

RELIGIOUS RADICALISM FROM USHUL FIQH PERSPECTIVE (A COUNTER PARADIGM)

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Abstract

This study tries to offer thoughts to counter the development of radical ideology among Muslims. The radical groups should be fought not only with weapons but also with thoughts, concepts, and theories, so that they may return to the true Islamic teachings, which are merciful, compassionate, and friendly. The theories that are developed in the ushul fiqh can be used as a fort to stop the birth of radical ideology among Muslims.. The better a person understands the ushul fiqh, the stronger he is protected from radicalism, and vice versa. Here are some of the writer's findings. First, linguistically the meaning of jihad is to devote all of its abilities. Second, the term jihad has been used in the time of the Prophet and is divided into the Mecca and the Medina period with significant conceptual differences due to differences in context and audience. Third, in this millennial era, along with the development of context, the concept of millennial jihad can be interpreted as no more misconception in understanding the concept of jihad.

Keywords: radical ideology, the Mecca and the Medina period, ushul fiqh.

A. INTRODUCTION

Embryo of radical ideologies has existed since the early period of Islam. Prophet Muhammad PBUH even pointed out signals of the emergence of the radical groups. After the Prophet's death, slowly the embryo strengthened to become a fetus. It is said in the history of Islam that once the *shahabas* were in dispute dealing with the Prophet's successor, that is, the one that will continue his noble leadership and that can unite both the Islamic and the state leadership. The dispute ceased after an agreement between the Muhajirin group and the Anshar group was fulfilled. Both groups agreed to the appointment of Abu Bakr as the Prophet's successor and, therefore, the first Caliph in Islam.

However, after the agreement between the two groups was made, the seeds of difference among the Muslim community began to grow, mainly because the agreement did not involve the Prophet's family. In later development, this difference continued to grow, created frictions, and gave birth to several conflicts among Muslims, most of which were difficult to accept logically (Nasution, 1995:92-95). Such a difference, for example, contributed to the birth of Muslim group disappointed with the arbitration, also known as *hakam*, between Caliph Ali bin Abi Thalib and Governor Mu'awiyah bin Abi Sufyan concerning the Shiffin War. In turn, this arbitration case also gave birth to radical Muslim groups who spread fear and hatred among fellow Muslims. They were those who were willing to kill their own Muslim brothers and spread destruction on the Earth (Ibrahim, 2018:18).

The above mentioned hard-line groups of Muslims still exist until today. Since their emergence, the image of friendly Islam brought by the Prophet PBUH has changed into a frightening Islam that endangers the survival of humanity. They did not hesitate to injure and even kill those opposite to them; they did not hesitate to shed the blood of their Muslim brothers. The groups' brutal behavior is actually caused by their wrong understanding toward the Islamic teachings. They distort the teachings and then use their own concepts to understand Islam. Such groups consider themselves as the best in practicing Islam and their understanding

about the religion as the most suitable with the Qur'an and Hadith. They also stigmatize or label Muslims who differ with their views as the infidels, who are allowed to be killed. They like to cite some key terms from the Qur'an and Hadith to justify their actions and gain the sympathy of the wider Muslim community.

Among the most popular terms the group use to stigmatize people who are not in line with their views are the terms *takfir* and *tadhilil* (Ahmad, 2015:109). Using these two terms, they assassinated Caliph Ali bin Abi Talib and Muawiyah bin Abi Sufyan ballantly. This group judged and labeled those two Muslim leaders as the infidels, and they, therefore, might be killed. The mission to kill the Caliph was successfully carried out by a khawarij follower named Ibnu Muljam. At that time, Ali's followers were quite few. Meanwhile, the mission to kill Muawiyah bin Abi Sufyan was unsuccessful for he was heavily guarded by his loyalists who were increasing after the arbitration case or *hakam* (Nasution, 1995: 94).

