

The Urgency of Implementing Siyasa Syar'iyah Values in National Law-Making: Harmonizing Islamic Governance Principles with Constitutional Democracy

Arsyad Dzimar¹, Ezhar Ghazlan²

^{1,2}Fakultas Syariah, Program Studi Hukum Tata Negara (Siyasa), Universitas Islam Negeri Maulana Malik Ibrahim Malang, Indonesia

Abstract: This study explores the urgency of incorporating Siyasa Syar'iyah values Islamic principles of governance and law-making into the formulation of national laws. Rooted in Islamic jurisprudence, Siyasa Syar'iyah offers a pragmatic and ethical framework that prioritizes justice, public welfare, and social harmony. This research analyzes its historical development, relevance, and potential to address contemporary legal challenges in pluralistic and democratic societies. Using a qualitative methodology, the study examines existing literature and legal frameworks to identify synergies and tensions between Islamic values and constitutional democracy. The findings highlight the importance of balancing religious ethics with inclusivity, human rights, and legal pluralism. The study proposes practical recommendations for policymakers and religious authorities to integrate Siyasa Syar'iyah values effectively without compromising the principles of pluralism and democracy. This research contributes academically to Islamic legal discourse and practically to national legal reform, promoting laws that are both ethically grounded and socially just.

Research Highlights:

- Examines the critical role of Siyasa Syar'iyah values in shaping ethical and just national laws.
- Analyzes the historical development and contemporary relevance of Siyasa Syar'iyah in Islamic jurisprudence.
- Identifies challenges and opportunities in integrating Islamic values within pluralistic and democratic legal systems.
- Proposes practical frameworks for harmonizing Siyasa Syar'iyah principles with constitutional democracy and human rights.
- Offers policy recommendations to guide lawmakers and religious authorities in inclusive, value-based legal reforms.

Article history

Submitted 18-10-2024

Revised 13-11-2024

Accepted 20-12-2024

Keywords

Siyasa Syar'iyah;
Islamic jurisprudence;
National law-making;
Legal pluralism;
Constitutional democracy.

© 2024 by author(s).

Licensee *Syariat*.

This article is licensed under the term of the Creative Commons Attribution-NonCommercial 4.0 International License (CC BY-NC 4.0).



Corresponding Author:

Name:

Arsyad Dzimar

Email:

arsyaddzimar@gmail.com

INTRODUCTION

Siyasa Syar'iyah is a fundamental concept in Islamic political and legal thought that refers to governance and policy-making in accordance with the principles of Sharia (Islamic law). The term "siyasa" means "politics" or "governance," while "syar'iyah" refers to something that is derived from or aligned with Sharia (ABD HAKIM, 2018). Together, Siyasa Syar'iyah can be defined as the art and process of administering public affairs and managing the state in a manner that aligns with Islamic values, with the ultimate aim of realizing justice ('adl), public interest (maslahah), and moral order in society.

The concept originates from the early period of Islamic civilization, particularly during the time of the Prophet Muhammad (peace be upon him) and the Rightly Guided Caliphs (Khulafa al-Rashidun) (Kersten, 2019). During this period, governance was carried out not only based on direct

revelation (the Qur'an and Sunnah) but also through consultation (shura), consensus (ijma'), and the exercise of discretion by leaders (ijtihad) to address new and complex issues that arose in society. This practical approach laid the foundation for a dynamic and flexible understanding of Islamic governance.

The classical articulation of Siyasaah Syar'iyah was later systematized by prominent Islamic scholars such as Imam Al-Mawardi (d. 1058) and Ibn Taymiyyah (d. 1328). Al-Mawardi, in his seminal work *Al-Ahkam al-Sultaniyyah*, emphasized the importance of the ruler's duty to implement justice, maintain public order, and uphold the law, while ensuring that governance serves the people's welfare. Meanwhile, Ibn Taymiyyah further expanded the concept by stating that any policy or measure that brings about benefit (maslahah) and prevents harm (mafsadah), even if not explicitly mentioned in primary legal sources, can be considered part of Siyasaah Syar'iyah as long as it does not contradict the fundamentals of Sharia.

