FROM TRADITION TO MAINSTREAM:
UNDERSTANDING THE INTEGRATION OF ISLAMIC LAW
IN VARIOUS GLOBAL SETTINGS

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Abstract: The study highlights the importance of integrating Islamic law in global legal settings, enriching the legal framework, and promoting interreligious dialogue. This is an important area that needs to be understood and taken seriously in the context of ongoing world changes. The study used a qualitative approach to analyze academic literature, legal documents, and related research reports from various sources. The research findings identify several significant examples of integration of Islamic law in different global settings, including Muslim and non-Muslim majority countries. The integration of Islamic law in a worldwide legal environment offers meaningful potential. First, values such as social justice, balance, and common good in Islamic law can provide a different and complementary perspective to the principles of secular law. This impacts more inclusive and fair policies for the Muslim community. Second, the integration of Islamic law can better facilitate interreligious dialogue. Non-Muslim communities' more profound understanding of Islamic law may open the way for constructive dialogue, mutual understanding, and cooperation in addressing global legal issues. This has the potential to reduce tensions and increase interreligious tolerance. However, challenges and controversies are also part of integrating Islamic law. Recognition of the validity and relevance of Islamic law in more comprehensive legal settings is still doubted by some. At the same time, differences in interpretation and implementation can lead to tensions in diverse societies.

Keywords: integration; islamic law; traditional; global; interpretation

Penelitian ini menyoroti pentingnya integrasi hukum Islam dalam pengaturan hukum global, yang dapat memperkaya kerangka hukum dan mempromosikan dialog antaragama. Hal ini menjadi area penting yang perlu dipahami dan diperhatikan secara serius dalam konteks perubahan dunia yang terus berlangsung. Menggunakan pendekatan kualitatif, penelitian ini menganalisis literatur akademik, dokumen hukum, dan laporan penelitian terkait dari berbagai sumber. Temuan penelitian mengidentifikasi beberapa contoh signifikan integrasi hukum Islam di berbagai setting global, termasuk negara-negara mayoritas Muslim dan non-Muslim. Integrasi hukum Islam dalam pengaturan hukum global menawarkan potensi yang berarti. Pertama, nilai-nilai seperti keadilan sosial,

keseimbangan, dan kemaslahatan umum dalam hukum Islam dapat memberikan perspektif berbeda dan komplementer terhadap prinsip-prinsip hukum sekuler. Hal ini berdampak pada kebijakan yang lebih inklusif dan adil bagi masyarakat Muslim. Kedua, integrasi hukum Islam dapat memfasilitasi dialog antaragama dengan lebih baik. Pemahaman yang lebih mendalam tentang hukum Islam oleh masyarakat non-Muslim memungkinkan terbukanya jalan untuk dialog yang konstruktif, saling pengertian, dan kerjasama dalam mengatasi masalah-masalah hukum global. Ini berpotensi mengurangi ketegangan dan meningkatkan toleransi antaragama. Namun, tantangan dan kontroversi juga menjadi bagian dari integrasi hukum Islam. Pengakuan keabsahan dan relevansi hukum Islam dalam pengaturan hukum yang lebih luas masih diragukan oleh beberapa pihak, sementara perbedaan interpretasi dan implementasi dapat menyebabkan ketegangan di masyarakat yang beragam.

Kata Kunci: integrasi; hukum Islam; tradisional; global; interpretasi

INTRODUCTION

As a religion that encompasses many aspects of life, Islam has a legal system that governs various parts of the lives of Muslim individuals and communities. Islamic law, or Sharia, is based on the teachings of the Quran and Hadith and has evolved over the centuries in various regions of the world.[1] In recent years, Muslim academics have witnessed increased attention to integrating Islamic law in different global settings. Although the Islamic legal tradition is mainly practiced in countries with a Muslim majority, there is increasing interest in applying Islamic law principles in the broader context, including in countries with a non-Muslim majority.

Recently, interest in applying Islamic law principles in non-Muslim majority countries has posed challenges and critical analysis. Some believe applying Islamic law principles can bring justice, ethics, and holistic Islamic values to the legal system.[2] However, there has also been criticism of this view, fearing potential conflict with the principles of democracy, individual freedom, and human rights. The possibility of discrimination against minority groups and restrictions on religious freedom is also a concern.

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[1] Hyder Gulam, "The Application of Shariah (Islamic Law) in Some Different Countries and Its Implications," *Jurnal Syariah* 24, no. 2 (2016): 321–40, https://doi.org/10.22452/js.vol24no2.7.

[2] Brandon Gorman, "Global Norms vs. Global Actors: International Politics, Muslim Identity, and Support for Shariʿat," in *Sociological Forum*, vol. 34 (Wiley Online Library, 2019), 91–114, https://doi.org/10.1111/socf.12482.

Understanding why and how Islamic law integrates into various global contexts is essential. Migration and globalization created a culturally and religiously heterogeneous environment, triggering the need to incorporate Islamic law into different legal frameworks. Awareness of human rights and pluralism of values are also influential, opening the door to considering elements of Islamic law compatible with democratic principles and Human Rights.

The rise of political Islam and religious consciousness worldwide also fostered the integration of Islamic law. Islamist groups use Islamic law as a tool of political struggle and the search for social justice.[3] However, challenges continue to exist in maintaining Islamic values without neglecting the principles of democracy, human rights, and pluralism. The debate continues to seek ways of adopting Islamic law in diverse global contexts without violating human rights principles.

