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Reconstructing Islamic Legal Reasoning from Classical Fiqh to the Digital Context: The Comparative Mazhab Approach as the Basis for Religious Moderation

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Abstract

The development of digital technology has changed the landscape of religious knowledge production and authority, including in the field of Islamic law. This transformation has opened up broad access to fiqh discourse, but at the same time has given rise to serious challenges in the form of fragmentation of scientific authority, simplification of legal reasoning, and the strengthening of polarization and exclusive religious attitudes. This article aims to reconstruct Islamic legal reasoning from the classical fiqh framework to the digital context by placing the comparative madhhab approach as the epistemological basis for strengthening religious moderation. The main issue of this research focuses on how the methodology of cross-madhhab ijtihad can be systematically adapted to respond to the dynamics of digital diversity without eliminating the scientific and ethical legitimacy of Islamic law. This research uses a qualitative method based on literature study with a normative, comparative, and conceptual hermeneutic approach. Data were obtained from the uṣūl al-fiqh and classical fiqh books of the four Sunni madhhabs, contemporary academic literature, and religious moderation policy documents. The results of this study indicate that the comparative approach is capable of reconstructing Islamic legal reasoning in the digital context through the strengthening of epistemological pluralism, the integration of adaptive istinbāṭ methodologies to the digital social context, and the revitalization of scientific authority based on methodological transparency. The novelty of this research lies in the formulation of a framework for digital Islamic legal reasoning that makes fiqh muqāran an operational and contextual instrument of religious moderation. This research has implications for strengthening Islamic legal literacy, developing adaptive religious education, and forming an inclusive, critical, and balanced digital religious ecosystem.

Keywords: Islamic Legal Reasoning; Classical Fiqh; Comparative Fiqh; Religious Moderation; Digital Space.

Abstrak

Perkembangan teknologi digital telah mengubah lanskap produksi dan otoritas pengetahuan keagamaan, termasuk dalam bidang hukum Islam. Transformasi ini membuka akses yang luas terhadap wacana fikih, namun pada saat yang sama memunculkan tantangan serius berupa fragmentasi otoritas keilmuan, penyederhanaan penalaran hukum, serta menguatnya polarisasi dan

sikap keagamaan yang eksklusif. Artikel ini bertujuan merekonstruksi penalaran hukum Islam dari kerangka fikih klasik menuju konteks digital dengan menempatkan pendekatan madzhab komparatif sebagai basis epistemologis bagi penguatan moderasi keagamaan. Pokok permasalahan penelitian ini berfokus pada bagaimana metodologi ijtihad lintas madzhab dapat diadaptasi secara sistemik untuk merespons dinamika keberagamaan digital tanpa menghilangkan legitimasi ilmiah dan etis hukum Islam. Penelitian ini menggunakan metode kualitatif berbasis studi kepustakaan dengan pendekatan normatif, komparatif, dan hermeneutika konseptual. Data diperoleh dari kitab uṣūl al-fiqh dan fikih klasik empat madzhab Sunni, literatur akademik kontemporer, serta dokumen kebijakan moderasi beragama. Hasil penelitian menunjukkan bahwa pendekatan madzhab komparatif mampu merekonstruksi penalaran hukum Islam dalam konteks digital melalui penguatan pluralisme epistemologis, integrasi metodologi istinbāṭ yang adaptif terhadap konteks sosial digital, serta revitalisasi otoritas keilmuan berbasis transparansi metodologis. Kebaruan penelitian ini terletak pada formulasi kerangka penalaran hukum Islam digital yang menjadikan fiqh muqāran sebagai instrumen moderasi keagamaan yang operasional dan kontekstual. Penelitian ini berimplikasi pada penguatan literasi hukum Islam, pengembangan pendidikan keagamaan adaptif, serta pembentukan ekosistem keberagamaan digital yang inklusif, kritis, dan berimbang.
Kata Kunci*:* Penalaran Hukum Islam; Fikih Klasik; Fikih Komparatif; Moderasi Keagamaan; Ruang Digital.

Introduction

The advancement of digital technology has significantly transformed the religious lives of Muslim communities. Information on Islamic law, fatwas, and religious issues is now readily accessible through various digital platforms, without necessarily requiring direct engagement with formal educational institutions or established religious authorities.[1] This transformation provides opportunities for Muslims to engage with diverse perspectives within Islamic jurisprudence. At the same time, however, it presents new challenges.[2] Religious information circulated on social media is often presented in a brief and decontextualized manner, with little explanation of its sources, the methodologies underlying legal reasoning, or the circumstances in which particular rulings are formulated.[3] Consequently, differences of opinion, which have long been an integral part of the Islamic intellectual tradition, may be perceived as conflicting positions in which one side must prevail over the other. In certain circumstances, the circulation of unverified religious information may also reinforce exclusivist attitudes and deepen divisions among religious groups. Thus, the challenges of religious life in the digital age extend beyond technological literacy to encompass the ability to understand, critically assess, and contextualize religious arguments. Addressing these

[1] Masruha Masruha et al., "Digitization of Fatwas and Religious Authority: A Study on the Role of Social Media in the Interpretation of Islamic Law," *Journal of Mujaddid Nusantara* 2, no. 2 (2025): 99–113, https://doi.org/10.62568/jomn.v2i2.421; Soleh Hasan Wahid, Anjar Kususiyanah, and Fuady Abdullah, "Strengthening the Trust and Authority of Fatwa Institutions in the Digital Era: Lessons from Indonesia," *Journal of College of Sharia and Islamic Studies* 43, no. 2 (2025): 281–313, https://doi.org/10.29117/jcsis.2025.0425.