This framework allows for a significant degree of flexibility in governance. Unlike rigid legal formalism, Siyasaah Syar'iyah acknowledges the changing needs of society and the importance of context in the application of Islamic principles (Muslimin, 2012). It enables Muslim rulers and legislators to formulate laws and policies that are suitable for their time and place, provided that they uphold the overarching goals of Sharia (Maqasid al-Shariah), namely the protection of religion, life, intellect, lineage, and property.

In modern times, the relevance of Siyasaah Syar'iyah has resurfaced in discussions about Islamic governance, legal reform, and the integration of religious values in contemporary political systems. In many Muslim-majority countries, scholars and policymakers are exploring ways to harmonize Islamic principles with constitutional democracy, human rights, and the rule of law (C. B. Lombardi, 2013). The flexibility of Siyasaah Syar'iyah offers a promising foundation for this endeavor, as it encourages the pursuit of justice and welfare while allowing adaptation to modern political realities.

Over the past decade, scholarly interest in integrating Siyasaah Syar'iyah Islamic principles of governance into national legislative processes has grown significantly (Raus, n.d.). This body of research explores how Islamic legal and ethical frameworks can inform contemporary law-making, particularly in Muslim-majority countries like Indonesia and Malaysia. Maimun and Dani Amran Hakim (2023) examine the application of Siyasaah Syar'iyah to constitutional issues in Indonesia. They argue that Islamic political doctrines can guide the formulation of state laws to achieve public welfare without contravening universal Sharia principles. Their study suggests that Siyasaah Syar'iyah can serve as a framework for assessing the Islamic validity of constitutional matters, especially during politically significant periods. Similarly, Nurekasari and Hamzah Hasan (2021) analyze the role of legislative bodies before and after Indonesia's reform era. They assess the extent to which these bodies align with the Islamic concept of *ahl al-hall wa al-'aqd* (those who loosen and bind), concluding that post-reform legislative institutions better reflect Islamic principles of governance.

In Malaysia, Shahidra Abdul Khalil (2023) discusses the application of Siyasaah Syar'iyah in addressing contemporary criminal legislation issues, such as the death penalty and laws against attempted suicide. The study emphasizes the need for policies that balance international legal developments with Sharia compliance, using Siyasaah Syar'iyah as a guiding framework. In Indonesia, Fuady Abdullah and Tria Ima Susanti (2023) explore the relevance of Islamic legal maxims (*qawa'id fiqhiyyah*) in governmental policy-making. They argue that these maxims, when viewed through the lens of Siyasaah Syar'iyah, can legitimize government policies aimed at public benefit, even amid public dissent.

Nurwahidah and Asni (2022) focus on the protection of indigenous communities in Indonesia, specifically the Ammatoa Kajang in Bulukumba Regency. They analyze Regional Regulation Number 9 of 2015 through the perspective of Siyasaah Syar'iyah, highlighting how local laws can formally recognize and protect indigenous rights, aligning with Islamic principles of justice and public welfare. In Aceh Province, Budiono et al. (2021) examine the implementation of Siyasaah Syar'iyah policies post-GAM peace agreement. Their study assesses how regional regulations (Qanun) reflect Islamic governance principles and their impact on local administration.

Ahmad Fathur Ramadhani and Sohrah (2025) investigate the implementation of judges' codes of ethics from a Siyasaah Syar'iyah perspective. They identify challenges in upholding moral standards among judges, despite existing ethical guidelines, and advocate for stronger adherence to Islamic ethical principles in the judiciary. Muh. NurTaslim Saleh and Hamzah Hasan (2025) analyze the legal implications of "positive fictitious decisions" following Indonesia's Law No. 6 of 2023. They discuss the procedural

ambiguities and potential conflicts with Islamic legal principles, emphasizing the need for clarity to align administrative law with *Siyasah Syar'iyah* values.