The arbitration between Ali bin Abi Talib and Muawiyah bin Abi Sufyan made the Muslims divided. Historians viewed this incident as the culmination of the tragedy in the Muslim world. There were major conflicts among the fellow Muslims before the arbitration, but agreement for peace was always found. However, there was no peaceful agreement in the arbitration between Ali and Muawiyah. Issues related to the *hakam* (arbitration) incident went wild and claimed many Muslim victims, such as the killing of Sayyidina Husen, the grandson of the Prophet PBUH in the Karbala by the Muawiyah group. Further, this prolonged conflict also led to the Muslim split-up into three groups, the group Ali ibn Abi Talib (Shia), the group of Muawiyah bin Abi Sufyan (the majority of Muslims), and the group that opposed both Ali and Muawiyah (Khawarij).

In fact, this triangle conflict hasn't stopped until today; it continues to exist among Muslims. The two major groups, i.e. the Ali's group and the Muawiyah's group, are still in prolonged dissension, while the third group arises and sinks in the course of Islamic history because they live under the other two-group domination. Promoting radical ideology dangerous for the survival of the Muslim world and humanity as a whole, the third

group are fought and destroyed by the pro-Ali and pro-Muawiyah groups. In the contemporary period, the group are presumed to be hard-line Muslims; they morphed smoothly into the ISIS, JAD, JI, and so forth.

Such a tragedy in the Islamic history as described above is difficult to find its permanent solution. One possible effort to do is by countering the radical ideology dangerous for the existence of humanity. This is because the radical ideology is clearly contradictory to the goals of Islam, which is to send mercy and compassion to the universe *وَمَا أَرْسَلْنَاكَ إِلَّا رَحْمَةً لِّلْعَالَمِينَ* and we sent you only to bring mercy to the world (Q.S. al-Anbiya, verse 107). However, the historical record showed that efforts to counter radical and hard-line ideas often met failure. The ideas did not vanish, but slowly began to grow and claimed the lives of innocent Muslims. Indeed, the image of Islam has turned rough in the eyes of the non-Muslims; Islam is considered identical with terrorism, radicalism, violence, and other horrible stereotypes. In fact, the Prophet Muhammad has spread Islam neither through violence nor coercion. It is here that this paper tries to offer thoughts to counter the development of radical ideology among Muslims. The radical groups should be fought not only with weapons but also with thoughts, concepts, and theories, so that they may return to the true Islamic teachings, which are merciful, compassionate, and friendly.

Ushul fiqh, a study that has existed for hundreds or even a thousand years in the midst of Muslims, can be used as an instrument to ward off the radical ideas and groups. The theories that are developed in the ushul fiqh can be used as a fort to stop the birth of radical ideology among Muslims. The better a person understands the ushul fiqh, the stronger he is protected from radicalism, and vice versa. As a matter of fact, experts of the usul fiqh were never involved in the triangle conflict, nor were they involved in the radicalism movements. With this in mind, the author tries to explore the problem, i.e. the root of radical ideology, and analyze it from the ushul fiqh perspective.

B. THE RADICAL MOVEMENTS

According to KBBI (the Great Indonesian Dictionary), radicalism is defined as an ideology or stream, followed by a group of people, that demand social and political change by using violence as a means to justify their beliefs regarded as true. Hence, radicalism can be understood as a political ideology which requires a massive change and revolution in the state as a way to achieve significant progress (Dirjen Bimas Islam Kementerian Agama RI, 2014: 3).

Thus, the main characteristic of the radical groups is the use of coercion and violence to achieve goals. In this context, any group that refers to this characteristic can be categorized as a radical group. In the Muslim context, radical Islamic groups are those who achieve goals by means of threat, coercion, and violence, as shown by the *triangle conflict* in early period of Islam. They use the same radical ideology, but different names. At present, the negative effects of the radicalism movements are far greater, broader, and more dangerous than those in the early period of Islam. Therefore, preventing this radical movements nowadays are also much more difficult because they are supported by the sophisticated science and technology.

The radical movements are also supported by a deep-rooted belief in themselves. They believe in the concept of *takfir* and *tadhilil*. In this sense, anyone who disagrees with them and is textually opposed to the Qur'an and Hadith, especially in theological matters, will be stigmatized as the infidels. They also use the term *thaghut* as opposed to *Allah*; thus, whoever opposes *thaghut* has followed the path of Allah's religion, as mentioned in the Qur'an. The use of *Allah* vis a vis *thaghut* characterizes this radicalism movement. Both of these terms have diametric positions and often leave no empty space. In the other hand, Islam offers other possibilities beyond those two terms, even to things that have become the ulamas' consensus. Flexibility is a keyword of Islamic teachings, so that people can adapt to situations and conditions. This notion is what actually underlies the tenet that Islam is always relevant to the development of time and place. However, by the radical groups, this important tenet is neglected; they insist that

anything that is contrary to their textualist ideology must be resisted and destroyed, including the fellow Muslims.