[2] Ali Sati et al., "The Digital Transformation of Tafsir and Its Implications for Islamic Legal Derivation in the Contemporary Era," *MILRev: Metro Islamic Law Review* 4, no. 1 (2025): 389–415, https://doi.org/10.32332/milrev.v4i1.10425; Jundi Soehardin Abdullah, Muhammad Jailani, and Husna Nashihin, "Contemporary Fiqh Framework in the Era of Digital Transformation: New Challenges and Opportunities," *At Turots: Jurnal Pendidikan Islam* 7, no. 1 (2025): 979–87, https://doi.org/10.51468/jpi.v7i2.1292.

[3] Carlos Diaz Ruiz and Tomas Nilsson, "Disinformation and Echo Chambers: How Disinformation Circulates on Social Media Through Identity-Driven Controversies," *Journal of Public Policy & Marketing* 42, no. 1 (2023): 18–35, https://doi.org/10.1177/07439156221103852.

challenges requires a sound understanding of the Islamic scholarly tradition, particularly the methods through which Muslim scholars derive legal rulings and engage with differences of opinion.

Within the Islamic legal tradition, differences of opinion are inseparable from the diversity of methodological approaches employed by Muslim scholars in interpreting the sources of Islamic law.[4] The Hanafi, Maliki, Shafi'i, and Hanbali schools of jurisprudence have developed distinct patterns of legal reasoning through their engagement with the Qur'an, Sunnah, scholarly consensus (*ijma'*), analogical reasoning (*qiyas*), and other principles of legal deduction (*istinbat*). These differences not only give rise to variations in legal rulings but also illustrate how legal issues are understood, how evidence is evaluated, and how contextual considerations inform the process of deriving legal rulings. In this regard, *fiqh muqaran* (comparative Islamic jurisprudence) plays a significant role, as it enables scholarly opinions to be examined in light of their underlying arguments and methodological foundations rather than solely on the basis of their legal conclusions. Its relevance becomes increasingly apparent as religious discourse moves into digital spaces, where particular opinions can circulate widely without adequate explanations of the methodologies underpinning them. The critical assessment of religious information, for instance, requires the ability to verify sources, understand contexts, and distinguish between issues supported by well-established legal evidence and those that remain open to *ijtihad* (independent legal reasoning). In this respect, *maqasid al-shari'ah* (the objectives of Islamic law) provides a framework for considering the purposes of Islamic law and the public welfare it seeks to promote, while the principle of *wasatiyyah* (moderation) offers guidance for cultivating a balanced and proportionate approach to religious practice. The relationship between comparative Islamic jurisprudence, *maqasid al-shari'ah*, and digital literacy therefore warrants scholarly investigation, as these three dimensions may help explain how the Islamic legal tradition responds to emerging challenges while maintaining its normative foundations.

Several studies have examined the relationship between digital literacy and religious moderation. Amseke (2023), in a study involving 260 university students, found that cultural literacy and digital literacy were associated with religious moderation, reporting contributions of 58.7% jointly and 26.8% for digital literacy.[5] Similarly, Jauhari et al. (2024) demonstrated that cultural literacy, digital competence, and religious awareness collectively explained 46.7% of the variation in religious moderation among the students examined.[6] Research on digital religious literacy at MTsN 28 Jakarta has also highlighted the relationship between the ability to understand

[4] Tri Hidayati and Muhammad Syarif Hidayatullah, "Investigating the Construction of Ijma in The Study of Islamic Law through Sociological and Historical Approach," *Media Syari'ah : Wahana Kajian Hukum Islam Dan Pranata Sosial* 23, no. 2 (December 12, 2021): 127–50, https://doi.org/10.22373/jms.v23i2.10924.

[5] Fredericksen Victoranto Amseke, "Peran Literasi Budaya Dan Literasi Digital Dalam Meningkatkan Moderasi Beragama Mahasiswa," *Voice of Wesley: Jurnal Ilmiah Musik Dan Agama* 7, no. 1 (December 27, 2023): 100–110, https://doi.org/10.36972/jvow.v7i1.220.

[6] Burhanudin Jauhari, M Yunan Hidayat, and Sukari Sukari, "Pengaruh Literasi Budaya, Literasi Digital Dan Kesadaran Beragama Terhadap Moderasi Beragama Siswa," *Jurnal UDA* 32, no. 1 (2024): 577–85, https://oaj.jurnalhst.com/index.php/jsi/article/view/224.

religious information in digital spaces, non-violent attitudes, and commitment to national identity.[7] These findings suggest that the ability to access and evaluate information constitutes an important component in shaping religious attitudes. Nevertheless, these relationships do not fully explain how individuals determine their positions when confronted with information involving divergent interpretations of Islamic law. The ability to verify digital sources, for instance, does not necessarily entail an understanding of why Muslim scholars may arrive at different legal conclusions based on the same textual evidence. Accordingly, research on digital literacy needs to be complemented by an analysis of the legal reasoning traditions that shape how individuals understand religious authority, evaluate arguments, and respond to religious differences.

Meanwhile, scholarship on *usul al-fiqh* (principles of Islamic jurisprudence), comparative Islamic jurisprudence, and *maqasid al-shari'ah* (the objectives of Islamic law) provides a theoretical foundation for understanding the diversity of legal reasoning within the Islamic tradition. Hallaq (1997) examines the development of Islamic legal theory and the role of *usul al-fiqh* in establishing systematic legal argumentation.[8] Al-Matroudi (2006) focuses on the Hanafi legal tradition,[9] while Auda (2008) develops a systems-oriented approach to *maqasid al-shari'ah* as a framework for understanding Islamic law.[10] Kamali's (2015) discussion of *wasatiyyah* is also relevant to understanding the importance of balance and moderation in Islamic thought.[11] Meanwhile, Laoust (1983) offers insights into the historical development of Hanbali doctrine within the broader context of Islamic legal thought.[12] Collectively, this literature demonstrates that Islamic jurisprudence encompasses diverse modes of legal reasoning and cannot be adequately understood through a simplistic dichotomy between textual and contextual approaches. Nevertheless, the relationship between this methodological diversity and the challenges of religious engagement in digital environments requires further investigation. Comparative jurisprudence has often focused on differences of opinion concerning specific legal issues, whereas research on religious moderation has predominantly examined literacy, behavior, and social conditions. These two strands of scholarship have yet to fully explain how classical methods of legal reasoning can inform the critical evaluation of digital religious information and foster a responsible approach to differences of opinion.