One proposed approach is to interpret the principles of Islamic law contextually and flexibly, recognizing cultural, social, and historical differences among various societies. In diverse global contexts, the regulations can be adopted with due regard to human rights principles that protect religious freedom, gender equality, and other individual rights. An inclusive and adaptive understanding of Islamic law can foster intercultural dialogue and promote awareness of mutual respect. However, some are skeptical of the possibility of complete harmonization between Islamic law and universal human rights principles.[4] They argue that some aspects of Islamic law, such as inheritance law, marriage law, or criminal law based on conservative interpretations, may conflict with modern human rights principles.[5]

Iyad Zahalka discusses how Muslim minorities face the challenges of Islamic identity in the modern era by considering the various global contexts in which Islamic law is integrated and how Muslims face this transformation.[6] Abdullahi Ahmed An-Na'im, in his book, provides a perspective on the relationship between the Islamic religion and the secular state in a modern context by discussing how

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[3] Suud Sarim Karimullah, "Pursuing Legal Harmony: Indonesianization of Islamic Law Concept and Its Impact on National Law," *Mazahib* 21, no. 2 (December 27, 2022): 213–44, https://doi.org/10.21093/mj.v21i2.4800.

[4] Siti Rohmah, Moh Anas Kholish, and Andi Muhammad Galib, "Human Rights and Islamic Law Discourse: The Epistemological Construction of Abul A'la Al-Maududi, Abdullahi Ahmed An-Naim, and Mashood A. Baderin," *Justicia Islamica: Jurnal Kajian Hukum Dan Sosial* 19, no. 1 (2022): 153–70, https://doi.org/10.21154/justicia.v19i1.3282.

[5] Tamyiz Mukharrom and Supriyanto Abdi, "Harmonizing Islam and Human Rights Through the Reconstruction of Classical Islamic Tradition," *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam* 7, no. 1 (2023): 40–57, https://doi.org/10.22373/sjhk.v7i1.16436.

[6] Iyad Zahalka, *Shari'a in the Modern Era: Muslim Minorities Jurisprudence* (Cambridge: Cambridge University Press, 2016).

Islamic law is integrated into various global settings and the challenges faced in negotiating the future of Islamic law.[7] Mashood A. Baderin examines the interaction between international human rights and Islamic law by analyzing how Islamic law is integrated into international law and how human rights principles can be applied within the framework of Islamic law.[8] In addition, Mashood A. Baderin also wrote another book that briefly introduces Islamic law by discussing the history, principles, and essential concepts of Islamic law. It can help understand the fundamentals of Islamic law relevant to integration in a global context.[9]

Yvonne Yazbeck Haddad and Barbara Freyer Stowasser, in their study, provide an overview of how Islamic law evolved and adapted to modern challenges, including issues such as Democracy, Human Rights, Gender Equality, Religious Freedom, and pluralism by presenting case studies from different Muslim countries and communities to illustrate various responses and approaches to these issues.[10] Anver M. Emon, Mark Ellis, and Benjamin Glahn seek common ground between Islamic law and international human rights law by arguing that legal traditions, such as justice, freedom of religion, protection against discrimination, and protection of individual rights, share values and principles.[11]

Previous research has revealed valuable insights into the integration of Islamic law in a variety of global contexts. The main findings of this study form an essential basis that distinguishes this study. First, the complexity and diversity of integrating Islamic law in different countries and Muslim communities come to light. The integration of Islamic law is understood and implemented in varied ways, reflecting differences in interpretation, acceptance, and adjustment to suit individual local contexts. Secondly, political, social, and cultural factors play a crucial role in shaping the integration of Islamic law across a range of global contexts. Muslim-majority countries tend to apply Islamic law with a broader scope, while non-Muslim-majority countries often have a more selective or limited approach. Colonial history, the influence of globalization, and relations with Western countries also shaped the path to integrating Islamic law.

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[7] Abdullahi Ahmed An-Na'im Na, *Islam and the Secular State: Negotiating the Future of Shari`a* (Cambridge, Massachusetts, and London: Harvard University Press, 2009).

[8] Mashood A Baderin, *International Human Rights and Islamic Law* (New York: OUP Oxford, 2003).

[9] Mashood A Baderin, *Islamic Law: A Very Short Introduction* (New York: Oxford University Press, USA, 2021).

[10] Yvonne Yazbeck Haddad and Barbara Freyer Stowasser, *Islamic Law and the Challenges of Modernity* (Toronto: Rowman Altamira, 2004).

[11] Anver M Emon, Mark Ellis, and Benjamin Glahn, *Islamic Law and International Human Rights Law* (New York: OUP Oxford, 2012).

Third, the ongoing debate over the role and relevance of Islamic law in modern society is a significant highlight. Some studies support the view that Islamic law can contribute to creating fair and inclusive legal systems. In contrast, others note tensions with universal principles of democracy and human rights. Fourth, recognition and respect for legal pluralism are essential globally. Efforts to integrate Islamic law with national legal systems that are inclusive and based on the principles of justice, equality, and human rights often involve cooperation between state authorities and the Muslim community. This study confirms the complexity and diversity in the integration of Islamic law. It encourages more in-depth research into the factors that influence this process and its impact on society and the legal system. The social, political, and legal implications of integrating Islamic law globally are of vital concern, as this will help create a balanced and inclusive approach to this integration.