The emergence of radical ideology is always triggered by two factors, internal and external. Several internal factors related to the radical Islamic movement, *first*, because of the Muslims' failure to respond to the modernity. They fail to find the right way to deal with the modernity, including the advance of science and technology pioneered by the non-Muslim Westerners. In this case, the Muslims can be classified into three groups: those who accept modernity as a whole, those who reject it as a whole, and those who are very selective either to accept or reject. Each group think that their respective opinion is better and more useful for all Muslims.

The *second* internal factor is their strong empathy towards the fellow Muslims oppressed in other countries, such as in Palestine, Kashmir, Afghanistan, and Iraq. Muslims are oppressed when Westerners are prosperous in many aspects of life. This unfair condition raises a resistance and hatred in some Muslims. They unite to stand against anyone who is deemed to have hurt and oppress the Muslims. Next, this empathy triggers radical movements and violent actions to fight against the Muslim enemies by upholding power according to Islam. These are meant to restore the glory of the past Islam. They believe that their struggle to restore the glory of Islam is part of jihad in Allah's path. If they die, they become martyrs and enter paradise. This thought is strongly implanted in them and transforms into ideology difficult to change in a short time. They experience an ideological doctrination, namely jihad, martyr, and paradise.

The *third* internal factor is their disappointment dealing with the failure of the state in realizing social justice and welfare for all citizens. In their opinion, this failure is the result of not upholding the Islamic teachings purely and entirely. If the state embraces the Islamic teachings entirely (kaffah), it will certainly be able to realize social justice and welfare, as shown in the Prophet era. With this in their mind, they believe that they are on the right path, and, thus, their goal is noble,

i.e. to establish an Islamic state that will provide justice and prosperity for all people.

In addition to the three internal factors above, there are also external factors that led to the emergence of the radical movements, such as imperialism, westernization, Christianization, the governmental system, economic inequality, secularism, liberalism, and the West's unfair policies towards the Middle East, especially in the Israeli-Palestinian conflict (Mufid, 2016:69).

1. The Doctrine Resources

According to radical groups, Muslims who follow the way of life other than those sourced from the Qur'an and the Sunnah are the infidels (kafir), hypocrites (munafiq), and fasiq. They believe that the Qur'an and the Sunnah are the only sources that are able to create a social order reflecting the Divine truth (El-Fadl, 2002:21). With this mindset, they present an absolute, rigid, puritanical, and intolerant way of religion towards religious differences. They understand the text of the Qur'an and the Hadith literally and spread hatred, animosity, and violence not only to non-Muslims, but also to their fellow Muslims who are not in line with their views. Everything that the radical groups do will be justified and legitimized as God's law, which is absolute (Zaprul Khan, 2014:90).

For the radical groups, the Qur'an and the Hadiths are the only answer to solve all life problems. Islam is a straight path (al-sirat al-mustaqim) that has been determined by Allah in the Qur'an and the Hadiths. It contains a set of laws and rules that serve as the guideline in believing, worshiping, and acting in social life. The only thing men have to do on earth is to be in full compliance (kaffah) in realizing and implementing the God's law as mentioned in the Qur'an and the Hadiths. Therefore, for the radical groups, anything in this world must be in line with the Qur'an and the Hadiths. They do not accept any truth that comes from outside the Qur'an and the Hadiths.

2. The Learning Method

The image of radical Muslims is identical with coercion and violence in fighting for their goals. This phenomenon threatens human existence because of the nature of their movement. They do not want to

compromise with other parties. Anyone who does not stand with their opinion will be stigmatized as the infidels and must be fought to death (Qadir, 2014: 41).