This study highlights the methodological richness of the Islamic legal tradition and the need for Muslim communities to understand religious issues in digital environments. From a normative

[7] Erna Sari Agusta, "Pemanfaatan Literasi Digital Keagamaan Dalam Menumbuhkan Sikap Moderasi Beragama Siswa," *Jurnal Lingkar Mutu Pendidikan* 21, no. 1 (2024): 1–9, https://doi.org/10.54124/jlmp.v21i1.125.
[8] Wael B. Hallaq, *A History of Islamic Legal Theories: An Introduction to Sunni Usul Al-Fiqh* (Cambridge University Press, 1997).
[9] Abdul Hakim I Al-Matroudi, *The Hanbali School of Law and Ibn Taymiyyah: Conflict or Conciliation* (Routledge, 2006).
[10] Jasser Auda, "Maqasid Al-Shari'ah as Philosophy of Islamic Law: A Systems Approach, International Institute of Islamic Thought," 2008.
[11] Mohammad Hashim Kamali, *The Middle Path of Moderation in Islam: The Qur'anic Principle of Wasatiyyah* (Oxford: Oxford University Press, 2015).
[12] Henri Laoust, *Pluralismes Dans l'Islam* (Geuthner, 1983).

perspective, differences of opinion in Islam should be understood through a sound understanding of the textual evidence and the methods of legal deduction (*istinbat*) underlying them. In digital communication, however, such differences are not always accompanied by adequate explanations of their underlying arguments and can easily escalate into debates that polarize religious groups. This situation underscores the need for a more systematic approach that connects Islamic legal reasoning with contemporary challenges. This study proceeds from the argument that comparative Islamic jurisprudence can provide an epistemological foundation for religious moderation when divergent legal opinions are examined in light of their underlying methodologies, textual evidence, and legal considerations. From this perspective, moderation is not understood as an attempt to homogenize religious views or eliminate differences, but rather as the ability to understand the reasoning behind particular opinions, assess the strength of their arguments, and evaluate them proportionately. The reconstruction of Islamic legal reasoning is therefore essential, as the *fiqh* tradition transmits not only legal rulings but also methods for understanding issues, evaluating arguments, and considering public welfare.

This study aims to analyze the characteristics of legal reasoning in the Hanafi, Maliki, Shafi'i, and Hanbali schools of jurisprudence and examine their relevance to strengthening religious moderation in the digital age. It investigates how the legal reasoning methods developed by these four schools can inform the interpretation of religious issues in digital environments, while critically assessing the strengths and limitations of each approach in evaluating religious information, understanding differences of opinion, and considering public welfare. Furthermore, it explores how comparative Islamic jurisprudence, integrated with *maqasid al-shari'ah* (the objectives of Islamic law), can be developed into a conceptual framework for religious moderation. This study is expected to contribute to contemporary Islamic legal scholarship by demonstrating the continued relevance of classical *fiqh* methodologies in responding to changing social and technological contexts. In practical terms, its findings may inform the development of *fiqh* education, strengthen digital religious literacy, and encourage the creation of dialogical spaces in which differences of opinion are respected and evaluated through scholarly argumentation. Thus, comparative Islamic jurisprudence is approached not merely as an intellectual legacy to be preserved and studied, but also as a methodological resource for understanding and responding to contemporary challenges in religious life.

Research Methods

This study employs a qualitative approach using library research to examine the methodologies of Islamic legal reasoning in the classical *fiqh* tradition and their relevance to religious life in the digital age. Rather than empirically measuring religious behavior, the study investigates how legal arguments are constructed, how methodological differences among the four Sunni schools of jurisprudence are explained, and how classical legal reasoning can be contextualized to support religious moderation. *Fiqh muqaran* (comparative Islamic jurisprudence) serves as the primary

analytical approach for comparing the methods of legal deduction (*istinbat*) employed by the Hanafi, Maliki, Shafi'i, and Hanbali schools, while conceptual analysis connects the comparative findings with *maqasid al-shari'ah* (the objectives of Islamic law), *wasatiyyah* (moderation), *tasamuh* (tolerance), and the challenges of religious engagement in digital environments. The data comprise primary and secondary sources. Primary sources include classical works representing the legal reasoning traditions of the four schools, such as *Usul al-Sarakhsi* and *al-Hidayah* for the Hanafi school; *al-Muwafaqat* and *al-Risalah* attributed to Ibn Abi Zayd al-Qayrawani for the Maliki tradition; *al-Risalah* by Muhammad ibn Idris al-Shafi'i and *al-Majmu'* for the Shafi'i school; and *I'lam al-Muwaqqi'in* and works by Ibn Qudamah for the Hanbali tradition. These works are selected for their relevance to legal evidence, methods of legal deduction, analogical reasoning, considerations of public welfare, and the relationship between textual sources and context. Secondary sources include academic books on *usul al-fiqh* and comparative jurisprudence, scholarly journal articles on contemporary Islamic law and religious moderation, and relevant policy documents and research reports on digital literacy and religious life in Indonesia.

