

**FIQIH AND GLOBAL PEACE:
A CRITICAL STUDY OF YAHYA CHOLIL TSAQUF'S THOUGHTS
IN CREATING WORLD PEACE**

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ABSTRAK

Dunia saat ini berada pada era yang sangat dinamis. Perubahan terjadi begitu cepat dan seringkali masyarakat tidak merasa siap menghadapinya. Perubahan tersebut adalah suatu keniscayaan yang tidak dapat dihindarkan. Kemudian, perubahan tersebut membutuhkan respon yang sesuai dengan kebutuhan. Bagi Gus Yahya, suatu perubahan akan menjadi masalah jika dalam meresponnya menggunakan model lama. Munculnya fiqih peradaban yang digagas oleh Gus Yahya menjadi bukti bahwa eksponen pemikiran seorang santri dan NU mampu menerobos problematika global yang kerap kali muncul di berbagai dunia, terutama isu perdamaian global.

Metode penelitian yang digunakan dalam penelitian adalah *library research* atau penelitian kepustakaan. Pengumpulan data pada penelitian ini dilakukan dengan mencari data dari bahan-bahan kepustakaan yang berkaitan dengan fokus penelitian yakni pemikiran Gus Yahya dan perdamaian dunia. Hasil penelitian ini menunjukkan bahwa fiqih peradaban yang digagas oleh Gus Yahya memiliki dampak yang signifikan di antaranya merespon berbagai konflik dengan isu-isu terbaru seputar kekerasan global, gender, lingkungan hidup dan seterusnya. Gus Yahya menyampaikan bahwa Indonesia menjadi background negara-negara lain dalam menciptakan perdamaian dunia. Falsafah kebersamaan dan kesetaraan bukan hanya sebagai modal tetapi juga mandat proklamasi agar tidak ada pintu atau peluang dalam memecahbelah negara.

Keywords: fiqih peradaban, pemikiran Gus Yahya, perdamaian dunia

ABSTRACT

The world is currently in a very dynamic era. Change happens so fast and people often don't feel ready to face it. This change is a necessity that cannot be avoided. Then, these changes require a response that fits the needs. For Gus Yahya, a change would be a problem if the response used the old model. The emergence of civilizational fiqh initiated by Gus Yahya is proof that the exponential thought of a santri and NU is able to break through global problems that often arise in various worlds, especially the issue of global peace.

The research method used in research is library research or library research. Data collection in this study was carried out by searching for

data from library materials related to the research focus, namely Gus Yahya's thoughts and world peace. The results of this study indicate that the civilizational fiqh initiated by Gus Yahya has a significant impact, including responding to various conflicts with the latest issues around global violence, gender, the environment and so on. Gus Yahya said that Indonesia was the background for other countries in creating world peace. The philosophy of togetherness and equality is not only an asset but also a mandate for the proclamation so that there are no doors or opportunities to divide the country.

Keywords: *fiqh of civilization, Gus Yahya's thoughts, world peace*

INTRODUCTION

In essence, all countries teach love peace and love peace. However, due to certain factors, many countries experience conflict, both between communities and even conflicts between countries. Conflicts between countries often occur due to territorial disputes and the spread of influence, as well as ideology. The major conflicts between countries that occurred in the last three years include the Tigray war, the uprising in Cabo Delgado, the Yemen Civil War, the Syrian Civil War, and the Israeli-Palestinian Conflict.¹ In addition, the conflict that did not last long was also between Ukraine and Russia.

Conflicts between countries have global consequences, for example the conflict between Ukraine and Russia which also has an impact on Indonesia, including a decrease in the rupiah exchange rate, a decline in the capital market, loss of income due to decreased exports, the impact of rising oil prices on the State Budget, an increase in wheat commodities. Thus, it is not only the United Nations that has the task of maintaining world peace and security, but Indonesia must also take part in resolving the conflict. Since the resolution of conflicts between countries by force is deemed ineffective, the conflict resolution shifts to peaceful channels such as deliberations and negotiations. It also aims to maintain world peace and security.