According to Yusuf al-Qardhawi, the characteristics of radical groups in understanding the Islamic teachings from the Qur'an and the Hadits are as follows. First, they have a literal tendency (zahiri) in understanding the texts. Second, they are busy contrasting side matters (furu'iyah) while forgetting the core problems. Third, they are exaggerating in forbidding everything. Fourth, they are often mistaken in understanding key definitions. Fifth, they show superficial understanding about Islam and the main goals of Shari'a (Al-Qardhawi, 1985: 67).

This superficial way of thinking causes the radical groups to suffice themselves with literal and textual interpretations. Malik Fadjar argues that the way the radical groups learn is characterized with the following features. First, their religious understanding is based on literal meaning of the sacred texts (textual) and denies all forms of contextual interpretation for they think it may reduce religious absolutism. Second, in order to legitimize their religious understanding, they institutionalize a single, monolithic, and authoritative religious leadership, so that the Islamic leader has the full right to determine the black and white of the religion. Third, as a consequence of the two above-mentioned features, they create a truth claim that led to the emergence of prejudice against other groups (Fadjar, 2000: IX).

According to the radical groups, the reference to truth lies in the texts understood literally, as they are. They reject interpretation of the religious texts based on historical or sociological aspects, which are considered to have brought humans away from the true religious doctrines. In this sense, it is the people who must adjust themselves to the sacred texts, not vice versa. Thus, when traced back to the early period of Islam along with his conflicts, we will clearly find the meeting point or the common ground between the radical groups in the past and the radical groups in the current era. The radical Islamic group today, whatever

name is, is a metamorphosis of the radical Islamic group of the past.

C. USHUL FIQH

Ideally, the study of usul fiqh should have existed before fiqh, even though in practice the latter comes first before the former. As a matter of fact, usul fiqh deals with the rules and considerations that must be followed by a mujtahid when performing ijthihad to produce fiqh (law) (Aziz, 1997: 24-25).

In general, the purpose of usul fiqh is to protect the truth of Allah's laws sourced from the Qur'an and the Hadits. It contains considerations and rules in exploring Islamic laws derived from the Qur'an and the Hadits. Therefore, anyone who wants to explore the laws from the Qur'an and the Hadits must understand the usul fiqh properly and correctly. In addition, usul fiqh is also an instrument to evaluate and validate the truth of ijthihad. It is a science that aims to conserve the teachings of the Qur'an and the Hadits from being distorted or manipulated. Usul fiqh serves not only as a guide in ijthihad but also as an instrument for evaluating the results of ijthihad (Rohayana, 2005: 35).

Allah has created men as the caliph on earth. In their capacity as the caliph, they must be in obedience to devote themselves to Him. Devoting to Allah can be done in two ways: (1) *hablum minallah*, which is maintaining a good relationship with Him and (2) *hablum minanas*, which is maintaining a good relationship with fellow humans. Both of these relationships must be kept and run in balance; the Muslims must be good to Allah and to humans as well *ضُرِبَتْ عَلَيْهِمُ الذَّلَّةُ أَيْنَ مَا تَفَقَّوْا إِلَّا بِحَبْلٍ مِنَ اللَّهِ وَحَبْلٍ مِنَ النَّاسِ* they have been put under humiliation by Allah wherever they are overtaken, except for a covenant from Allah and a rope from the Muslims (Q.S. *Ali Imran*: 112). Later, the form and procedure of serving God and maintaining good relationship to fellow humans must be based on the revelation sent by Him, not on other sources. All human behavior to live a good life in the world and the hereafter must be in accordance with His revelation. Allah says:

مَا فَرَّطْنَا فِي الْكِتَابِ مِنْ شَيْءٍ

We have not neglected in the Register a thing (Q.S. al-An'am: 38)

This verse confirms that nothing is missing in the Book of Allah. In another verse, it is said that the Qur'an has been perfect and does not need to be added **الْيَوْمَ أَكْمَلْتُ لَكُمْ دِينَكُمْ وَأَتَمَمْتُ عَلَيْكُمْ نِعْمَتِي وَرَضِيْتُ لَكُمُ الْإِسْلَامَ دِينًا** This day I have perfected for you your religion and completed my favor upon you and have approved for you Islam as religion (Q.S. al-Maidah, ayat 4). However, the problems explained in detail by the Qur'an are very limited or very few in number compared to those faced by mankind throughout the ages. The Qur'an explains the human problems in outline, so that it still needs an explanation from the Prophet PBUH through his traditions or Hadits. Likewise, not all explanations given by the Prophet PBUH are given in detail. Many of his explanations still require rational reasoning.

