reinterpretation of fiqh in accordance with changing societal circumstances. This deliberative process encouraged participants to compare opinions across different schools of Islamic jurisprudence before formulating legal conclusions that accommodated both religious authenticity and national legal principles. Such pedagogical practices reflect the growing tendency within Indonesian Islamic scholarship to integrate classical jurisprudential traditions with contemporary socio-legal realities.

Interview findings further confirmed that pesantren leaders deliberately positioned halaqah *fiqh peradaban* as an educational medium for reconciling Islamic legal authority with Indonesia's constitutional framework. One senior *kiai* from Miftahul Huda Al Azhar explained that "classical fiqh remains our principal source of legal guidance, yet its implementation must also consider the constitutional framework of the Republic of Indonesia because preserving social harmony is itself one of the objectives of Islamic law." Likewise, the coordinator of the halaqah program at Ar-Risalah Pesantren emphasized that "our discussions never attempt to choose between fiqh and Pancasila; instead, we seek ways through which the objectives of Islamic law can be realized within Indonesia's national legal system." These perspectives indicate that constitutional values were not

perceived as external limitations upon Islamic jurisprudence but rather as contextual realities requiring juristic interpretation through the principles of *maqāṣid al-sharī'ah* and public welfare (*maṣlaḥah*).

The deliberative dynamics observed throughout the halaqah also demonstrated that differences of opinion (*ikhtilāf*) among participants were treated as an intellectual resource rather than a source of doctrinal conflict. Santri and *kiai* compared legal arguments from various Sunni madhhab authorities before collectively evaluating their relevance to contemporary issues such as citizenship, interreligious relations, environmental responsibility, public ethics, and constitutional obligations. Consequently, jurisprudential diversity became a pedagogical instrument for cultivating analytical reasoning, legal tolerance, and contextual interpretation instead of merely identifying the strongest textual opinion. This comparative reasoning corresponds with recent discussions on madhhab moderation and adaptive Islamic legal development in Indonesia (Mustofa et al., 2025).

Another significant finding concerns the integration of Pancasila within the jurisprudential deliberation process. Rather than presenting Pancasila as a secular political doctrine separate from Islamic teachings, participants consistently interpreted its principles of humanity, national unity, deliberative democracy, and social justice as ethical values compatible with the objectives of Islamic law. Discussions concerning constitutional rights, civic responsibility, and religious coexistence were therefore analyzed simultaneously through classical fiqh doctrines and Indonesia's constitutional principles. This interaction illustrates a practical manifestation of legal pluralism in which Islamic law and state law operate through dialogue, mutual adaptation, and contextual interpretation instead of institutional competition (Friedman, 1975; Griffiths, 1986; Rahardjo, 2010).

Overall, the findings demonstrate that halaqah *fiqh peradaban* has evolved into a distinctive socio-legal institution within Indonesian pesantren. It not only preserves the intellectual legacy of classical Islamic jurisprudence but also facilitates comparative jurisprudential reasoning capable of harmonizing fiqh doctrines with Indonesia's constitutional principles and national ideology. Through this dialogical process, pesantren actively contribute to contemporary Islamic legal reform by producing contextual legal interpretations that remain faithful to the classical madhhab tradition while addressing the legal, ethical, and civic challenges of a pluralistic democratic society (Suryawati et al., 2026).

Comparative Jurisprudential Reasoning and the Integration of Islamic Legal Norms with National Law

The findings demonstrate that differences in jurisprudential reasoning (*ikhtilāf fiqh*) did not hinder legal consensus within the *halaqah fiqh peradaban*; rather, they functioned as an intellectual foundation for constructing contextual legal solutions compatible with Indonesia's constitutional system. Throughout the deliberative sessions, participants compared legal arguments derived from different Sunni madhhab traditions before evaluating their relevance through the principles of *maqāṣid al-sharī'ah*, public welfare (*maṣlaḥah*), and constitutional justice. Instead of seeking doctrinal uniformity, the discussions emphasized methodological reasoning that allowed multiple juristic perspectives to coexist while collectively producing legal conclusions responsive to contemporary Indonesian society. Recent scholarship on Indonesian interfaith inheritance similarly demonstrates how judicial *ijtihād* and *maqāṣid al-sharī'ah* can be employed to reconcile classical jurisprudential principles with the demands of a plural legal system (Ropiah et al., 2026; Tutik et al., 2026a). Such contextualization is also reflected in contemporary Islamic legal scholarship in Southeast Asia, where Islamic legal approaches have been examined in relation to changing social concerns, including gender discrimination, women's rights, family justice, and legal modernization (Ahmad et al., 2024; Handayani et al., 2026; Husain et al., 2026). This demonstrates that comparative jurisprudence within pesantren is no longer confined to identifying doctrinal differences among madhhab authorities but has evolved into a mechanism for contextual legal reconstruction capable of responding to the dynamics of the modern nation-state (Djawas et al., 2022).