Siyasah Syar'iyah is not limited to rigid legalistic formulations but is characterized by its flexibility, allowing leaders and legislators to make decisions based on the public interest as long as they do not contradict the core teachings of Islam. It emphasizes the role of governance in upholding justice and serving the people, aligning with universal values that are also aspired to in national constitutions. Despite its rich theoretical foundation, the implementation of *Siyasah Syar'iyah* in modern law-making remains limited, often sidelined by positivistic legal approaches and political pragmatism.

The urgency to integrate *Siyasah Syar'iyah* values into national law-making arises from various pressing issues: the erosion of moral and ethical foundations in legislation, the growing gap between law and public morality, and the need to reorient legal systems to be more just, inclusive, and responsive to societal needs. In addition, with the increasing demand for legal reforms that are not only democratic but also culturally and religiously rooted, *Siyasah Syar'iyah* offers a potential framework that balances religious values with contemporary governance.

In the Indonesian context, the constitutional recognition of religion as a guiding principle in national life particularly the first principle of Pancasila, "Belief in the One and Only God" provides a normative basis for integrating religious values into law-making (Wiratraman & Shah, 2019). However, there is still debate about how Islamic principles, including *Siyasah Syar'iyah*, can be harmonized with pluralistic, democratic, and constitutional values. Therefore, this research seeks to explore the concept and principles of *Siyasah Syar'iyah*, analyze their relevance in the national legislative process, and argue for the urgency of their implementation in creating laws that are not only legally valid but also ethically grounded and socially beneficial.

METHOD

This research employs a qualitative-descriptive approach grounded in the principles of normative legal research. The focus is on understanding, analyzing, and interpreting legal principles and concepts, particularly those derived from *Siyasah Syar'iyah*, in the context of national law-making (Mohammed & Kachkar, 2017). The normative juridical method is used to examine how Islamic political-legal doctrines can be integrated into positive law through systematic study of statutes, legal theory, Islamic jurisprudence, and scholarly opinions (C. Lombardi, 2006).

The study uses a doctrinal legal research method, emphasizing an in-depth analysis of legal texts both from classical Islamic jurisprudence and contemporary national legislation (Ramadan, 2006). This type of research is suited for evaluating the coherence and relevance of *Siyasah Syar'iyah* principles in shaping policies and laws that serve the public interest (*maslahah 'ammah*). The approach is descriptive-analytical, seeking to elaborate on how Islamic governance values can be operationalized in a modern legislative framework (Ghezelsoufla & Farokhi, 2019).

The legal materials analyzed in this research are divided into three categories:

- **Primary Legal Materials:** These include the Qur'an, Hadith, and classical Islamic legal texts from scholars such as Al-Mawardi, Ibn Taymiyyah, and Abu Ya'la, which lay the foundation of *Siyasah Syar'iyah*. In addition, relevant national legislation such as the Indonesian Constitution (UUD 1945), statutory laws, and official regulations are also included to compare Islamic political values with existing legal frameworks.
- **Secondary Legal Materials:** These consist of scholarly journal articles, books, dissertations, and research reports from the last ten years that examine the relationship between Islamic law and state law, particularly in Indonesia and other Muslim-majority nations.
- **Tertiary Legal Materials:** These include encyclopedias of Islamic law, legal dictionaries, and indexes that support the understanding of key concepts and terminologies.

Data were collected through literature review (library research), involving systematic reading and analysis of classical Islamic texts, legal documents, policy papers, and previous academic research (Shinkafi & Ali, 2017). This method allows the researcher to gather comprehensive and comparative insights into the theoretical foundations and practical implications of *Siyasah Syar'iyah*. In addition, content analysis is applied to relevant legislation to assess their alignment or lack thereof with Islamic governance principles. If available, case studies of law-making practices influenced by Islamic values are also analyzed.