Data are collected through documentation and systematic literature searches using academic databases, including Google Scholar, JSTOR, and the Directory of Open Access Journals (DOAJ). Search terms cover the methodologies of the four schools, *fiqh muqaran*, *maqasid al-shari'ah*, religious moderation, digital literacy, and religious authority in digital spaces. Sources are selected according to their relevance to the research objectives, bibliographic reliability, contribution to Islamic legal methodology, and connection to contemporary digital contexts. Relevant information concerning legal arguments, methods of *istinbat*, contextual considerations, and principles of moderation is recorded in an analytical matrix and organized into thematic categories for cross-school comparison. Classical texts are interpreted in light of their intellectual and historical contexts to avoid detaching individual legal positions from the broader development of their respective traditions. Data analysis follows three interconnected stages. First, comparative analysis identifies methodological similarities and differences among the four schools, focusing on the use of legal evidence, the status of *qiyas* (analogical reasoning), considerations of public welfare, and other relevant principles. This comparison does not seek to rank the schools according to their degree of moderation, but to clarify the characteristics, scope, and methodological limitations of their respective arguments. Second, conceptual-hermeneutical analysis examines how the comparative findings relate to *maqasid al-shari'ah*, *wasatiyyah*, and *tasamuh*, particularly in addressing unverified religious information, disagreements circulated on social media, and considerations of public welfare in digital communication. Third, critical analysis evaluates the applicability, limitations, and potential risks of oversimplifying classical legal methodologies when applying them to contemporary issues. The analytical process also draws on the qualitative data analysis model of Miles, Huberman, and Saldaña (2014), encompassing data condensation, data display, and conclusion drawing and verification. Comparative matrices are used to present each school's

methodological characteristics, supporting arguments, and relevance to digital religious issues, while conclusions are repeatedly checked against the primary and secondary sources.

The trustworthiness of the analysis is maintained through source triangulation, careful contextual interpretation of classical texts, and systematic documentation of research procedures. Credibility is strengthened by comparing arguments in primary sources with interpretations in contemporary academic literature and relevant documentary evidence. Transferability is supported by sufficiently describing the methodological contexts of the four schools and the characteristics of the digital issues examined, enabling readers to assess the relevance of the findings to other contexts. Dependability is maintained through documentation of literature searches, source selection criteria, data categorization, and analytical procedures, while confirmability is pursued by establishing a clear connection between the interpretations presented and the textual evidence supporting them. Given the library-based nature of this research, source triangulation is intended to strengthen interpretive consistency rather than to claim empirical verification of Muslim communities' religious behavior. Through these procedures, the study seeks to produce a methodologically accountable comparative analysis and a conceptual framework for explaining the relationship between Islamic legal reasoning and religious moderation in digital environments.

Results and Discussion

Characteristics of Legal Reasoning in the Four Schools of Islamic Jurisprudence in Responding to Changing Contexts

Differences in the methods of legal deduction (*istinbat*) employed by the Hanafi, Maliki, Shafi'i, and Hanbali schools demonstrate the diversity of reasoning within Islamic law in understanding the relationship between authoritative texts (*nusus*), social realities, and the objectives of Sharia. These four schools differ not only in their legal conclusions but also in how they interpret legal evidence, reconcile different sources, and address issues that are not explicitly regulated in the foundational sources of Islamic law.[13] This methodological diversity provides a starting point for understanding how the *fiqh* tradition responds to changing contexts, including advances in information and communication technology that have transformed the production, dissemination, and reception of religious knowledge.

In digital environments, religious issues are no longer confined to determining whether particular actions are permissible or prohibited. They also involve the reliability of religious sources, the authority of those issuing fatwas, the circulation of unverified hadiths, the decontextualization of Qur'anic verses, and the use of religious evidence to justify exclusivist attitudes toward other groups.[14] These challenges require legal reasoning capable of distinguishing the validity of evidence,

[13] Siti Purmini, "Schools and Classifications of Fiqh: A Guide to Understanding the Diversity of Islamic Law," *Jurnal Price : Ekonomi Dan Akuntasi* 3, no. 1 (2024): 59–77, https://doi.org/10.58471/jecoa.v3i01.5229.
[14] Dhevin M.Q Agus Puspita W et al., "Religious Moderation as a Paradigm of Moderate Islamic Thought in the Era of Digital Disruption," *Potret Pemikiran* 29, no. 2 (2025): 248, https://doi.org/10.30984/pp.v29i2.4126.

the accuracy of its interpretation, and the consequences of its application.[15] Accordingly, the methodological characteristics of the four schools should not be understood as entirely separate categories, but rather as analytical resources that can complement one another in evaluating contemporary religious issues.

First, the Hanafi and Maliki schools demonstrate a strong concern with the relationship between legal reasoning and social reality, although they employ different methodological mechanisms. Within the Hanafi tradition, *qiyas* (analogical reasoning) and *istihsan* (juristic preference) play important roles in addressing legal issues that cannot be resolved through the literal application of existing rulings alone.[16] *Qiyas* connects a new case to an established legal ruling on the basis of a shared effective cause (*'illah*),[17] whereas *istihsan* allows a jurist to depart from a particular analogical conclusion in favor of a stronger legal justification, such as specific evidence, necessity, or other considerations recognized within the school's methodology.[18] *Istihsan* should not be understood as subjective freedom to determine legal rulings according to personal preferences, but as a form of reasoning that remains grounded in methodological principles.

These characteristics are relevant to evaluating the dissemination of religious information on social media. For example, an individual may circulate an unverified hadith and attribute it to the Prophet Muhammad. Such a claim cannot be assessed solely on the basis of the message's popularity or the disseminator's good intentions. Rather, it must be examined in terms of the reliability of its source, the accuracy of its attribution, and its potential consequences for public understanding.[19] Through *qiyas*, this issue may be compared with the prohibition against false testimony or the dissemination of reports that harm others, provided that a relevant effective cause can be established.[20] However, the prohibition against fabricating hadiths also has its own foundations within the hadith tradition. Therefore, such an analogy serves to reinforce the analysis rather than replace the examination of primary sources.