Interview data indicate that the participants consistently viewed Indonesian national law as an important contextual consideration in formulating contemporary fiqh responses. One pesantren leader explained that "every legal opinion discussed in the *halaqah* must not only be textually valid but also capable of maintaining constitutional order, public benefit, and national unity because these objectives are consistent with the higher purposes of Islamic law." Similarly, a senior *ustadz* emphasized that "differences among the madhhab are not obstacles; they provide juristic flexibility for addressing legal issues that did not exist during the classical period." These perspectives reveal that the authority of classical fiqh was preserved while simultaneously allowing adaptive interpretation in response to constitutional developments and evolving social realities. Consequently, legal diversity was understood as a resource for legal development rather than a source of institutional conflict.

Participant observations further revealed that contemporary legal issues—including citizenship, religious coexistence, digital transactions, environmental protection,

and public administration—were frequently discussed by comparing classical fiqh doctrines with statutory regulations and constitutional principles (Ahyani et al., 2025; Benseghir et al., 2025; Mutmainnah et al., 2026). Recent scholarship on Indonesia's green investment law likewise demonstrates how environmental regulation can be reconceptualized through the interaction of constitutional principles and *maṣlaḥah* to support net-zero emissions objectives (Supriyadi et al., 2025). Recent Islamic legal scholarship also demonstrates how classical contractual principles can be reconstructed to address contemporary professional and healthcare contexts, as illustrated by the application of *at-tarādī* in medical consent (Naimah et al., 2026). Related scholarship on Islamic philanthropy and financial technology further illustrates the adaptation of Islamic legal and financial principles to contemporary technological contexts in Indonesia, particularly in the development of waqf-based sustainable funding (Ulm et al., 2025). Comparative scholarship on juvenile criminal responsibility likewise illustrates how Islamic legal principles, state law, and contemporary approaches such as restorative justice may interact in addressing complex legal issues in Muslim-majority societies (Kaluku et al., 2026). The continuing implementation of Islamic legal norms in specific areas of Indonesian law further illustrates the interaction between Islamic jurisprudence and the national legal system (Has et al., 2025; Imaduddin, 2026). This interaction is also evident in the incorporation of Islamic legal principles into Indonesia's national legal framework, as illustrated by the Halal Product Guarantee Law through a *maqāṣid al-sharī'ah* perspective (Rohmah, 2021; Ardi et al., 2026). The regulation of halal industry and certification likewise demonstrates how Islamic normative requirements are negotiated and institutionalized within Indonesia's legal framework (Rahmatullah et al., 2025). Participants assessed whether particular juristic opinions remained relevant when confronted with Indonesian positive law and the ethical foundations of Pancasila. Recent research on halal tourism governance in Indonesia similarly demonstrates how *maqāṣid al-sharī'ah* can be integrated with collaborative governance and *siyāsah dustūriyyah* to address contemporary public-policy and governance challenges (Mustofa et al., 2026). Rather than positioning Islamic law and state law as competing legal systems, deliberations consistently sought interpretive convergence through the shared principles of justice, human dignity, equality, and collective welfare. This finding illustrates the operation of legal pluralism, whereby different normative systems interact through dialogue and mutual accommodation instead of hierarchical domination (Friedman, 1975; Griffiths, 1986; Rahardjo, 2010).

The integration of Pancasila became particularly evident when discussions addressed issues concerning social harmony and civic responsibility. This orientation is also consistent with legal-political scholarship examining religious moderation as part of state policy and civic responsibility in public higher education (Itmam & Aouich, 2024).