Indonesia's role in resolving interstate conflicts has been carried out in overcoming the prolonged conflict in Afghanistan. In maintaining peace in

¹ Anoraga Ilafi, "5 Perang Atau Konflik Besar Yang Terjadi Dalam 10 Tahun Terakhir," <https://Community.Idntimes.Com/Login>, 2021, <https://Www.Idntimes.Com/Science/Discovery/Anoraga-Ilafi/Perang-Atau-Konflik-Besar-10-Tahun-Terakhir-C1c2?Page=All>.

Afghanistan, Indonesia carries out cooperation between the Indonesian government and the Afghan government. The form of cooperation carried out is capacity building for Afghanistan from the state apparatus and also civil society groups through various programs such as education, training, workshops and meetings or visits of both parties.² In addition, Indonesia also applies the concept of soft power currency, namely beauty, brilliance and benignity. First, in the concept of beauty, Indonesia and Afghanistan have several similarities, namely ideas, goals, causes of conflict, and visions. With these similarities, Indonesia can become a role model in implementing women's empowerment policies. Second, the concept of brilliance, shows Indonesia's ability and success in supporting women's empowerment programs in Afghanistan. Third, the concept of benignity, in the form of positive actions shown by providing capacity building assistance in the field of welfare, thought aid, and companions to strengthen human resources.³

In particular, Indonesia is a Muslim-majority country that teaches peace and tolerance. So, Indonesia must be able to implement *Rahmatal lil 'alamin* Islamic teachings and uphold humanistic principles for the whole world.⁴ An Indonesian figure who is well known to the world for his teachings of tolerance and peace-loving is Abdurrahman Wahid or Gus Dur. Even though he has passed away, actually Gus Dur's ideas will always live on in the present and in the future. So, his ideas and thoughts were continued by Yahya Cholil Staquf or commonly called Gus Yahya.

On the international stage, Gus Yahya became a leading figure in disseminating Gus Dur's thoughts.⁵ The notion of Islamic humanitarianism became a trade mark of Gus Yahya's efforts to refine Gus Dur's ideas in his thinking known as "Fiqh of Civilization". So far, fiqh is understood as a way of

² Robi Sugara, "Upaya Dan Kontribusi Indonesia Dalam Proses Perdamaian Di," *Mukadimah* 5, No. 1 (2021): 27–38.

³ Arief Rachman Et Al., "Diplomasi Indonesia Dalam Memperkuat Komitmen Pemberdayaan Perempuan Untuk Mendukung Proses Perdamaian Afghanistan," *Kbri Indonesia Di Afghanistan*, N.D., <https://doi.org/10.26593/jihi.v16i2.4422.259-276>.

⁴ Sagaf S Pettalongi, "Islam Dan Pendidikan Humanis Dalam Resolusi Konflik Sosial," *Cakrawala Pendidikan* Xxxii, No. 2 (2013): 172–82.

⁵ Zuhairi Miswari, "Manifesto Gus Yahya Cholil Staquf," *Detik.Com*, 2021, <https://news.detik.com/kolom/d-5873373/manifesto-gus-yahya-cholil-staquf>.

making law through *ijtihad*, so there is a need for re-actualization and re-contextualization of *fiqh*. *Fiqh*, according to Gus Yahya's idea, is not only understood as a way to establish certain laws through *ijtihad*. But *fiqh* here becomes a solution to global problems faced and experienced by many countries. So the purpose of this study is to examine and criticize Gus Yahya's thoughts in creating world peace through his thoughts contained in the *fiqh* of civilization.

The research method used in research is library research or library research. Data collection in this study was carried out by searching for data from library materials in the form of books, books, websites, or library documents related to the research focus, namely Gus Yahya's thoughts and world peace.⁶ From these data sources, the data collection technique in this study is in the form of documentation.⁷ This type of library research is focused on critical studies of Gus Yahya's thoughts in creating world peace. Meanwhile, the research approach is in the form of critical and analytic studies. Then the data analysis used is descriptive analytic analysis based on logical thinking and logical analysis.⁸ This research does not only examine Gus Yahya's thoughts but also criticizes and provides input from his thoughts which the author considers to be irrelevant.