The analysis is carried out through qualitative normative analysis, involving interpretation (tafsir), comparison (muqaranah), and synthesis (Gumiandari & Hasanah, 2019). The legal materials are interpreted using the method of istinbat hukum (derivation of legal rulings), while the comparison is made between Islamic and national legal systems. Finally, synthesis is conducted to construct a framework that justifies the urgency of integrating Siyasah Syar'iyah into national legislation.

The evaluation also involves assessing the potential benefits, challenges, and limitations of such integration in a pluralistic, democratic legal context (Bohman, 2000). This includes examining the principles of justice ('adl), public welfare (maslahah), and legal certainty (qat'iyah) from both Islamic and constitutional law perspectives.

RESULTS AND DISCUSSION

3.1 Results

The results of this research reveal that the integration of Siyasah Syar'iyah values in national law-making is not only relevant but also essential for strengthening the moral and ethical foundation of legislation in Muslim-majority countries like Indonesia. This study finds that Siyasah Syar'iyah, as a discipline rooted in Islamic jurisprudence, offers a robust normative framework that prioritizes public welfare (maslahah), justice ('adl), and moral governance (akhlak al-siyasah), all of which are deeply aligned with the objectives of modern constitutionalism.

The findings show that the fundamental values of Siyasah Syar'iyah, such as protecting religion, life, intellect, lineage, and wealth (the five maqashid al-shariah), are compatible with the ideals of national law-making in Indonesia. Laws that aim to protect civil rights, ensure social justice, and promote the welfare of citizens reflect the same priorities found in Siyasah Syar'iyah. This alignment illustrates that Islamic values can enrich the philosophical and ethical underpinnings of national law without compromising democratic and pluralistic principles.

The study also reveals that many current national laws, while legally valid, often fall short of embodying ethical and moral dimensions emphasized in Islamic political thought. For instance, some policies prioritize economic or political interests without sufficient consideration of long-term societal harm, environmental degradation, or the moral consequences of certain freedoms. The inclusion of Siyasah Syar'iyah values offers a corrective mechanism by encouraging lawmakers to consider the broader consequences of legislation beyond mere legality, emphasizing the ethical, spiritual, and communal dimensions of law.

The research finds that, although Islamic values are formally recognized in certain legal domains (such as family law and regional regulations in Aceh), the broader application of Siyasah Syar'iyah in national legislative processes remains limited. This is largely due to the absence of institutional mechanisms or legal doctrines that translate Islamic political ethics into procedural law. This limitation hampers the development of a legal system that fully reflects both national and religious aspirations.

Several successful examples such as the formulation of local regulations (Qanun) in Aceh and legal protections for indigenous communities demonstrate that Siyasah Syar'iyah values can be effectively integrated into statutory law. These examples illustrate the practical potential of using Islamic governance principles to enhance legal inclusivity, protect minority rights, and promote local wisdom within the framework of national unity.

The study also notes an increasing academic and intellectual movement advocating for the re-contextualization of Islamic legal and political thought in modern governance. Scholars emphasize that Siyasah Syar'iyah should be viewed not as a rigid theocratic model but as a flexible and dynamic ethical system adaptable to contemporary legal structures. This intellectual trend supports the argument that the urgency to implement Siyasah Syar'iyah values lies not in establishing a religious state, but in enriching the legislative process with spiritual and moral dimensions.

3.2 Synergy and Tension Between Islamic and National Legal Systems

The relationship between Islamic law (sharia) and national legal systems in modern states, particularly in Muslim-majority countries like Indonesia, reflects a complex interaction marked by both synergy and tension (Salim, 2008). There is significant synergy between Islamic law and national legal systems, especially in areas where both seek to promote justice, social welfare, human dignity, and moral order. Islamic legal philosophy particularly through Siyasah Syar'iyah emphasizes governance rooted in

justice ('adl), public interest (maslahah), and accountability, which resonate with the objectives of modern constitutional democracies.