Participants repeatedly referred to the constitutional principles of democracy through deliberation, national unity, humanitarian values, and social justice as ethical orientations compatible with the objectives of *maqāṣid al-sharī'ah*. This alignment is also reflected in recent scholarship examining the integration of Pancasila and *maqāṣid al-sharī'ah* in strengthening Islamic family law within Indonesia's national legal framework (Zaman et al., 2026). This perspective resonates with scholarship examining the Medina Charter as a historical basis for religious moderation in Indonesia (Hamzah, 2022). Recent scholarship further shows how religious moderation, local wisdom, and the reconstruction of Islamic legal concepts through a *maqāṣid al-sharī'ah* perspective can contribute to conflict prevention and social harmony in Indonesia (Arsyad et al., 2025). Recent research on Muslim communities in Thailand similarly demonstrates that religious moderation can contribute to community cohesion by strengthening social solidarity, identity, and shared collective memory (Liu et al., 2025). According to one pesantren administrator, "Pancasila does not replace Islamic law; rather, it provides the constitutional framework within which Islamic legal values can contribute to Indonesian public life." This perspective demonstrates that Pancasila was interpreted not as a secular limitation upon religious law but as a constitutional expression of values that substantially correspond with the ethical objectives of Islamic jurisprudence. This finding is further supported by recent scholarship examining the constitutional internalization of Islamic law within the framework of a Pancasila state (Prihasmoro et al., 2026). Such findings reinforce recent scholarship arguing that religious moderation in Indonesia develops through constructive interaction between Islamic legal thought, constitutional governance, and national ideology (Ainissyifa & Nasrullah, 2025; Arifin et al., 2025), while related studies have also examined religious moderation in relation to social and family resilience in Indonesia (Fadil et al., 2024).

These findings indicate that *halaqah fiqh peradaban* has transformed comparative jurisprudential reasoning into a practical model of Islamic legal reform. The deliberative process enables pesantren scholars to preserve the methodological integrity of the classical madhhab tradition while simultaneously accommodating constitutional values, legal pluralism, and contemporary public interests. Accordingly, harmonization between Islamic legal norms and Indonesia's national legal principles emerges not through the subordination of one legal system to another but through continuous dialogue, contextual interpretation, and jurisprudential reconstruction grounded in both classical scholarship and the constitutional identity of the Indonesian state.

Comparative Jurisprudential Harmonization between Classical Fiqh and National Legal Principles