Moreover, since most of the Prophet's explanations are simple, they are unable to reach all events, and other events that may arise later along with developments of the Muslim lives. In reality, many events are not found literally, both in the Qur'an and in the Hadits. Despite this case, we cannot say that those which are not literally met in the Qur'an and the Hadits are out of Islamic law or syara' (lawless). This is because all human actions are under Allah's law. The Muslims believe that all the problems in life must have rules from Allah. In this sense, Allah's law can be found in al-Qur'an literally or non-literally (figuratively).

Thus, the Allah's provisions or rules can be found in the three possibilities. The first is the ones that can be found literally in the Qur'an or the Hadits. In the ushul fiqh, such rules are called *manshushah* or the explicit ones. The second is the ones that cannot be found literally in the Qur'an or the Hadits, but they can be found through the cues given by the Qur'an. In the ushul fiqh, such rules are called *mafhumah* or the implied ones. The third is the ones that cannot be found their literal source or their cues in the Qur'an or the Hadits, but they can be found in the spirit of the whole purposes in the

establishment of Allah's laws. In the ushul fiqh, such rules are called *maqashid* or the hidden ones (Syarifudin, 2005: 114-115).

From the above explanation, it is obvious that not all human problems have their provisions in the Qur'an or the Sunnah. That is, al-Quran and Sunnah alone are not enough to answer all human problems. This notion seems to make sense because the Qur'an and the Sunnah are limited, while the human problems in life are unlimited (*al-Nushush Mutanahiyah wal Hawadis Ghair Mutanahiyah*). Therefore, the ulama of ushul fiqh argued that *ra'yu* or reason still has its space to contribute to the exploration of the Islamic rules or laws. In the ushul fiqh, this space is termed with *ijtihad*. In the shohih hadith, it is clearly said that the Prophet Muhammad PBUH recognized this *ijtihad*, as shown by a hadith about Mu'āz bin Jabal when he was appointed as the Ruler of Yemen:

كيف تصنع ان عرض لك قضاء؟ قال : أفضى بما فى كتاب الله .قال
فان لم يكن فى كتاب الله؟ قال : فى سنة رسول الله صلى الله عليه
وسلم .قال : فان لم يكن فى سنة رسول الله؟ قال : أجتهد رأيي لا ألو .
قال : فضرب رسول الله صلى الله عليه وسلم صدري ثم قال : الحمد
لله الذى وفق رسول رسول الله صلى الله عليه وسلم لما يرضى رسول
الله صلى الله عليه وسلم (رواه أحمد)

“How will you judge if you are asked to do so? Mu'āz said: I will judge according to the Book of Allah. The Prophet said: and if you don't find it in the Book of Allah? Mu'āz said: the I will judge according to the Sunnah of His messenger. The Prophet said: and if you don't find it in the Sunnah of His messenger or in the Book of Allah? Mu'āz said: then I will do my ijtihad. The Prophet then patted the chest of Mu'az with his hand and said: all praise is due to Allah who has guided the emissary of His messenger towards that which He guided his messenger” (Hanbal, 1991:233).

This hadits about Muadz bin Jabal shows that the Prophet Muhammad PBUH gave permission for Muadz

to perform *ijtihad* in matters that did not exist or were not explicitly mentioned by the Qur'an or the Sunnah.

D. USHUL FIQH AND THE COUNTER RADICALISM

The above description shows that the paradigm of the radical Islamic groups is different from that of the ushul fiqh scholars. In general, the difference can be grouped into two points. First, according to the ushul fiqh scholars, the sources of Islamic teachings are not limited only to the Qur'an and the Sunnah. There is still a space for reason (*ra'yu*) to determine the Allah's laws. For them, it seems impossible to say that the Qur'an and the Sunnah must answer all the human problems. The use of reason does not reduce the sacredness of the Qur'an and the Sunnah. The reason itself has gained the legitimacy from the Prophet Muhammad PBUH.