Meanwhile, *istihsan* helps explain why the application of a legal ruling cannot always be separated from the specific circumstances in which it operates.[21] In digital environments, for

[15] S. Carr, E. Piasecki, and A. Gallop, "Demonstrating Reliability through Transparency: A Scientific Validity Framework to Assist Scientists and Lawyers in Criminal Proceedings," *Forensic Science International* 308 (2020): 110110, https://doi.org/10.1016/j.forsciint.2019.110110.
[16] Habib Ahmed, "Islamic Normative Legal Theory: Framework and Applications," *Journal of Law and Religion* 40, no. 1 (2025): 28–58, https://doi.org/10.1017/jlr.2025.10056.
[17] Faisal Ahmadi and Muhammad Randhy Martadinata, "The Value of Qiyas in Islamic Jurisprudence," *Wasatiyah: Jurnal Hukum* 1, no. 2 (2020): 39–48.
[18] JM Muslimin and M Abdul Kharis, "Istihsan and Istishab in Islamic Legal Reasoning: Towards the Extension of Legal Finding in the Context of Indonesia," *Al-Risalah: Forum Kajian Hukum Dan Sosial Kemasyarakatan* 20, no. 2 (2020): 163–79, https://doi.org/10.30631/alrisalah.v20i2.589.
[19] Gale M. Sinatra and Doug Lombardi, "Evaluating Sources of Scientific Evidence and Claims in the Post-Truth Era May Require Reappraising Plausibility Judgments," *Educational Psychologist* 55, no. 3 (2020): 120–31, https://doi.org/10.1080/00461520.2020.1730181.
[20] Omar Saad Ahmed et al., "Fitnah in the Digital Age: Regulating Social Media Misuse Through Islamic Criminal Principles," *Al-Istinbath: Jurnal Hukum Islam* 10, no. 2 (2025): 535–62, https://doi.org/10.29240/jhi.v10i2.13369.
[21] Enang Hidayat, Siti Ropiah, and Mowafg Abrahem Masuwd, "Istihsan in Bay' Al-Istijrar: Recontextualising Ibn 'Abidin's Thought for Contemporary Mu'amalah Contracts," *Az-Zarqa': Jurnal Hukum Bisnis Islam* 17, no. 2 (2025): 148–68, https://doi.org/10.14421/az-zarqa.v17.i2.4540.

instance, a distinction should be made between an individual who mistakenly quotes a hadith and promptly corrects the error and someone who deliberately disseminates false information to incite hostility.[22] These cases should not be treated identically because they differ in intention, the reach of dissemination, and the consequences involved. Nevertheless, such distinctions must remain grounded in evidence and legally defensible considerations rather than subjective judgments about the individuals responsible for disseminating the content.

The Maliki school, meanwhile, assigns an important role to *maslahah mursalah* (unrestricted public interest) and *'urf* (custom) in legal reasoning.[23] Considerations of public interest allow issues that are not addressed in detail by authoritative texts to be evaluated in terms of their benefits and harms, provided that the resulting judgments do not conflict with the principles of Sharia. *'Urf* helps explain social practices that develop within a community, provided that these customs satisfy the requirements for legal recognition.[24] Within the Maliki tradition, the emphasis on the practice of the people of Medina also demonstrates that the interpretation of legal sources is connected to religious practices that develop within particular communities.

In digital contexts, *'urf* can be used in a limited manner to understand communication practices, patterns of information consumption, and the meanings of expressions within social media communities. However, the prevalence of a digital practice does not automatically establish its legal validity. Popular practices, such as sharing excerpts from religious lectures without context or labeling other groups as misguided, must still be evaluated in accordance with the principles of Sharia. Meanwhile, the *maslahah* approach can help identify the consequences of disseminating religious content, including the risks of slander, social division, violence, and reputational harm.

Opwis (2010) explains that considerations of public interest within Islamic legal thought are connected to the normative objectives of Sharia and cannot be reduced to purely utilitarian considerations.[25] Similarly, the contemporary *maqasid* approach developed by Auda (2008) provides a framework for understanding law through the relationship between normative principles, context, and the consequences of legal application.[26] In this discussion, these approaches demonstrate that evaluating digital content requires more than examining its wording or form. It

[22] Murtiningsih and Moses Adeleke Adeoye, "Hoaxes in Islamic Perspective: Qur'anic Solutions for Building an Anti-Hoax Society," *Al-Karim: International Journal of Quranic and Islamic Studies* 3, no. 1 (2025): 35–58, https://doi.org/10.33367/al-karim.v3i1.6818.
[23] Iffatin Nur, Ali Abdul Wakhid, and Lestari Handayani, "A Genealogical Analysis on the Concept and Development of Maqaṣid Syarīʻah," *AL-'ADALAH* 17, no. 1 (2020): 1–30, https://doi.org/10.24042/adalah.v17i1.6211; Muhammad Aljurjani, Lalu Supriadi Mujib, and Sainun Sainun, "Reassessing Child Welfare in Islamic Jurisprudence: The Abrogation of Guardianship According to Al-Buti's Maslahah Theory," *DIKTUM: Jurnal Syariah Dan Hukum* 23, no. 2 (2025): 196–213, https://doi.org/10.35905/diktum.v23i2.12973.
[24] Fauzi Fauzi, "'Urf and Its Role in The Development of Fiqh: Comparative Study of Famliy Law Between Egypt and Indonesia," *El-Usrah: Jurnal Hukum Keluarga* 7, no. 1 (2024): 346–71, https://doi.org/10.22373/ujhk.v7i1.23968.
[25] Felicitas Meta Maria Opwis, *Maslahah and the Purpose of the Law: Islamic Discourse on Legal Change from the 4th/10th to 8th/14th Century*, vol. 31 (Brill, 2010).
[26] Auda, "Maqasid Al-Shariʻah as Philosophy of Islamic Law: A Systems Approach, International Institute of Islamic Thought."

also requires consideration of its function, the context in which it is disseminated, and its consequences in light of legally defensible principles.