The methods to be used in this study, namely literature analysis involving legal experts, activists, and academics, and qualitative data collection, can provide a comprehensive and in-depth approach to debates related to the adoption of Islamic law in diverse global contexts.[12] Data will be collected from various sources, including legal documents, academic publications, reports of international institutions, and other primary sources. Analysis of the literature will allow researchers to explore the various views, theories, and arguments put forward by legal experts, activists, and academics regarding this issue.[13] In this process, it is essential to identify reliable and relevant sources covering a wide range of supportive and critical viewpoints on adopting Islamic law globally. In the context of this study, it is essential to recognize that the integration of Islamic law in various international settings does not always run smoothly. Challenges and controversies need to be addressed, such as differences in the interpretation of Islamic law, conflicts between Islamic law and secular law, and issues related to gender and women's rights.

The primary objective of this study is to delve into the process of integrating Islamic law on an international scale, particularly within the context of inter-country relations. The author will assess pivotal issues and construct arguments founded on

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12 Odette Parry and Natasha S Mauthner, "Whose Data Are They Anyway?: Practical, Legal and Ethical Issues in Archiving Qualitative Research Data," *Sociology* 38, no. 1 (2004): 139–52, https://doi.org/10.1177/0038038504039366.

13 Christopher S Collins and Carrie M Stockton, "The Central Role of Theory in Qualitative Research," *International Journal of Qualitative Methods* 17, no. 1 (2018), https://doi.org/10.1177/1609406918797475.

Islamic law principles within this examination. The aspiration is that the outcomes of this study will yield profound insights into the dynamics of incorporating Islamic law in diverse global settings while also pinpointing the accompanying challenges and prospects. This study is pivotal in shaping comprehensive and fair policies and catalyzes intercultural dialogue and empathy between Muslim and non-Muslim communities. By thoroughly exploring social and legal transformations in different countries and global contexts, this research allows scholars to chart the evolutionary path of Islamic law, tracing its progression from traditional roots to its current relevance in mainstream contexts.

Furthermore, this study holds the potential to anticipate forthcoming trends concerning the integration of Islamic law in various global settings. With an enhanced comprehension of this process, this study aims to fortify mutual understanding and communication between Muslim and non-Muslim communities. In doing so, it contributes to the construction of robust channels of communication, fostering tolerance, cooperation, and an appreciation for the richness of global diversity.

INTERPRETATION OF ISLAMIC LAW IN VARIOUS LEGAL AND CULTURAL CONTEXTS

Islamic law is a powerful construct, encompassing diverse schools or schools of thought emphasizing different principles. Therefore, the interpretation of Islamic law can vary significantly in other legal and cultural contexts. Remember that Islamic law is based on primary sources such as the Qur'an and Hadith.[14] However, in interpreting Islamic law, there are differences in approaches between Sunni and Shia schools and the methods of interpretation within these schools. Nonetheless, the performance of Islamic law is also heavily influenced by the cultural and social context in which it is applied.

In its long history, Islam has undergone a complex evolution, encompassing a variety of views and perspectives.[15] Various schools and schools of thought in Islam contributed significantly to the framework of Islamic law. From a textual point of view, the Qur'an and Hadith become the primary sources from which Islamic law principles are derived. However, the interpretation of Islamic law depends not only

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[14] Muhajir Muhajir et al., "Agus Moh Najib's Thoughts on the Interconnection of Islamic Law and National Law," *Jurnal Ilmiah Al-Syir'ah* 21, no. 1 (2023): 86–103, https://doi.org/10.30984/jis.v21i1.2321.

[15] Franz von Benda-Beckmann, "Who's Afraid of Legal Pluralism?," *The Journal of Legal Pluralism and Unofficial Law* 34, no. 47 (2002): 37–82, https://doi.org/10.1080/07329113.2002.10756563.

on the text but is also influenced by the difference in approaches among the Sunni and Shia schools and their interpretation methods. These differences form variations in the understanding and applying Islamic law in various legal and cultural contexts. In addition, the social and cultural context also plays a vital role in interpreting Islamic law.[16] Because Islam is spread across different regions with different cultural backgrounds, the interpretation of Islamic law is unique and relevant to the environment in which the law is applied. Thus, the strength of Islamic law lies in its solid construction, encompassing a wide variety of schools and schools of thought that provide diverse legal interpretations. This allows Islamic law to remain relevant and adaptive to the changing cultural and social context.

In the dominant secular legal context of some Muslim-majority countries, such as Türkiye[17] or Indonesia,[18] the interpretation of Islamic law is often governed by a broader temporal legal framework. This reflects an attempt to blend Islamic law with secular principles underlying the country's legal system. Interpretation of Islamic law in this context often includes the use of ijtihad, a method of legal interpretation that draws on the basic principles of Islam but also considers the modern context. On the other hand, in countries that apply Sharia law more strictly, such as Saudi Arabia[19] or Iran,[20] interpretations of Islamic law tend to be more conservative and based on traditional arrangements and high religious authority. This reflects more conventional methods of understanding and literal adherence to Islamic legal texts. In this context, Islamic law is a single law that humans cannot change.

In addition, the interpretation of Islamic law is also influenced by cultural and social factors in various Muslim societies. Local cultures and traditions can be essential in influencing the understanding and performance of Islamic law. For example, in communities with strict rules in local religious practices, such as tribal societies in Africa or South Asia, the interpretation of Islamic law is often influenced

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[16] Hiam Al-Aoufi, Nawaf Al-Zyoud, and Norbayah Shahminan, "Islam and the Cultural Conceptualisation of Disability," *International Journal of Adolescence and Youth* 17, no. 4 (2012): 205–19, https://doi.org/10.1080/02673843.2011.649565.