Unlike the ushul fiqh scholars, the radical Islamic groups argue that the sources of the Islamic teachings are only the Qur'an and the Sunnah. They do not give room for reason (*ra'yu*), so that their Islamic understanding is often incorrect or even deviates from the spirit of the Qur'an. For example, the radical Islamic groups are very rigid dealing with the term *kafir* (the infidel), and many times this incorrect understanding leads to prejudice that endangers other groups. Indeed, if they give a little space to the reason, the *asbab nuzul*, and spirit of the Islamic teachings, they may find different conclusion, that is, the conclusion is not as extreme as their opinion. In fact, there are many verses of the Qur'an and the Hadits that talk about *kafir* (the infidels), and they can be used as a comparison for their extreme arguments.

Thus, after comparing the two paradigms, the writer argues that the paradigm promoted by the radical Islamic groups is incorrect and deviates from the Qur'an and the Sunnah. The Qur'an and the Sunnah clearly state that not all the human problems are mentioned in detail in both sources. Instead, the Qur'an repeatedly commands the Muslims to think or use their minds or *ra'yu*. The Prophet's Hadits concerning his dialogue with Muadz bin Jabal also clearly shows that he gave a place for reason (*ra'yu*). Therefore, argument by the radical Islamic groups saying that the sources of Islamic teachings are

only the Qur'an and the Sunnah by closing the doors for the reason is not true and contrary to the Qur'an and the Sunnah, the ushul fiqh scholars as well.

Second, the radical Islamic groups use the literal meaning in understanding the Qur'an and the Hadiths. Indeed, not all verses of the Qur'an and the Hadiths can be understood properly and correctly by using the literacy approach. Sometimes, they must involve *isyari*, the one behind the literal meaning, and even *maqshudi*. This implicit way of thinking has actually been applied not only by the *mujtahid* or the ushul fiqh experts, but also by the Prophet Muhammad PBUH and his companions. Therefore, the literalist understanding of the radical Islamic groups is contrary to the Qur'an, the Sunnah, and the *atsar* of the Prophet companions, as they clearly give permission to the use of a non-literacy approach.

In short, it is obvious that the ushul fiqh's paradigm is not in line with the radical groups' paradigm; the former rejects the latter. The two different paradigms will also produce different conclusions. Hence, according to the ushul fiqh scholars, opinions expressed by the radical Islamic groups, such as in the case of *takfir* and *tadhliil*, are not in accordance with the Islamic teachings; the Muslims do not have to follow the opinions. The Muslims must reject the opinions because they are contrary to the sources of Islamic teachings, i.e. the Qur'an, the Sunnah and the reason (ra'yu).

E. CONCLUSION

To sum up this paper, the following conclusions are made:

1. Religious ideology of the radical Islamic groups is threatening and dangerous for the existence of human life due to its hard and coercive nature.
2. The radical Islamic groups have wrong understanding dealing with the Islamic teachings as a result of their wrong paradigm. They argue that the sources of the Islamic teachings are limited only to the Qur'an and the Sunnah, leaving no space for rational interpretation. They do not give a place for the reason (ra'yu). This wrong paradigm is supported by the wrong method in extracting the teachings, i.e. the

- literal approach to the text (literalist) leading to the rigid understanding.
3. Ushul fiqh as a study that has long developed since the 2nd century of Hijra, or even since the Prophet period, argues that the sources of the Islamic teachings are not limited only to the Qur'an and the Sunnah, but it also opens a place for the reason or *ra'yu*. The ushul fiqh paradigm can be found by exploring the spirit of the Qur'an and the Sunnah. It rejects the literalist understanding as believed by the radical Islamic groups. According to the ushul fiqh scholars, not all verses of the Qur'an and the Hadits can be understood literally.
 4. To send the radical Islamic groups back to the true Islamic teachings as taught by the Prophet Muhammad PBUH must begin by changing their paradigm. It is important to convince them that there is still room for interpretations or opinions based on the reason (*ra'yu*) for the sources of the Islamic teaching are not limited to the literal meaning of Qur'an and the Sunnah.

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