In countries like Indonesia, Islamic values are often harmonized with national laws in areas such as family law, zakat regulation, halal certification, and religious education (Susetyo et al., 2019). This integration demonstrates that Islamic principles can function within the broader legal framework of a pluralistic state, contributing to legal pluralism and cultural representation without imposing theocratic rule.

The constitutional recognition of religion and moral values provides room for Islamic ethics to influence legislation. For instance, the Indonesian Constitution upholds *Ketuhanan Yang Maha Esa* (Belief in the One and Only God), which aligns with religious moral guidance, including Islamic teachings (Ropi & Burhani, n.d.). Thus, a synergistic relationship emerges when Islamic law is treated as a moral and philosophical resource that enriches legal discourse, rather than as a rigid source of state law.

Despite areas of synergy, tensions often arise due to fundamental differences in the sources, scope, and authority of Islamic and national legal systems (An-Na'im, 2002). Islamic law derives its legitimacy from divine revelation (Qur'an and Sunnah), while national legal systems are based on secular legislative processes, democratic participation, and human-made constitutions. This creates philosophical and practical challenges, especially when the two systems offer conflicting legal outcomes.

A key area of tension lies in the interpretation and application of Islamic law in a context that values legal pluralism, minority rights, and gender equality. Critics argue that some interpretations of sharia if applied rigidly may conflict with constitutional principles such as equality before the law or freedom of religion (Admad, 2010). For example, debates around criminal law, dress codes, and interfaith marriage can become contentious when Islamic norms are enforced by state apparatuses.

Moreover, the diversity of Islamic legal opinions (fiqh schools) and the decentralized nature of interpretation can lead to inconsistencies in how Islamic law is applied in national contexts. Without a standardized mechanism for reconciling these differences, legal uncertainty and sociopolitical tensions may arise, particularly when religious laws are perceived as undermining civil liberties or the rule of law.

To navigate these tensions and strengthen the synergy, many scholars advocate for a contextual and inclusive approach to integrating Islamic values into national legislation. This means embracing *maqashid al-shariah* (objectives of Islamic law) as a flexible framework for promoting universal values justice, mercy, and public interest within the constitutional order.

In practice, this requires participatory law-making processes that involve religious scholars, legal experts, civil society, and affected communities to ensure that Islamic values are implemented in ways that respect diversity and democratic norms (Akhtar, 2013). Such efforts can prevent the monopolization of Islamic discourse by political or ideological groups and promote a more balanced application of Islamic ethics in public policy.

3.3 Recommendations for Integrating Islamic Values Within Pluralistic and Democratic Frameworks

Islamic values should be framed in terms of their universal ethical contributions such as justice ('adl), public welfare (maslahah), human dignity, and accountability that resonate across religious and cultural boundaries (Raquib, 2015). By highlighting these shared values, lawmakers can build inclusive legislation that appeals to diverse communities while reflecting Islamic moral wisdom. This approach helps avoid sectarian or exclusivist interpretations that may alienate minority groups.

The *maqashid al-shariah* (objectives of Islamic law) provide a flexible and purpose-driven framework that prioritizes the preservation of religion, life, intellect, lineage, and property. Legislators and policy-makers can utilize this framework to design laws aimed at achieving these objectives in a manner consistent with constitutional principles. Since *maqashid* emphasize welfare and harm prevention rather than rigid literalism, they allow for contextual adaptations that respect pluralism and human rights.

Integration of Islamic values must involve broad consultation among stakeholders, including religious scholars of diverse schools of thought, legal experts, civil society, minority communities, and human rights advocates. Participatory processes ensure that the laws produced reflect not only religious ethics but also democratic values and the voices of all citizens. This prevents the imposition of any single interpretation of Islam and supports the legitimacy and acceptance of legislation.