Second, the Shafi'i school is distinguished by its systematic treatment of legal sources and its regulation of legal reasoning through a hierarchy of evidence. Through *al-Risalah*, Imam al-Shafi'i made a significant contribution to the development of *usul al-fiqh* (principles of Islamic jurisprudence), particularly by explaining the relationship between the Qur'an, Sunnah, scholarly consensus (*ijma'*), and analogical reasoning (*qiyas*). Legal reasoning does not depend solely on assessments of social benefit; it must also be grounded in authoritative evidence and follow procedures of *istinbat* that can be examined and evaluated. Hallaq (1997) identifies the development of al-Shafi'i's thought as an important part of the systematization of Islamic legal theory.[27]

These characteristics are directly relevant to questions of religious authority in digital environments. The ease of accessing and producing online content allows individuals to circulate Qur'anic quotations, hadiths, or scholarly opinions without explaining their sources or contexts.[28] In such circumstances, the Shafi'i methodological approach emphasizes the importance of verification before a claim is accepted as a basis for a legal ruling.[29] Verification involves not only establishing whether a text exists but also examining hadith authenticity, interpretive context, the relationship between different sources of evidence, and the validity of the conclusions derived from them.

For example, a short video may claim that a particular action is a religious obligation by presenting only one hadith. Evaluating such content should begin with verifying the authenticity of the hadith, understanding its meaning, identifying other relevant evidence, and determining whether the legal conclusion conforms to the principles of *istinbat*. The existence of a single piece of evidence does not automatically establish that the interpretation presented is the only valid position. Where an issue falls within the scope of legitimate juristic disagreement (*ikhtilaf*), differences in legal conclusions should be explained through the arguments supporting each position rather than eliminated through claims of certainty that lack adequate methodological support.

This approach also provides a foundation for developing digital religious literacy. Amseke (2023)[30] and Jauhari et al. (2024),[31] as cited in the literature reviewed for this study, identify digital literacy as one of the factors associated with religious moderation. These findings can be conceptually connected to the Shafi'i methodology insofar as the ability to verify sources and evaluate arguments constitutes an important prerequisite for receiving religious information responsibly. Nevertheless, digital literacy and *usul al-fiqh* are not identical. Digital literacy provides

[27] Hallaq, *A History of Islamic Legal Theories: An Introduction to Sunni Usul Al-Fiqh*.
[28] Rusli Rusli and Nurdin Nurdin, "Understanding Indonesia Millennia Ulama Online Knowledge Acquisition and Use in Daily Fatwa Making Habits," *Education and Information Technologies* 27, no. 3 (2022): 4117–40, https://doi.org/10.1007/s10639-021-10779-7.
[29] Mohammad Hashim Kamali, "Methodological Issues in Islamic Jurisprudence," *Arab LQ* 11, no. 1 (1996): 3–33, https://doi.org/10.2307/3381731.
[30] Amseke, "Peran Literasi Budaya Dan Literasi Digital Dalam Meningkatkan Moderasi Beragama Mahasiswa."
[31] Jauhari, Hidayat, and Sukari, "Pengaruh Literasi Budaya, Literasi Digital Dan Kesadaran Beragama Terhadap Moderasi Beragama Siswa."

the skills required to examine information, whereas *usul al-fiqh* supplies the conceptual and methodological tools for assessing the strength of legal evidence and the validity of legal conclusions.

Accordingly, the methodological characteristics of the Shafi'i school can inform the practice of epistemic caution. When the source of digital content cannot be verified, users should refrain from disseminating it and avoid immediately presenting it as an established religious teaching. This principle does not mean that Shafi'i legal reasoning obstructs responses to contemporary issues. Rather, it emphasizes that the speed of digital communication must not undermine the responsibility to substantiate religious claims. Helmy et al. (2021),[32] in their study of Islamic moderation and hadiths concerning interreligious relations in Javanese Islamic boarding schools, also provide a relevant perspective on the importance of religious learning traditions in fostering a responsible understanding of religious texts.

Third, the Hanbali school places the Qur'an, Sunnah, and transmitted reports from early Muslim authorities (*athar*) at the center of legal reasoning, while exercising caution toward speculative reasoning that lacks an adequate evidentiary basis. This characteristic reflects a concern with maintaining the continuity of legal judgments with the normative sources of Islam.[33] However, the Hanbali methodology should not be reduced to a rejection of all forms of rational reasoning. *Qiyas* and other forms of legal reasoning also have a place in the development of Hanbali thought, although their application remains subject to the school's methodological framework and hierarchy of evidence.

In digital environments, an orientation toward normative sources is important for critically examining interpretations produced without sufficient expertise or argumentative support.[34] Not every opinion circulated on social media can be regarded as an accurate representation of Islamic teachings. The use of Qur'anic verses and hadiths must be accompanied by an adequate understanding of their contexts, scholarly interpretations, and the consequences of their application. In this respect, adherence to authoritative texts can serve as a safeguard against arbitrary interpretation.

Problems arise, however, when commitment to authoritative texts becomes a form of literalism that disregards context and the procedures of legal reasoning. One example is the use of isolated Qur'anic verses or scholarly opinions to justify *takfir*, the practice of declaring a Muslim to be an unbeliever, without satisfying the relevant legal requirements or considering applicable impediments. In such circumstances, the presence of a textual quotation is insufficient to establish

[32] Muhammad Irfan Helmy, Ahmad Darojat Jumadil Kubro, and Muhamad Ali, "The Understanding of Islamic Moderation (Wasatiyyah Al-Islam) and the Hadiths on Inter-Religious Relations in the Javanese Pesantrens," *Indonesian Journal of Islam and Muslim Societies* 11, no. 2 (2021): 377–401, https://doi.org/10.18326/ijims.v11i2.351-376.
[33] Hafiz Falak Shair Faizi and Dr. Hafiz Sfarish Ali, "The Core Principles of Islamic Jurisprudence within Legal Theory: A Comprehensive Analysis," *Online Journal of Research in Islamic Studies* 11, no. 2 (2024): 57–72, https://doi.org/10.22452/ris.vol11no2.4.
[34] Dimitri Molerov et al., "Assessing University Students' Critical Online Reasoning Ability: A Conceptual and Assessment Framework With Preliminary Evidence," *Frontiers in Education* 5 (2020), https://doi.org/10.3389/feduc.2020.577843.

the validity of the conclusion. Any assessment must still examine the argument as a whole, its context, and the authority responsible for explaining it.