DISCUSSION

The Relevance of Civilizational *Fiqh* as a Solution to Global Problems

The emergence of civilizational *fiqh* initiated by Gus Yahya is proof that the exponential thought of a santri and NU is able to break through global problems that often arise in various worlds, especially the issue of global peace. Like in the world of darkness, the *fiqh* of civilization becomes a light that emits an aura and spirit of optimism, confidence, and the revitalization of classical treasures. Civilizational Jurisprudence, apart from exploring the meaning of religious texts (*al-nuṣūṣ al-dīniyyah*), also follows current developments in reality,

⁶ Abdurrahmat Fathoni, *Metodologi Penelitian Dan Teknik Penyusunan Skripsi* (Jakarta: Rineka Cipta, 2006).

⁷ Jusuf Soewadji, *Pengantar Metodologi Penelitian* (Jakarta: Mitra Wacana Media, 2012).

⁸ Tatang M.Amirin, *Menyusun Rencana Penelitian* (Jakarta: Raja Grafindo Persada, 1995).

even guides, changes and encourages them in a systematic and continuous manner so that they are in line with the religious spirit emitted by fiqh which has the core of benevolence, prosperity, justice, and prosperity. In this context, the fiqh of civilization is the fiqh of culture, meaning the fiqh that inflames the spirit of transformation, not only in theory, but also in applications.

In line with the thoughts of KH Sahal Mahfudz in his thoughts, social fiqh that fiqh is not interpreted as a dogmatic-normative concept, but an active-progressive concept. Jurisprudence must unite directly with af'āl al-mukallafin, the attitudes, conditions, and actions of Muslims in all aspects of life, both worship and muamalah (socio-economic interactions). Kiai Sahal did not accept that fiqh was insulted as a stagnant science, a source of stagnation and decline in the ummah, fiqh was in fact knowledge that directly came into contact with the real life of the ummah. Therefore, fiqh must be dynamic and revitalized so that the concept is able to encourage and direct Muslims to improve their economic aspects in order to achieve happiness in the world and the hereafter.⁹ So the concept of fiqh initiated by Kiai Sahal is also relevant to Gus Yahya's notion of civilizational fiqh. In its development, Gus Yahya is more concerned, not only seeing the problems that occur in society, but are very complex at the world level, especially the problems of global peace.

Reporting from the NU Online media, Gus Yahya stressed that the International Conference on Civilization Fiqh was the first step in the long journey towards world peace that we aspire to together.¹⁰ The idea of civilizational fiqh in creating world peace is also in line with the contents of the UN charter. Therefore, this goal must be pursued together.

Contents of the UN Charter

- a) To maintain international peace and security and for that purpose: to take effective Joint Actions to prevent and eliminate threats to breaches of the

⁹ Jamal Ma'mur Asmani, "Fiqh Sosial Kiai Sahal Sebagai Fiqh Peradaban," *Wahana Akademika: Jurnal Studi Islam Dan Sosial* 2, no. 2 (2016): 121, <https://doi.org/10.21580/wa.v2i2.390>.

¹⁰ Muhammad Syakir MF, "Muktamar Internasional Fiqh Peradaban Langkah Awal PBNU Dari Jalan Panjang Menuju Perdamaian Dunia," *NU Online*, 2023, <https://www.nu.or.id/nasional/muktamar-internasional-fiqh-peradaban-langkah-awal-pbnu-dari-jalan-panjang-menuju-perdamaian-dunia-vjV6w>.

peace; and will resolve in a peaceful way, and in accordance with the principles of justice and international law, seek solutions to international disputes or situations that could disturb the peace;

- b) To develop friendly relations between nations based on respect for the principles of equal rights and the right to self-determination, and to take other reasonable measures to strengthen universal peace;
- c) Establishing international cooperation to solve international problems in the economic, social, cultural or humanitarian fields. Likewise with efforts to promote and encourage respect for human rights and basic freedoms for all human beings without distinction of race, sex, language, or religion; And
- d) Become a center for the alignment of all the actions of nations in achieving these common goals.¹¹

The idea of civilizational fiqh initiated by Gus Yahya cannot be separated from his role as general chairman of the Nahdlatul Ulama Executive Board (PBNU). A similar idea is also in line with the idea of progressive Islam initiated by Muhammadiyah. Muhammadiyah believes that Islamic teachings still tend to be normative, not yet being the answer to modern humanity problems and the current crisis of civilization. These crucial issues include food and energy crises, economic crises, environmental crises and climate change, global migration. Then, those related to relations between civilizations to international terrorism and Islamophobia.