National constitutions should clearly delineate the role of religion in state affairs, establishing that Islamic values contribute ethically but do not override constitutional guarantees such as freedom of religion, equality before the law, and non-discrimination (Trispiotis, 2016). This legal clarity safeguards

pluralism and prevents theocratic tendencies, ensuring that laws inspired by Islamic principles comply fully with democratic standards and human rights obligations.

Legal pluralism the coexistence of multiple legal traditions can be embraced by recognizing the legitimacy of Islamic law in specific areas (e.g., family law or religious endowments) while maintaining a unified national legal system (Salim, 2015). This allows communities to follow Islamic legal norms voluntarily in personal matters without conflicting with civil law, preserving religious freedom and social harmony.

Ongoing dialogue between Islamic scholars, lawmakers, and the public is essential to adapt Islamic jurisprudence to contemporary contexts and challenges (Rosen, 2000). Educational initiatives that promote understanding of both Islamic values and constitutional democracy help cultivate a culture of mutual respect and cooperation. This dynamic engagement prevents rigid dogmatism and encourages the evolution of legal frameworks that are both faithful to Islamic ethics and respectful of pluralism.

The ultimate goal of integrating Siyasah Syar'iyah values should be to enhance social justice, protect vulnerable groups, and promote equitable development (Syed Ismail et al., 2017). Laws inspired by Islamic principles must focus on addressing societal needs and improving quality of life for all citizens, regardless of religious affiliation. This practical orientation strengthens social cohesion and democratic legitimacy.

3.4 Comparison of Research Results with Previous Studies

Previous research, such as the works of Al-Attas (2015) and Kamali (2013), has emphasized the significance of Siyasah Syar'iyah as a foundational principle in Islamic governance, particularly highlighting its role in ensuring justice and public welfare (maslahah). These scholars argue that Siyasah Syar'iyah offers a flexible framework that accommodates changing social realities while remaining rooted in Islamic ethical values (Muslimin, 2005). Our research supports this perspective, confirming that the pragmatic and adaptive nature of Siyasah Syar'iyah makes it a critical tool for contemporary law-making in pluralistic societies.

However, unlike some earlier studies that focus predominantly on theoretical and classical interpretations (e.g., Kamali, 2013), this research goes further by empirically exploring the practical challenges and opportunities of integrating these values into Indonesia's national legal framework. It highlights the necessity of balancing Islamic values with constitutional democracy and pluralism, a point underscored by recent studies such as those by Azra (2018) and Hasbi (2020), who emphasize the complexities of legal pluralism and the safeguarding of minority rights.

While Azra (2018) underscores the tensions that arise from conflicting sources of law, this study adds nuance by proposing concrete recommendations for participatory law-making and the use of maqasid al-shariah to harmonize Islamic values with universal principles of justice and human rights. This pragmatic approach echoes Hasbi's (2020) call for inclusive legal reforms but further stresses the role of continuous dialogue between religious scholars, lawmakers, and civil society to ensure laws remain relevant and respectful of diversity.

In comparison to research focusing primarily on the legal and institutional mechanisms (such as studies by Nugroho, 2017), this study expands the scope by integrating ethical and social dimensions, emphasizing the role of Siyasah Syar'iyah in fostering social justice and public trust. It thus complements existing literature by providing a holistic understanding of both the normative and practical dimensions of integrating Islamic governance values within a democratic state.

In summary, this research confirms and builds upon previous findings, reinforcing the idea that Siyasah Syar'iyah is not only a historical Islamic governance concept but also a dynamic framework that can guide contemporary legal reforms. It contributes by bridging theory and practice, proposing actionable pathways to reconcile Islamic ethical imperatives with the demands of pluralistic and democratic national legal systems.

3.5 Research Implications

This research contributes to the theoretical understanding of how Islamic legal principles interact with modern national legal frameworks. By highlighting the role of Siyasah Syar'iyah as a flexible and pragmatic approach to governance within Islamic jurisprudence, the study encourages further exploration of its potential to bridge religious ethics and secular law (Muslimin, 2005). It also invites scholars to revisit classical Islamic concepts through the lens of contemporary constitutionalism and pluralism, enriching both Islamic legal theory and comparative legal studies.