[17] Husnul Fatarib et al., "Sultan's Law and Islamic Sharia in The Ottoman Empire Court: An Analysis of The Existence of Secular Law," *Al-Istinbath: Jurnal Hukum Islam* 8, no. 1 May (2023): 117–34, https://doi.org/10.29240/jhi.v8i1.4908.

[18] Robertus Robet, "Perda, Fatwa and the Challenge to Secular Citizenship in Indonesia," in *State and Secularism: Perspectives from Asia* (World Scientific, 2010), 263–78.

[19] Esther Van Eijk, "Sharia and National Law in Saudi Arabia," *Sharia Incorporated: A Comparative Overview of the Legal Systems of Twelve Muslim Countries in Past and Present*, 2010, 139–80.

[20] Mehran Tamadonfar, "Islam, Law, and Political Control in Contemporary Iran," *Journal for the Scientific Study of Religion* 40, no. 2 (2001): 205–20.

by those local practices. However, it is essential to maintain a balance between the performance of Islamic law and the universal principles of human rights. Some variations of Islamic law can lead to injustice or human rights violations, especially related to issues such as women's rights, lesbian, gay, bisexual, transgender, intersex and queer (LGBTIQ+) rights, or freedom of religion. Therefore, in understanding and applying Islamic law, there must be an open dialogue between scholars, scholars, and other actors to ensure a fair and inclusive interpretation of the law. Therefore, the performance of Islamic law in various legal and cultural contexts varies widely. Differences influence this interpretation in schools, secular legal approaches, cultural factors, and the social context in which the law is applied. It is important to recognize diversity in the interpretation of Islamic law and ensure that such arrangements are fair, inclusive, and in line with universal human rights principles.

Interpretation of Islamic law in various legal and cultural contexts is also necessary to note the critical role of political factors in such performance. Politics can affect how Islamic law is performed and how its results are applied in a country's legal system.[21] In some countries, especially those that embrace Islam as an official religion or have a majority Muslim population, the interpretation of Islamic law is often politicized. Certain governments or political groups may use interpretations of Islamic law to gain political support or strengthen their position in society.[22] This can lead to distortions in understanding Islamic law, where particular political aspects and interests may precede objective principles. In addition, outside influences can affect the interpretation of Islamic law in the context of globalization and increasingly intense intercultural interaction.

Muslim societies in different parts of the world can be exposed to understandings and interpretations of Islamic law from outside their traditions, such as those in the Middle East or South Asia. These influences can influence how Islamic law is interpreted in the wider Muslim community. In addition, it is essential to recognize that the interpretation of Islamic law can also change over time. Social changes, technological developments, and new challenges Muslim societies face can affect the understanding and performance of Islamic law. There is ongoing

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[21] Ahmad Yani and Megawati Barthos, "Transforming Islamic Law in Indonesia from a Legal Political Perspective," *Al-Ahkam* 30, no. 2 (2020): 159–78, https://doi.org/10.21580/ahkam.2020.30.2.6333.

[22] Mehdi Shokri, "Islam and Politics: The Case of the Islamic State," *Studia Humana* 5, no. 2 (2016): 3–12, https://doi.org/10.1515/sh-2016-0006.

discussion and debate among Muslim scholars and scholars about how Islamic law can be interpreted and applied in a constantly changing context.

The understanding and interpretation Islamic law must consider the contextual, historical, social, cultural, and political aspects that influence it. It requires the participation and contribution of a wide range of actors in Muslim society, including scholars, human rights activists, women, and minority groups, to ensure an equitable interpretation of the law in line with humanitarian principles. Intercultural dialogue and interaction with other legal systems are essential to developing an inclusive and progressive understanding of Islamic law. Discussions and exchanges of ideas between Muslim and non-Muslim scholars and a better understanding of universal legal frameworks and human rights values can help shape a more comprehensive interpretation of Islamic law and fit the needs of the times.

As a religion with a long and extensive history, Islam produces diverse views and approaches to its legal understanding.[23] Among Muslim scholars, there is a diversity and difference of opinion that reflects the variety of cultures, traditions, social contexts, and the development of the Times. Schools in Islam, such as the Hanafi, Maliki, Shafi'i, and Hanbali schools, have different interpretations in understanding Islamic law. This shows that the performance of Islamic law is dynamic and can evolve. In addition, in other legal and cultural contexts, the interpretation of Islamic law can also be influenced by emerging contemporary issues. For example, there is debate about how Islamic law should be interpreted about women's rights, such as inheritance rights, divorce, or access to education and employment. Some interpretations of Islamic law have adopted a more inclusive and progressive approach, while others may be more conservative or patriarchal.

Furthermore, in understanding the performance of Islamic law, it is also necessary to consider that Muslim societies live in different cultural contexts. Local culture and traditions can influence the way the interpretation of Islamic law is carried out. However, it is essential to distinguish between cultural values inherited from tradition and universal Islamic values contained in religious teachings. A proper and critical understanding is required to ensure that the universal values of Islam are maintained without compromising human rights and Justice. In addition, in the era of globalization and increasing intercultural interaction, Muslim

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[23] Ihsan Yilmaz, "Muslims, Sacred Texts, and Laws in the Modern World," *Handbook of Contemporary Islam and Muslim Lives*, 2021, 19–37, https://doi.org/10.1007/978-3-030-32626-5_5.

communities face challenges in maintaining their cultural identity and uniqueness. It also affects the interpretation of Islamic law in various contexts. While some Muslim societies may adopt a more traditional and conservative interpretation to defend their identity, others may propose a more open and inclusive approach to address the challenges of modern times.