Gus Yahya's thinking is part of NU, and vice versa. For NU, Islam must be a living inspiration and compound in everyday life. For this reason, NU fights covert Islamophobia by reviving the archipelago's ancestral heritage, such as the wisdom of the saints, blessings on the Prophet Muhammad SAW, and noble cultures without having to translate them into Islamic formalism. This is also the initiation of civilizational fiqh as a search for the right form of fiqh in responding to the challenges of the times. NU also socializes friendly and moderate Islam by becoming the main actor in multitrack diplomacy to strengthen bilateral relations between the world's Muslim community on the one hand, and non-Muslim communities on the other.

¹¹ Perserikatan Bangsa-bangsa, "Piagam PBB.Pdf" (1945).

NU's role in creating world peace has been carried out a lot. In the Afghan conflict, NU through NUA (Nahdlatul Ulama 'Afghanistan) made various efforts to build awareness of the Afghan people, creating peace in their country. These efforts include: 1) Participating in Afghanistan peace forums, both locally and internationally; 2) Become a facilitator providing scholarships for Afghan students to Indonesia; 3) Use negotiating expertise and skills, and foster a sense of justice between the parties involved in the conflict.¹² In the Middle East conflict area, NU has made many strategic efforts to build global peace, especially Israel-Palestine. Since Gus Dur's leadership and continued by Gus Yahya, NU has initiated dialogues to support Israeli-Palestinian peace. This was done because the Israeli-Palestinian conflict has affected the political constellation of the Middle East, and even the map of world diplomacy.

Apart from contributing to conflict resolution, NU's commitment to building world peace is also carried out through the hijaz committee as a form of NU's active diplomacy with the Saudi Arabian government so that the spiritual sites of the Prophet Muhammad and his companions are maintained. Other efforts were made through building relationships and networks with various international circles that share the same vision of peace with NU.

The Relevance of Fiqh of Civilization to the Thought of Ulama Salafus Salih

The fiqh of civilization initiated by Gus Yahya received a lot of support from many parties. Even in commemoration of the one century of NU, halaqoh fiqh of civilization was held at 250 points in Indonesia. Civilization in Arabic is defined as hadharah or the opposite of albadawah. According to KH Afifuddin Muhajir, there are terms badawiyah people and hadlari people. Insan Badawi means primitive man, and insan hadhari means advanced man. Thus, this civilizational fiqh is also part of contemporary fiqh.

The idea of civilizational fiqh is a solution to global problems. This is also in line with the thinking of the ancient scholars who upheld a sense of tolerance and peace. It is explained in the book *Mafahim allati Tajibu an Tusohhah* that every debate needs to be based on qualified knowledge. Without

¹² Perserikatan Bangsa-bangsa.

references, debate over ignorance will only lead to endless coachman debates. Especially if the debate is accompanied by a sense of "right" that is glorified. This can lead to divisions that actually destroy each other. Similar to the message of peace contained in the Book of Faraidul Bahiyyah, disputes in matters that are still being disputed are better left behind but still not blaming those who do not agree, so that quarrels do not break the peace. Debate is legitimate to do, just like the message of peace contained in the Book of Ihya' Ulumuddin, as long as the purpose of the debate is to increase belief in the Oneness of Allah. The debate is not to show bigotry between groups, which ends in division and heresy which do not agree.¹³