The thought of Ibn Taymiyyah, who occupies an important position within the Hanbali tradition, can be examined in relation to the need for caution when making religious judgments about individuals. His thought, however, cannot be reduced to a general justification for every action undertaken in the name of preserving doctrinal purity. Consequently, the analysis of digital content containing accusations of unbelief must distinguish between criticism of an opinion, evaluation of an action, and determination of an individual's religious status. These involve different normative consequences and should not be indiscriminately conflated.

Taken together, the methodological characteristics of the four schools should not be arranged within a simplistic hierarchy that classifies some schools as flexible and others as rigid. Each school possesses its own mechanisms for regulating legal reasoning and its own approach to connecting normative sources with legal issues. The Hanafi school emphasizes the development of analogical reasoning and the mechanism of *istihsan*; the Maliki school highlights considerations of public interest and social practices that satisfy the requirements for legal recognition; the Shafi'i school is distinguished by its systematic treatment of legal evidence and procedures of *istinbat*; while the Hanbali school emphasizes grounding legal reasoning in the Qur'an, Sunnah, and *athar*. These differences become relevant to digital religious moderation when understood as complementary methodological resources rather than as grounds for labeling particular schools as moderate or extremist.

Comparative Islamic Jurisprudence as an Epistemological Foundation for Religious Moderation

Fiqh muqaran (comparative Islamic jurisprudence) is an approach to Islamic legal studies that compares the opinions of scholars or schools of jurisprudence by examining the evidence, methods of legal deduction (*istinbat*), and arguments underlying their differing legal conclusions. Within this framework, comparative jurisprudence goes beyond documenting similarities and differences of opinion; it seeks to explain how legal conclusions are formulated and why disagreements arise even when scholars refer to the same normative sources. *Fiqh muqaran* has epistemological relevance to religious moderation, particularly in digital environments where people are increasingly exposed to diverse religious interpretations.

One of the major challenges in digital religious communication is the tendency to present a particular opinion as the sole representation of Islamic truth, while treating alternative views as deviant without examining their underlying arguments. This tendency may emerge when users are familiar only with the final outcome of a fatwa but lack an understanding of the reasoning process that informs it. *Fiqh muqaran* offers a more critical way of approaching differences by directing attention to the evidence, methodologies, and contexts employed by each school. From this perspective, differences of opinion are not automatically regarded as weaknesses within Islamic

teachings but as intellectual phenomena that require evaluation according to established scholarly principles.

Rakhman (2024),[35] as cited in the literature reviewed for this study, presents comparative jurisprudence as an approach that can broaden understanding of the rational foundations of divergent legal opinions. Its relevance to digital contexts lies in its ability to cultivate awareness that legal conclusions emerge from interpretive processes governed by particular methodological foundations and limitations. For example, differences of opinion concerning the performance of a particular act of worship may arise from different interpretations of hadith, methods of reconciling legal evidence, or assessments of the strength of competing arguments. When the basis of such differences is understood, social media users have stronger grounds for refraining from immediately accusing those who hold different views of religious deviation.

Nevertheless, *fiqh muqaran* does not imply that all opinions possess equal evidentiary strength or that every position must be accepted without evaluation. On the contrary, comparison requires the ability to distinguish opinions supported by sound methodological reasoning from claims that cannot be adequately justified. Tolerance toward *ikhtilaf* (juristic disagreement) is not equivalent to legal relativism. An opinion may still be criticized when its evidence or reasoning is considered weak, but such criticism should be articulated through scholarly argumentation rather than directed indiscriminately at the dignity or religious identity of those who follow it.

At this point, *fiqh muqaran* can be understood as a means of cultivating *epistemic tolerance*, namely, the willingness to acknowledge that certain issues may admit more than one legally defensible conclusion. Epistemic tolerance does not require abandoning one's conviction that a particular juristic position is stronger. Rather, it entails distinguishing confidence in the outcome of *ijtihad* from the assumption that everyone who disagrees must necessarily be wrong. This distinction is important in preventing differences in *fiqh* from developing into social conflict, particularly when such differences circulate through media environments that encourage rapid responses, simplified judgments, and group formation based on identity.

The study by Husain et al. (2021),[36] as cited in the research materials, provides context for understanding the diversity of religious practices in Indonesia, including within religious organizations and Islamic boarding schools (*pesantren*). Such diversity can support harmonious religious life when it is understood through adequate knowledge of the sources and methods underlying different positions. Conversely, when understanding of the various schools is exclusive, differences in religious practice may become markers of group boundaries and sources of conflict. The existence of diversity, therefore, does not automatically produce moderation. It requires the competence to understand, explain, and respond to differences proportionately.

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[35] Alwi Bani Rakhman and Tarmudi Tarmudi, "Nalar Fiqh Perbandingan Sebagai Paradigma Moderasi Beragama Dalam Pandangan Muhammad Sa'id Ramadhan Al-Buthi (1929 - 2013 M)," *AN NUR: Jurnal Studi Islam* 16, no. 2 (2025): 194–212, https://doi.org/10.37252/annur.v16i02.971.

[36] Saddam Husain and Andi Eki Dwi Wahyuni, "Moderasi Beragama Berbasis Tradisi Pesantren Pada Ma'had Aly As'adiyah Sengkang Wajo Sulawesi Selatan Religious," *Harmoni* 20, no. 1 (2021): 48–66, https://doi.org/10.32488/harmoni.v20i1.455.

In this context, *fiqh muqaran* serves at least three analytical functions. First, its interpretive function explains the methodological reasoning underlying differences of opinion. Second, its critical function provides tools for evaluating religious claims based on their sources and arguments. Third, its dialogical function creates opportunities for the exchange of perspectives without requiring participants to abandon their respective juristic positions. These three functions demonstrate that religious moderation cannot be established solely through normative appeals for tolerance; it also requires an understanding of how the Islamic legal tradition approaches and manages disagreement.