The interpretation of Islamic law across various legal and cultural contexts must be recognized as an evolving process.[24] In the face of social changes, new challenges, and aspirations of Muslim societies, the interpretation of Islamic law must be flexible and responsive.[25] This requires an open, dialogic, and inclusive approach and a recognition that the interpretation of Islamic law is not singular and remains debatable in sound intellectual discourse. Therefore, the interpretation of Islamic law across various legal and cultural contexts is a complex and varied subject. The diversity of views, social contexts, cultures, and contemporary issues affect how Islamic law is interpreted. In facing these challenges, a critical, inclusive, and responsive approach is needed to ensure an interpretation of Islamic law that is fair, in line with universal values, and relevant to the needs of the Times.

It is essential to recognize different approaches and perspectives in interpreting Islamic law. Each school and scholar has different views and methodologies of interpretation, reflecting their intellectual heritage and traditions of thought. Political and Power Factors can also influence the interpretation of Islamic law. In some cases, interpretations of Islamic law can be used to justify political policies or reinforce the dominance of a particular group. This raises the question of the independence and objectivity of the interpretation of Islamic law in a political context. In addition, the interpretation of Islamic law is also closely related to the social and cultural context in which the law is applied. Cultural values, traditions, and social norms can influence the understanding and interpretation of Islamic law in a given society. Interpretations of Islamic law that arise in a cultural context cannot always be applied easily in other cultural contexts. In addition, there is a need to appreciate and pay attention to the aspirations of the Muslim community itself. Muslim societies living in different contexts have unique needs and challenges that must be considered in interpreting Islamic law. Muslim cultures are also diverse in their approach to and preference for interpretation of Islamic law. Therefore, it is

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[24] Ratno Lukito, "Shariah and the Politics of Pluralism in Indonesia: Understanding State's Rational Approach to Adat and Islamic Law," *PETITA* 4, no. 1 (2019): 1–18, https://doi.org/10.22373/petita.v4i1.8.

[25] Irma Suryani et al., "Integration of Islamic Law in Regional Development in Indonesia," *JURIS (Jurnal Ilmiah Syariah)* 22, no. 1 (2023): 1–11, https://doi.org/10.31958/juris.v22i1.8770.

essential to ensure that the interpretation of Islamic law involves participating and representing various groups in Muslim society.

In an era of globalization and intercultural Interconnection, the interpretation of Islamic law faces new challenges. The exchange of ideas, intercultural dialogue, and mutual understanding between Islam and other cultures can create a more inclusive interpretation of Islamic law and promote better understanding between Muslim and non-Muslim communities. Therefore, interpreting Islamic law across various legal and cultural contexts involves complexities, differing approaches, and influential political, social, and cultural factors. Maintaining a critical, contextual, and inclusive approach to understanding Islamic law is essential. Strengthening dialogue between Muslim scholars, scholars, and various community actors is crucial to achieving a fair, relevant, and appropriate interpretation of Islamic law by the aspirations of the Muslim community. Thus, through collaboration and mutual understanding, the performance of Islamic law can continue to adapt to changing times and answer the needs of an increasingly diverse global society.

INTEGRATION OF ISLAMIC LAW IN THE GLOBAL CONTEXT

The integration of Islamic law in a global context is becoming an increasingly relevant and complex issue in the current era. Amid globalization, cultural interconnection, and the growth of Muslim populations in various countries, there are challenges and opportunities in integrating Islamic law within national legal frameworks and international legal systems. This course will conduct a critical analysis of the key aspects involved in the integration of Islamic law in a global context. First, in integrating Islamic law globally, it is essential to recognize the diversity of interpretations of Islamic law among Muslim communities. There are diverse schools and perspectives of interpretation of Islamic law, reflecting different cultural, historical, and social contexts. Therefore, the integration of Islamic law should not be based on a single performance but should consider various existing approaches and views. Second, integrating Islamic law globally requires harmonization with national legal frameworks and commitment to universal human rights principles. Islamic law must be interpreted and applied consistent with human rights, religious freedom, gender equality, and protection against discrimination. It involves a careful understanding of Islamic law principles underpinning those universal principles.

Third, in a global context, the integration of Islamic law must also consider its compatibility with the international legal system. It involves reviewing and

critically analyzing international law, including human rights conventions and treaties that Muslim countries have ratified. The integration of Islamic law must seek harmony and coherence with the widely recognized principles of international law. Fourth, in a global context, integrating Islamic law also requires a deep understanding of the social, political, and cultural context in which the law will be applied. Muslim communities living in countries with a non-Muslim majority or diverse cultural backgrounds require a sensitive approach to integrating Islamic law effectively. Avoiding actions that can provoke social polarization or undermine social cohesion is essential. Fifth, integrating Islamic law globally can also involve economic and financial aspects. The principles of Islamic economics, such as the Prohibition of usury and the direction of fairness in trade, can be fundamental in developing an economic system by the principles of Sharia. This has led to the development of Islamic financial institutions and financial instruments increasingly recognized globally. However, integrating Islamic law in a global context also faces challenges. For example, there is tension between the norms of Islamic law and contemporary practice or policy. Issues such as women's rights, minority protection, and religious freedom are often the focus of debate and conflict in integrating Islamic law.