For policymakers and legislators, the study underscores the importance of integrating Islamic ethical values in a manner that is consistent with democratic principles and human rights (Sachedina, 2009). It suggests that adopting *Siyasah Syar'iyah* values can guide the formulation of laws that promote social welfare and justice without compromising legal pluralism or constitutional guarantees. This calls for developing legislative frameworks that are inclusive, participatory, and adaptable to diverse social contexts, encouraging policymakers to engage religious scholars and civil society in dialogue.

On a societal level, the study's implications point toward fostering greater social harmony by aligning national laws with widely accepted moral and ethical values derived from Islamic teachings (Sahin, 2018). This alignment can strengthen the legitimacy of legal institutions, enhance public compliance with laws, and promote a culture of justice and accountability. Moreover, by advocating for laws grounded in *Siyasah Syar'iyah*, the research supports efforts to protect vulnerable populations and address social inequities, contributing to a more just and equitable society.

The study highlights the practical pathway for legal reform that respects both religious traditions and modern governance demands. It suggests that legal reforms inspired by *Siyasah Syar'iyah* can serve as a model for other Muslim-majority countries grappling with similar challenges of harmonizing Islamic values and national law. This offers a blueprint for developing responsive, ethical, and contextually relevant legal systems.

CONCLUSION

This research underscores the critical importance of integrating *Siyasah Syar'iyah* values into the national legal framework to promote laws that are ethically sound, socially just, and responsive to the needs of a diverse society. By examining the origins and development of *Siyasah Syar'iyah* within Islamic jurisprudence, the study highlights its potential as a flexible and pragmatic approach to governance that aligns Islamic ethical principles with modern legislative processes. The findings reveal that while Islamic values offer a profound moral foundation, their implementation in national laws must carefully respect constitutional democracy and pluralism to avoid social tensions and uphold minority rights. This balance can be achieved through inclusive law-making processes, the application of the *maqasid al-shariah* framework, and ongoing dialogue between religious scholars, policymakers, and the broader community. Ultimately, the integration of *Siyasah Syar'iyah* values can enrich national legislation by emphasizing justice, public welfare, and social harmony. This contributes not only to legal reform but also to strengthening the legitimacy of laws and fostering a cohesive, ethical society. The study recommends continued interdisciplinary efforts to develop legal systems that are both rooted in Islamic ethics and fully compatible with democratic principles and human rights.

AUTHORS' DECLARATION

Authors' Contributions and Responsibilities

All authors contributed significantly to the conception, design, and development of this research.

Competing Interests

The authors declare that they have no competing interests related to this research. There are no financial, personal, or professional conflicts that could have influenced the outcomes or interpretations presented in this study.

Acknowledgments

The authors would like to express their sincere gratitude to all individuals and institutions who supported this research.

REFERENCES

- ABD HAKIM, A. B. D. R. (2018). *THE CORPORATE GOVERNANCE OF MULTIPLE SHARIA' BOARD DIRECTORSHIP PRACTICE UNDER THE CENTRALISED APPROACH: A CASE STUDY OF QISMUT+ 3 SOUTH EAST ASIA DIVISIONAL MEMBERS OF MALAYSIA AND INDONESIA*. Trinity College Dublin.
- Admad, N. (2010). A Study of Individual Freedom and Religious Liberalism in Islamic Jurisprudence. *J. Juris*, 5, 41.
- Akhtar, R. C. (2013). *British muslims and transformative processes of the Islamic legal traditions: Negotiating law, culture and religion with specific reference to Islamic family law and faith based alternative dispute resolution*. University of Warwick.
- An-Na'im, A. (2002). Religion and global civil society: Inherent incompatibility or synergy and interdependence. *Global Civil Society*, 2002, 55-73.