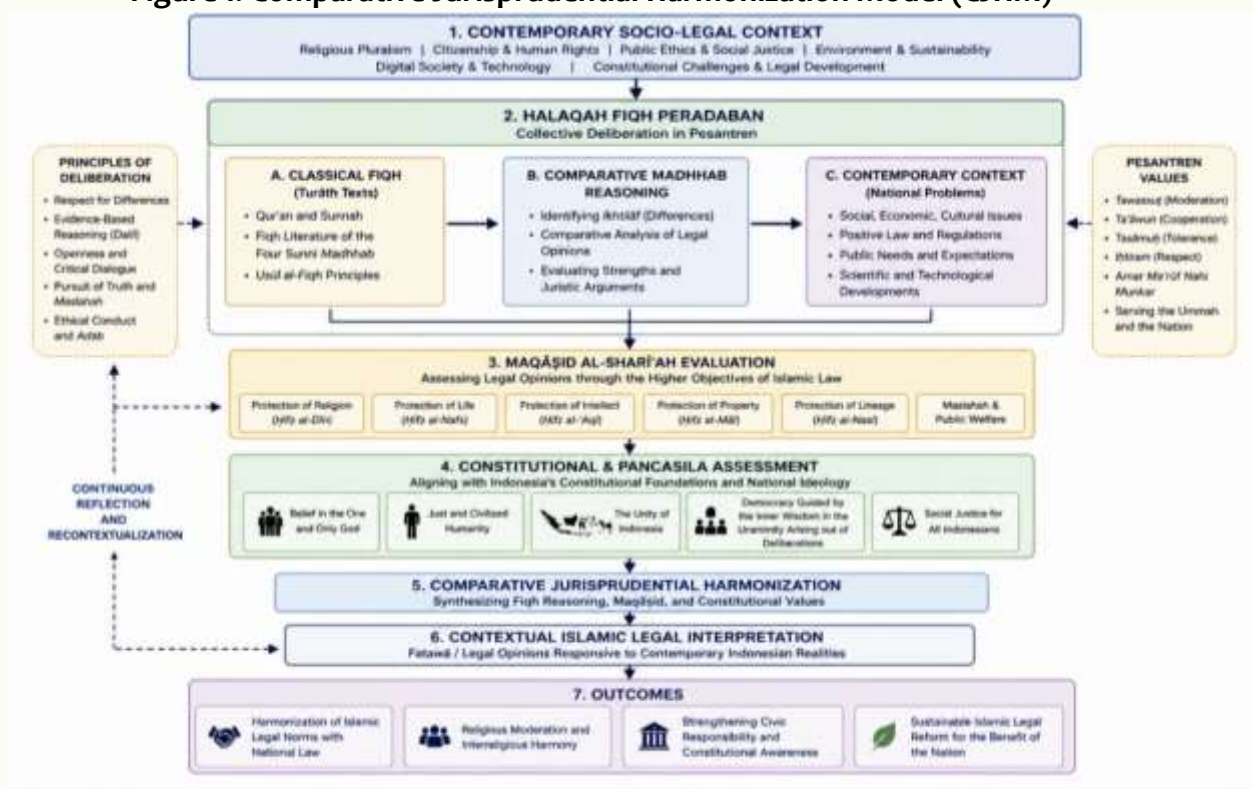
The findings demonstrate that *halaqah fiqh peradaban* functions not merely as a religious discussion forum but as an institutional mechanism through which classical Islamic jurisprudence is systematically harmonized with Indonesia's constitutional order and the philosophical values of Pancasila. Comparative analysis across the three pesantren indicates that deliberative discussions consistently move beyond textual interpretation toward contextual legal reasoning. Participants employ comparative madhhab analysis to formulate legal responses that preserve the authority of classical fiqh while simultaneously addressing constitutional principles, national legislation, and contemporary societal needs. Comparative studies of family-law regulation across Muslim and non-Muslim jurisdictions likewise demonstrate how priority-based fiqh reasoning can be used to examine differences between Islamic jurisprudence and state legal frameworks (Rahmatullah et al., 2023; Roslina et al., 2025). Recent comparative madhhab research likewise demonstrates how differing juristic positions can be examined to formulate contextually relevant legal approaches in contemporary Islamic transactions (Wijaya et al., 2023). This process illustrates that fiqh is understood as a dynamic legal tradition capable of adapting to changing socio-legal realities without compromising its normative foundations (Bashori et al., 2024; Mustofa et al., 2025). The role of 'urf in the development of fiqh further illustrates how Islamic legal reasoning can accommodate social and contextual differences, as reflected in comparative studies of family law in Egypt and Indonesia (Fauzi, 2024). The development of Indonesian law likewise demonstrates the continuing interaction between Islamic law and the broader national legal system, highlighting the significance of Islamic legal norms in the formation and development of Indonesian law (Asmoro & Saptomo, 2024). Comparative legal-historical research in another Muslim-majority context likewise demonstrates how legal traditions can undergo transformation in response to processes of legal modernization (Alotaibi et al., 2026). These findings reinforce previous studies emphasizing the adaptive character of Indonesian Islamic law and its capacity to respond to legal reform through contextual interpretation (Achmad et al., 2025).

Interview findings reveal that religious scholars, pesantren administrators, and senior santri consistently perceive the halaqah as a forum for reconciling Islamic legal authority with the realities of Indonesia's pluralistic legal system. Rather than positioning state law as an external constraint upon Islamic jurisprudence, participants regarded constitutional principles as an integral context within which fiqh should be interpreted and implemented. Deliberations frequently addressed contemporary issues such as citizenship, interreligious relations, environmental responsibility, digital ethics, and public

welfare through the combined application of classical jurisprudential references, *maqāṣid al-sharī'ah*, and constitutional values. Informants further emphasized that maintaining fidelity to the madhhab tradition does not prevent contextual legal reasoning; instead, it strengthens the legitimacy of fiqh by enabling it to provide practical solutions for contemporary Indonesian society. These empirical findings indicate that *halaqah fiqh peradaban* has evolved into a structured educational mechanism for producing juristic reasoning that remains doctrinally authoritative while socially responsive.