These functions can be applied to the evaluation of religious content in digital environments. Preaching materials that make legal claims without identifying their sources can be examined by tracing the evidence and arguments underlying them. Individual fatwas that categorically declare a practice prohibited can be compared with the positions of other schools to determine whether the issue falls within the scope of legitimate *ikhtilaf*. Meanwhile, content accusing other groups of religious deviation can be evaluated by distinguishing between disagreements grounded in legitimate *ijtihad* and claims that genuinely conflict with clearly established normative principles. In all these cases, comparative jurisprudence does not serve to justify every piece of content but to ensure that assessments are conducted through a methodologically sound process.

Table 1. Comparator Matrix

Issues in digital religious content	**Contribution of *fiqh muqaran***	**Orientation toward moderation**
Religious preaching that cites evidence without context	Comparing sources, interpretations, and legal arguments	Preventing hasty acceptance of information
Fatwas presenting one opinion as the only valid position	Identifying the scope of *ikhtilaf* and the methodological foundations of each opinion	Preventing absolutism in disputed matters
Content labeling other groups as deviant or unbelievers	Examining arguments and distinguishing criticism of opinions from judgments about individuals	Reducing stigmatization and hostility
Religious information that may trigger conflict	Comparing legal positions and considering the consequences of their application	Encouraging social responsibility in religious communication
Fatwas concerning emerging digital phenomena	Evaluating the methods of *istinbat* used to address contemporary issues	Strengthening methodological openness and accountability

The matrix demonstrates that applying *fiqh muqaran* does not require presenting lengthy discussions of juristic disagreements in every piece of digital content. Its central principles are to identify the sources of claims, explain the reasoning supporting them, and acknowledge differences that can be justified through sound scholarly methods. For general audiences, these principles can be communicated through concise learning materials, infographics, or educational video series.

However, simplifying the material must not eliminate essential information about sources, context, and the status of juristic disagreement, as doing so could generate new forms of misunderstanding.

Another challenge is the possibility that *fiqh muqaran* may be politicized and used to rank schools hierarchically, for example, by describing one school as more moderate than another. Such judgments overlook the internal complexity of each tradition and risk replacing the absolutism of one opinion with stereotypes about other schools. Comparative analysis should therefore situate each school within its intellectual and historical development while preserving the opportunity to evaluate the strength of particular arguments in specific cases. Moderation is not determined by school affiliation alone but by how individuals understand evidence, manage differences, and justify the application of legal rulings.

A further implication concerns Islamic education. Teaching *fiqh* exclusively through the memorization of legal conclusions may limit students' ability to understand how different opinions are developed. By contrast, a cross-school approach can encourage students to identify legal problems, trace relevant evidence, compare methods of *istinbat*, and explain the reasons for divergent conclusions. From the perspective of Vygotsky's social constructivism, dialogue and interaction can help learners develop understanding through collaborative learning. Meanwhile, Paulo Freire's concept of *critical pedagogy* can support a shift away from teaching practices that position students as passive recipients of information toward learning processes involving questioning, reasoning, and critical reflection.

This approach does not diminish the role of teachers or religious authorities. Teachers and scholars continue to play an essential role in ensuring the reliability of sources, the quality of arguments, and the scholarly boundaries of legitimate disagreement. The difference lies in the educational orientation: students are expected not only to know what conclusion is reached but also to understand why it is reached and how to respond to alternative conclusions. Religious moderation can thus be developed as an intellectual and ethical competence rather than merely as a demand to accept a particular slogan or policy.

On this basis, *fiqh muqaran* occupies a strategic position in promoting religious moderation in digital environments. Comparative jurisprudence provides a foundation for understanding diversity methodologically, while comparative education develops people's ability to apply that understanding when engaging with religious content. This contribution also clarifies the relevance of comparative jurisprudence to contemporary challenges: the *fiqh* tradition is not merely a subject of historical inquiry but also a source of intellectual tools for addressing changes in how society produces, disseminates, and debates religious authority.

Conclusion

This study concludes that *fiqh muqaran* (comparative Islamic jurisprudence) provides a relevant methodological framework for promoting religious moderation in the digital era. The diverse legal reasoning of the four Sunni schools of Islamic law—Hanafi, Maliki, Shafi'i, and

Hanbali—demonstrates that differences in legal interpretation are rooted in distinct approaches to textual evidence, legal reasoning, and contextual considerations. The Hanafi school emphasizes *qiyas* and *istihsan*, the Maliki school incorporates *maslahah mursalah* and customary practices (*'urf*), the Shafi'i school prioritizes systematic legal interpretation, and the Hanbali school maintains a strong commitment to the Qur'an, Sunnah, and transmitted reports. These methodological differences provide a foundation for understanding legitimate scholarly disagreement without falling into either rigid exclusivism or unrestricted relativism. Furthermore, *maqāṣid al-sharī'ah* offers an evaluative framework for assessing contemporary religious issues by considering the protection of religion, life, intellect, lineage, and property.

The application of *fiqh muqaran* to digital religious discourse requires stronger comparative legal literacy, critical engagement with religious information, and transparency in the presentation of legal arguments. Islamic education should therefore encourage students to understand the methodological foundations of different schools of law, while religious scholars and digital content creators should communicate their sources and reasoning clearly and responsibly. This study contributes a conceptual framework that connects comparative Islamic jurisprudence, the legal reasoning of the four Sunni schools, and the objectives of Islamic law to address religious diversity in digital spaces. However, as this research is based on library research, its framework has not yet been empirically tested. Future studies should examine its application in Islamic education, analyze the representation of madhhab-based reasoning on digital platforms, and assess its effectiveness in strengthening religious literacy and moderation.

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