Integrating Islamic law globally requires various stakeholders' comprehensive and collaborative efforts, such as ulama, Muslim scholars, governments, international organizations, and civil society. This process involves open dialogue and consultation, an understanding of mutual respect, and a commitment to balance universal values and the richness of cultural and religious heritage. In the context of integrating Islamic law, the integration theory of science also plays an important role. The integration of science involves various aspects, including the diversity of interpretations of Islamic law, universal human rights principles, alignment with international legal systems, social and cultural contexts, and economic and financial aspects. This integration process must be implemented with a critical, inclusive, and dialogical approach. It considers the aspirations of the Muslim community and ensures compliance with existing national and international legal frameworks.

Collaboration and involvement of various stakeholders are essential to achieve successful integration. Muslim scholars provide an in-depth view of Islamic law principles, while governments and international organizations bring a global perspective and universal human rights. Through open dialogue and respectful understanding, the framework of Islamic law can be drawn up, considering

universal values and unique cultural and religious contexts. In this integration process, economic and financial aspects are also of concern. By viewing the economic implications of Islamic law, adjustments to international and national legal systems can be made wisely. Thus, integrating Islamic law in a global context into an inclusive and holistic collaboration ensures that the values and principles of Islamic law can contribute positively in the context of a changing world.

As part of the critical analysis, it is essential to identify emerging challenges and debates in integrating Islamic law in a global context. One of the significant challenges is the tension between Islamic legal principles that may conflict with national or international legal norms. An example of this is the issue of hudud punishment or the implementation of Sharia as a whole, which can lead to conflict with the legal principles of Democratic states that recognize the separation of religion and state. In addition, integrating Islamic law globally must also consider the cultural differences and social values in different countries. What is accepted in one cultural context may be irrelevant or even contrary to another. Therefore, the integration of Islamic law must consider diversity and local context to avoid oppression or discrimination against minority groups or women.[26]

Regarding implementing Islamic law globally, the question of legitimacy and authority also arises. Who has the right to interpret and apply Islamic law in a global context? How can we ensure that the interpretation and implementation of Islamic law reflect the aspirations of diverse Muslim communities? This is an important question that needs to be answered so that the integration of Islamic law is not based solely on the interests of a particular group or an exclusive authority. Furthermore, interreligious dialogue and an understanding of mutual respect are needed to integrate Islamic law in a global context. Cooperation and dialogue between Muslims and non-Muslims, religious leaders, and religious communities play an essential role in building an inclusive framework that respects religious freedom and diversity of beliefs.

Governments and legal institutions must play an active role in providing an adequate legal framework and protecting human rights while considering Islamic law's values and principles consistent with universal principles. The integration of Islamic law in a global context also involves capacity building and adequate education. Education on critical, inclusive, and contextual Islamic law must be

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[26] Suci Ramadhan, "Islamic Law, Politics And Legislation: Development Of Islamic Law Reform In Political Legislation Of Indonesia," *ADHKI: Journal of Islamic Family Law* 2, no. 1 (2020): 63–76.

strengthened among ulama, Muslim scholars, and the Muslim community. It will help promote a better understanding of the principles of Islamic law relevant to the Times and strengthen the active participation of the Muslim community in the process of integration of Islamic law.

The integration of Islamic law can affect state Governance, Public Policy, and economic systems in countries with a majority Muslim population. This influence can involve aspects such as the judicial system, legislation, Economic Policy, and the application of Islamic legal principles in various sectors of life. Regarding the judicial system, integrating Islamic law may involve the development of Sharia courts or specialized court institutions that adopt Islamic law principles. Ensuring these institutions operate fairly, transparently, and by human rights standards is essential. Sharia courts must also effectively integrate with the national justice system to apply legal policies coherently and consistently. In the economic context, the integration of Islamic law can include the development of Islamic finance, Islamic banking, and investment sectors by Islamic economic principles. Regulations such as the Prohibition of usury (interest), risk sharing, and fairness in trade transactions became the basis for developing a financial system that followed the principles of Sharia. It can provide an alternative for Muslim communities who wish to observe religious directions in their economic activities. However, integrating Islamic law in the economic context raises questions and challenges. Some of these include developing effective supervisory and regulatory mechanisms, ensuring transparency and accountability in Islamic financial practices, and addressing differences in interpretation and patterns in different countries. International coordination and cooperation among Islamic financial institutions are also essential in integrating Islamic law into the global economic context. In addition, it is also necessary to consider the impact of the integration of Islamic law in a global context on women's rights, minority rights, and religious freedom. In applying Islamic law principles, it is necessary to strive so that there is no discrimination or violation of individual rights protected by the universal human rights principles. The protection of women's rights, the security of minorities, and freedom of religion must be upheld by integrating Islamic law.

Along with integrating Islamic law in a global context, it is also essential to build better awareness and understanding of Islam and Islamic law among non-Muslim communities. It involves building interreligious dialogue, engaging in cross-cultural activities, and increasing knowledge about cultural and religious diversity. With mutual understanding and respect, the integration of Islamic law can

be a bridge to strengthen tolerance, intercultural understanding, and social harmony in an increasingly connected global society. In the face of challenges and opportunities in integrating Islamic law globally, it is essential to encourage critical, in-depth, and objective scientific research and study on Islamic law and its implications in various legal and cultural contexts. Thus, we can build an adequate and responsive framework to face the challenges of Islamic legal integration in this increasingly globalized world.