Comparative analysis of the deliberation process identifies a consistent three-stage model of jurisprudential harmonization implemented across the participating pesantren. The first stage involves the examination of authoritative classical legal sources through comparative madhhab reasoning and established principles of *uṣūl al-fiqh*, ensuring that legal arguments remain grounded in recognized juristic traditions. The second stage consists of contextual socio-legal deliberation, during which participants collectively evaluate contemporary legal and societal problems by integrating *maqāṣid al-sharī'ah*, empirical social realities, constitutional norms, and public interests (*maṣlahah*). The final stage culminates in normative harmonization, whereby legal conclusions are formulated by balancing the authority of classical fiqh with the ethical values of Pancasila, constitutional commitments, civic responsibility, and national legal objectives. Through this sequential process, classical jurisprudence is neither replaced nor subordinated to state law; instead, it is contextually reconstructed to produce legal interpretations that are simultaneously faithful to Islamic legal doctrine and compatible with Indonesia's constitutional framework.

Figure 1. Comparative Jurisprudential Harmonization Model (CJHM)



The Comparative Jurisprudential Harmonization Model (CJHM) further demonstrates the practical operation of legal pluralism within Indonesian Islamic legal practice. Rather than depicting Islamic law and state law as competing normative systems, the model illustrates their continuous interaction through institutionalized deliberation and contextual interpretation. This finding is consistent with Griffiths' (1986) theory of legal pluralism, which recognizes the coexistence of multiple normative orders within society, while simultaneously reflecting Ehrlich's (2009) concept of the living law, whereby legal norms derive legitimacy not only from formal legislation but also from social practices and institutional experiences. Within the pesantren environment, *halaqah fiqh peradaban* operates as a deliberative arena where classical fiqh, constitutional law, local customs, and contemporary ethical considerations interact to generate legal reasoning that possesses both religious authority and social legitimacy (Fiqiyah et al., 2025; Tias et al., 2026). This perspective is also consistent with recent research on adaptive environmental governance within a legal pluralism framework in an Indonesian indigenous community (Istislam et al., 2026). Similarly, recent scholarship on *fiqh al-ikhtilāf* highlights the relevance of comparative madhhab reasoning to legal pluralism in contemporary Muslim societies (Tutik et al., 2026b).

The harmonization process also reflects the constitutional philosophy embodied in Pancasila as the normative foundation of Indonesia's legal system. The findings indicate that the principles of justice, humanity, deliberation, national unity, and social welfare embedded within Pancasila are consistently incorporated into jurisprudential discussions without diminishing the doctrinal integrity of Islamic law. Instead, participants interpret *maqāṣid al-sharī'ah* as sharing substantive objectives with the constitutional values of Pancasila, particularly in promoting social harmony, public welfare, and responsible citizenship. This orientation is consistent with recent scholarship conceptualizing Pancasila as a *grundnorm* and Islamic religious education as an ethical foundation for reconstructing national law toward social justice and public welfare (Anan et al., 2026). This finding supports recent scholarship arguing that the relationship between Islamic law and Pancasila is fundamentally complementary rather than contradictory within Indonesia's moderate Islamic tradition (Harjanti et al., 2026).

The principal theoretical contribution of this study lies in the formulation of the Comparative Jurisprudential Harmonization Model (CJHM), which conceptualizes *halaqah fiqh peradaban* as a structured socio-legal mechanism linking comparative madhhab reasoning, contextual legal interpretation, and constitutional harmonization. Previous studies have generally examined pesantren as institutions of religious moderation (Thoha & Hannan, 2022; Wahid et al., 2025), explored the contextual development of Islamic law (Asmuni et al., 2023), or discussed *maqāṣid al-sharī'ah* as a foundation for Islamic legal

reform (Mutawali, 2023). However, limited attention has been devoted to explaining the institutional process through which comparative jurisprudential reasoning is systematically translated into legal conclusions that accommodate both classical Islamic doctrine and Indonesia's constitutional order. By identifying the sequential interaction between textual interpretation, socio-legal deliberation, and normative harmonization, this study offers a conceptual framework that contributes to comparative fiqh scholarship, socio-legal studies, and contemporary theories of Islamic legal reform in pluralistic nation-states.