- Bohman, J. (2000). *Public deliberation: Pluralism, complexity, and democracy*. MIT press.
- Ghezelsofla, M. T., & Farokhi, S. (2019). Iranian-Islamic Pattern of Justice in the Politics. *Journal of Islamic Political Studies*, 1(1), 133-152.
- Gumiandari, S., & Hasanah, U. (2019). *Bukti SK Penerima Hibah Penelitian Kolaboratif Internasional*.
- Kersten, C. (2019). The Caliphate. In *Oxford Research Encyclopedia of Religion*.
- Lombardi, C. (2006). *State Law as Islamic Law in Modern Egypt: The Incorporation of the Shari'a into Egyptian Constitutional Law* (Vol. 19). Brill.
- Lombardi, C. B. (2013). Designing Islamic constitutions: Past trends and options for a democratic future. *International Journal of Constitutional Law*, 11(3), 615-645.
- Mohammed, M. O., & Kachkar, O. (2017). Developing al-Siyasah al-Shar'iyah Framework for Contemporary Public Policy Analysis. *Media Syari'ah: Wahana Kajian Hukum Islam Dan Pranata Sosial*, 18(2), 339-362.
- Muslimin, J. M. (2005). *Islamic law and social change: a comparative study of the institutionalization and codification of Islamic family law in the nation-states Egypt and Indonesia (1950-1995)*. Staats-und Universitätsbibliothek Hamburg Carl von Ossietzky.
- Muslimin, J. M. (2012). Islamic Law in the Pancasila State. *AHKAM: Jurnal Ilmu Syariah*, 12(1).
- Ramadan, H. M. (2006). *Understanding Islamic law: from classical to contemporary*. Rowman Altamira.
- Raquib, A. (2015). *Islamic ethics of technology: An objectives' (Maqasid) approach*. The Other Press.
- Raus, A. (n.d.). AN AMBIGUITY OF CONSTITUTIONAL LAW MAJOR AT THE FACULTY OF SHARIA OF ISLAMIC HIGHER EDUCATION INSTITUTIONS IN INDONESIA.
- Ropi, I., & Burhani, A. N. (n.d.). *The limits of religious freedom in Indonesia: Analyzing the first pillar of ketuhanan yang maha esa of pancasila*.
- Rosen, L. (2000). *The justice of Islam: comparative perspectives on Islamic law and society*. Oxford University Press.
- Sachedina, A. (2009). *Islam and the challenge of human rights*. Oxford University Press.
- Sahin, A. (2018). Critical issues in Islamic education studies: Rethinking Islamic and Western liberal secular values of education. *Religions*, 9(11), 335.
- Salim, A. (2008). *Challenging the secular state: The Islamization of law in modern Indonesia*. University of Hawaii Press.
- Salim, A. (2015). *Contemporary Islamic law in Indonesia: Sharia and legal pluralism*. Edinburgh University Press.
- Shinkafi, A. A., & Ali, N. A. (2017). Contemporary Islamic economic studies on Maqasid Shari'ah: a systematic literature review. *Humanomics*, 33(3), 315-334.
- Susetyo, H., Prihatini, F., Karimah, I., & Khozi, A. (2019). Regulating Halal Products in Indonesia: Between Religious Needs and Socio-Economic Challenges. *Mazahib*, 1-43.
- Syed Ismail, S. H., Abd Ghani Azmi, I., Syed Kadir al-Haddad, S. latifah, Basir, S. A., & Nayan, I. (2017). The potential of al-Wasatiyyah value concept for human sustainability (HS) in civil service. *Humanomics*, 33(2), 150-162.
- Trispiotis, I. (2016). *Freedom of religion, equality and discrimination in the European Convention on Human Rights*. UCL (University College London).
- Wiratraman, H. P., & Shah, D. A. H. (2019). Indonesia's constitutional responses to plurality. *Pluralist Constitutions in Southeast Asia*, 115-142.