Global integration of Islamic law also concerns politics, geopolitics, and interstate relations. Some Muslim-majority countries have tried integrating Islamic law into their national legal systems. In contrast, non-Muslim countries often face challenges in dealing with differences in Islamic law with their secular-based national legal systems. This can create political tension, conflict, or controversy in bilateral or international relations. As countries interact globally, there are significant differences in approaches to Islamic law. Muslim-majority countries that base their constitutions on Islamic law, such as Saudi Arabia or Iran, may propose adopting Islamic law as a foundation for global policy or demand recognition of Islamic legal principles in international law. Meanwhile, non-Muslim countries may be concerned about the implications of Islamic law that conflict with their values or interests.

The integration of Islamic law is also linked to radicalization, terrorism, and religious extremism. Some groups and individuals who hold extreme or radical views on Islamic law have used Islamic legal arguments to justify acts of violence or violation of human rights. Therefore, the integration of Islamic law in a global context must pay attention to efforts to prevent and counter radicalization and ensure that tolerance, peace, and human rights remain the cornerstone of applying Islamic law. In the face of the challenges and complexities of integrating Islamic law in a global context, it is important to encourage dialogue and cooperation between states, between Muslim and non-Muslim countries, as well as between Muslim communities in different parts of the world. This collaboration can involve exchanging knowledge, experience, and best practices in integrating Islamic law into national and international legal systems. In addition, forums such as international conferences, academic institutions, and multilateral organizations can be virtual platforms for deepening understanding and encouraging constructive discussions on integrating Islamic law.

In integrating Islamic law globally, it is essential to remember that its concepts and principles constantly evolve and undergo diverse interpretations.

Therefore, integrating Islamic law must always go hand in hand with social, cultural, and changing times. This process requires a deep awareness of the social and historical context and the ability to accommodate the needs and aspirations of the Muslim community within a relevant and adaptive legal frame. Governments and stakeholders must actively involve the Muslim community in decision-making to achieve successful integration. Active collaboration with Muslim scholars, civil society activists, and representatives of the Muslim community is essential in designing policies and legal frameworks that reflect the aspirations and interests of the Muslim community. This engagement strengthens the Muslim community's sense of ownership and active participation in law and policy development. In the face of global challenges and changing dynamics, the integration of Islamic law must prioritize adaptability and responsiveness. Respecting differences of interpretation and empowering key stakeholders is the key to success in dealing with this complex change. With an inclusive and collaborative approach, integrating Islamic law can effectively promote justice, inclusiveness, and understanding of mutual respect between Muslim and non-Muslim communities worldwide.

Integrating Islamic law globally must also consider aspects of religious freedom and pluralism. It is essential to ensure that efforts to incorporate Islamic law do not neglect fundamental human rights, including the right to practice religion freely and the rights of minorities.[27] Maintaining diversity and social harmony in an increasingly pluralistic society is important. Furthermore, it is essential to consider contextual and flexible approaches in integrating Islamic law in a global context. The concepts and principles of Islamic law can be interpreted and applied differently in various cultural, social, and political contexts. Therefore, ensuring that the integration of Islamic law does not ignore the diversity of views and practices within Muslim societies is essential. In addition, the integration of Islamic law in a global context must also pay attention to an inclusive approach to the role of women in interpreting and implementing Islamic law. It is crucial to promote gender equality, the protection of women's rights, and the participation of women in decision-making processes related to Islamic law.[28] This will help bring

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[27] Farid Sufian Shuaib, "Administration of Islamic Law and Human Rights: The Basis and Its Trajectory in Malaysia," *Al-Jami'ah: Journal of Islamic Studies* 56, no. 2 (2018): 281–304, https://doi.org/10.14421/ajis.2018.562.281-304.

[28] Salma Nawaz et al., "The Role of Human Rights and Obligations toward Cross Gender Empowerment under the Domain of Islamic Laws," *IRASD Journal of Management* 3, no. 3 (2021): 208–17, https://doi.org/10.52131/jom.2021.0303.0039.

about Islamic law that is more inclusive and responsive to the needs and aspirations of the entire Muslim community.

Facing global challenges such as climate change, international trade, and migration, international cooperation based on mutual understanding and respect is critical to achieving common goals. This is also true in Islamic legal integration, where intercultural dialogue and collaboration can help reduce tensions and strengthen social harmony. In the face of ongoing global changes, integrating Islamic law in a global context must take a holistic and comprehensive approach. It involves legal, political, economic, social, and cultural aspects. Adopting an inclusive, dialogical, and sustainable approach and taking human rights, justice, and tolerance as a solid foundation is essential. With a critical and analytical approach, integrating Islamic law globally can be a source of strength and inspiration for Muslim communities worldwide. It can strengthen their religious identity, promote human values, and help them realize a just, inclusive, and harmonious society in this era of globalization.