Conclusion

This study demonstrates that *halaqah fiqh peradaban* represents a distinctive model of comparative jurisprudential reasoning through which Indonesian pesantren harmonize classical fiqh with national legal principles and the philosophical values of Pancasila. The findings answer the first research question by showing that jurisprudential deliberation within the halaqah is conducted through a systematic process of comparative madhhab analysis, contextual interpretation, and maqāṣid al-sharī'ah reasoning. The study also answers the second research question by demonstrating that differences in jurisprudential reasoning do not generate legal conflict but instead facilitate the contextual integration of Islamic legal norms with constitutional principles, civic responsibility, and contemporary socio-legal realities. Accordingly, *halaqah fiqh peradaban* functions not only as an educational tradition but also as an institutional mechanism for producing contextual Islamic legal reasoning within Indonesia's pluralistic legal system.

The principal contribution of this research is the formulation of the Comparative Jurisprudential Harmonization Model (CJHM), which conceptualizes the sequential interaction between classical textual interpretation, socio-legal deliberation, and normative harmonization with national legal principles. Unlike previous studies that primarily discuss pesantren as institutions of religious moderation or examine Islamic legal reform from doctrinal perspectives, this study explains the institutional process through which comparative fiqh reasoning is translated into legal conclusions that remain faithful to classical jurisprudence while simultaneously accommodating constitutional values and the national ideology of Pancasila. The proposed model therefore contributes to the development of comparative fiqh, socio-legal studies, legal pluralism, and contemporary theories of Islamic legal reform in Muslim-majority democratic societies.

Beyond its theoretical contribution, this study also offers practical implications for Islamic legal education and public policy. The findings suggest that *halaqah fiqh peradaban* provides an effective pedagogical framework for strengthening constitutional awareness, civic ethics, and religious moderation without diminishing the authority of classical Islamic

scholarship. The harmonization model developed in this research may therefore serve as a conceptual reference for pesantren, Islamic higher education institutions, religious organizations, and policymakers seeking to reinforce the compatibility between Islamic jurisprudence and Indonesia's constitutional order while preserving the intellectual traditions of the madhhab.

This study nevertheless has several limitations. The empirical investigation was confined to three pesantren located in West Java and Central Java, and therefore does not fully capture the diversity of jurisprudential deliberation practices across Indonesia. In addition, the qualitative multi-site case study design prioritizes interpretive depth rather than statistical generalization, meaning that the findings should be understood as an analytical explanation of institutional practice rather than a universally applicable model. The research also focuses primarily on *halaqah fiqh peradaban* within the Nahdlatul Ulama tradition, leaving comparative deliberative practices in other Islamic educational traditions beyond the scope of analysis. Future research may extend the Comparative Jurisprudential Harmonization Model (CJHM) by conducting comparative studies across different Islamic organizations, regions, and legal traditions, or by employing mixed-method approaches to examine its broader applicability within pluralistic legal systems.

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Conflict of Interest Statement

The authors declare that they have no known competing financial interests or personal relationships that could have influenced the work reported in this article.

Declaration of the use of AI

The authors declare that ChatGPT was used solely as a supporting tool to improve the readability, language, grammar, and clarity of the manuscript. The authors remain fully responsible for the content, arguments, analysis, interpretation, and final version of the article.

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Credit of Author Statement

Sartono: Conceptualization, Methodology, Investigation, and Writing – Original Draft. **Ahmad Zulfi Fahmi:** Investigation, Data Curation, Formal Analysis, and Writing – Review & Editing. **Muharir:** Conceptualization, Supervision, Validation, and Writing – Review & Editing. **Hisam Ahyani:** Formal Analysis, Investigation, Writing – Original Draft, and Writing – Review & Editing. **Bakari Arabi:** Methodology, Data Curation, and Writing – Review & Editing. All authors approved the final version of the manuscript and agreed to be accountable for the work.

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