Islam was revealed not to foster enmity or violence among human beings. The conception and facts of Islamic history show that Islam prioritizes compassion, harmony and peace. Among the concrete evidence of Islam's concern for peace is the formulation of the Medina Charter (al-sahifah al-madinah), the Hudaibiyah agreement, and other treaties.¹⁴ There are three dimensions of peace in Islam. First, the dimension of monotheism (divinity), in which Allah is the inspiration and source of peace. Second, the human dimension (humanity). In this context, humans were created by God in a state of holiness and have basic values that need to be guarded and upheld in order to live in peace, quiet, harmony and tolerance. In this dimension, a person must be at peace with himself, at peace within his family and at peace with his community. Third, the dimension of kauniyyah (nature), in the sense that nature was created by God so that humans can manage it properly and to meet human needs. Losing one of these three dimensions means that balance and harmony will not be created.¹⁵

Wasathiyah Islam, is the biggest force in Indonesia which covers all aspects of the values of Pancasila, which continuously finds its momentum to

¹³ Afrida Arinal Muna dkk, *Muktamar Pemikiran Santri Nusantara 2019 "Santri Mendunia: Tradisi, Eksistensi, Dan Perdamaian Global,"* ed. Muhammad Sofi Mubarak dkk, *Direktorat Pendidikan Diniyah Dan Pondok Pesantren Kemenag RI* (Jakarta, 2019).

¹⁴ Ahmad Nurcholish, "Peace Education," *Al-Ibrah* 3, no. 2 (2018): 115–44.

¹⁵ Abizal and Muhammad Yati, "Islam Dan Kedamaian Dunia," *Islam Futura* VI, no. 2 (2007): 17–19.

become the vanguard of spreading peace among the people.¹⁶ Therefore, implementing Pancasila is the same as practicing Islamic teachings. Pancasila is basically an implementation of maqasid al-shariah values which are the core of Islamic teachings. The five precepts in Pancasila are the implementation of the maqasid al-shari'ah values which consist of maslahat kulliyah, namely protecting the Indonesian nation from division and from the values of al-maslahat al-juz'iyah al-khashshah, namely individual maslahah which guarantees security and facilities individual activities related to the interests of his life such as education, work, socializing and so on while not violating the rights of others.¹⁷ Based on QS. al-Baqarah [2]: 143 explains that the moderation of Nusantara Islam is very appropriate to become a wasathiyah by preserving local traditions in the archipelago.¹⁸

CONCLUSION

Responding to world struggles and global competition has the potential to trigger hostility and violence between countries. Gus Yahya offers a strategy and model for world peace, including: 1) First identify what values have become a common agreement. These values include honesty, compassion, and justice. 2) The world must build a consensus on values that need to be agreed upon so that all different parties can coexist peacefully. Even traditional values that hinder a peaceful existence deserve to be changed. 3) Nahdlatul Ulama's strategy which states that the kaffir category has no legal relevance in the context of a modern nation state needs to be contextualized.

The idea of civilizational fiqh is a solution to global problems. This is also in line with the thinking of the ancient scholars who upheld a sense of tolerance and

¹⁶ Umi Kulsum, "Konstelasi Islam Wasathiyah Dan Pancasila Serta Urgensinya Dalam Bernegara Perspektif Maqasid Al-Syari'ah," *Journal of Islamic Civilization* 2, no. 1 (2020): 51–59, <https://doi.org/10.33086/jic.v2i1.1493>.

¹⁷ Muhlil Musolin, "Nilai Maqasid Al Syariah Dalam Pancasila Sebagai Dasar Negara Kesatuan Republik Indonesia," *Dialog* 43, no. 1 (2020): 59–74, <https://doi.org/10.47655/dialog.v43i1.346>.

¹⁸ Nurlaila Radiani and Ris'an Rusli, "Konsep Moderat Dalam Islam Nusantara: Tinjauan Terhadap QS. Al-Baqarah [2]: 143," *Jurnal Semiotika-Q: Kajian Ilmu Al-Quran Dan Tafsir* 1, no. 2 (1970): 116–30, <https://doi.org/10.19109/jsq.v1i2.10384>.

peace. Wasathiyah Islam, is the biggest force in Indonesia which covers all aspects of the values of Pancasila, which continuously finds its momentum to become the vanguard of spreading peace among the people. Therefore, implementing Pancasila is the same as practicing Islamic teachings.

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