THE IMPACT OF INTEGRATING ISLAMIC LAW IN DIVERSE GLOBAL LEGAL CONTEXTS

Integrating Islamic law in various global legal settings has significant implications in combining religious and legal aspects. This development comes in line with the growing Muslim population worldwide and increasing awareness of the importance of meeting the legal needs of Muslim communities. One of the main implications of integrating Islamic law is its influence on existing legal systems. In many countries with a majority Muslim population, there are attempts to introduce elements of Islamic law in the national legal system.[29] This can be done by establishing Islamic legal institutions responsible for overseeing the implementation of Islamic law in everyday life. For example, in some countries, such as Saudi Arabia and Iran, the Islamic legal system is formally implemented, with Sharia law being the primary source of national law.[30]

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[29] Léon Buskens, "Recent Debates on Family Law Reform in Morocco: Islamic Law as Politics in an Emerging Public Sphere," *Islamic Law and Society* 10, no. 1 (2003): 70–131, https://doi.org/10.1163/15685190360560924; Bustami Khir, "Who Applies Islamic Law in Non-Muslim Countries? A Study of the Sunnī Principle of the Governance of the Scholars (Wilāyat Al-'Ulamā')," *Journal of Muslim Minority Affairs* 27, no. 1 (2007): 79–91, https://doi.org/10.1080/13602000701308897.

[30] Mohamed Elewa Badar, "Islamic Law (Shari'a) and the Jurisdiction of the International Criminal Court," *Leiden Journal of International Law* 24, no. 2 (2011): 411–33, https://doi.org/10.1017/S0922156511000082; Badr-El-Din Ali, "Islamic Law And Crime: The Case Of Saudi Arabia," *International Journal of Comparative and Applied Criminal Justice* 9, no. 1–2 (1985): 45–57, https://doi.org/10.1080/01924036.1985.9688820.

The integration of Islamic law has consequences primarily involving legal adaptations and underscores the profound interplay between law and religious convictions. This highlights the dynamic role of Islamic law in shaping legal structures and the significance of accommodating the diverse requirements of Muslim communities. This integration process demands a delicate equilibrium between preserving cultural heritage and honoring universal justice and human rights principles. In an increasingly interconnected world, it is imperative to comprehend the ramifications of incorporating Islamic law within a global legal context to foster dialogue, collaboration, and mutual understanding between Muslim and non-Muslim populations. By recognizing and addressing these consequences, societies can navigate the intricacies of assimilating religious values into contemporary legal systems, ultimately forging an inclusive and fair legal framework.

Another implication is expanding the scope of global legal arrangements to encompass Islamic law principles. International organizations such as the United Nations (UN) and the Organization of Islamic Cooperation (OIC) have been instrumental in promoting the recognition and legal protection of Muslims globally. An international arrangement that recognizes and respects the principles of Islamic law may influence the policy of member states to introduce legislation on those principles. In addition, the integration of Islamic law in a global legal setting can provide an opportunity to expand interreligious dialogue. In an increasingly connected global context, non-Muslims' better understanding of Islamic law can promote tolerance, mutual understanding, and interfaith cooperation. This integration can also encourage discussion of human rights, protection against discrimination, and eliminating practices that conflict with universal humanitarian principles.

The integration of Islamic law also faces challenges and controversies.[31] One of the problems that often arises is how to combine the principles of Islamic law with the principles of existing secular law. There are differences in the interpretation and implementation of Islamic law in different countries, even among Muslim-majority countries. Integrating Islamic law in various global legal settings has complex and multifaceted implications. It can enrich and expand the existing legal framework, promote interreligious dialogue, and raise awareness of the need for Muslim law.

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[31] Ahmad Faisal, "The Intersection of Islamic Law and Nationhood in Contemporary Indonesia," *European Journal of Humanities and Social Sciences* 3, no. 2 (2023): 141–47, https://doi.org/10.24018/ejsocial.2023.3.2.441.

However, challenges and controversies must also be overcome by paying attention to individual rights and avoiding conflicts between the principles of Islamic law and the principles of secular law and universal human rights.

Integrating Islamic law into diverse global legal frameworks is a multifaceted phenomenon that triggers many inquiries and obstacles necessitating comprehensive scrutiny. To assess these implications effectively, it is imperative to take into account a myriad of dimensions. These encompass the impact on pre-existing legal structures, broadening the scope of global legal frameworks, interfaith dialogues, and concerns related to human rights and gender equity. A central query revolves around how the assimilation of Islamic law influences existing legal paradigms. Introducing elements of Islamic jurisprudence into national legal systems can spark debates and disagreements, particularly in countries marked by cultural and religious diversity. This integration routinely engenders inquiries concerning the feasibility of implementing Islamic law without compromising the tenets of secular legal principles. The challenge of reconciling contrasting interpretations and applications of Islamic law in countries with Muslim-majority populations further underscores the complexity of this process.

Furthermore, extending global legal regulations to incorporate Islamic jurisprudential principles carries consequential ramifications that merit close attention. Organizations such as the United Nations and the Organization of Islamic Cooperation (OIC) have played pivotal roles in advancing Muslims' acknowledgment and legal safeguarding worldwide. Nonetheless, a primary challenge lies in achieving consensus among member states regarding which principles of Islamic jurisprudence should be recognized and embraced. In global legal pluralism, it remains imperative to forge arrangements that uphold religious freedom while maintaining adherence to secular legal principles, thereby mitigating the potential for conflicts stemming from divergent religious beliefs and convictions.

The implications of integrating Islamic law can also be seen in interreligious dialogue. Understanding Islamic law can promote tolerance, mutual understanding, and cooperation across religions. However, it should be recognized that the views and interpretations of Islamic law can vary, even among Muslims.[32] Therefore, constructive dialogue must involve a deep understanding of the diversity of interpretations and ensure that non-Muslim perspectives are recognized and

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[32] Rafat Y Alwazna, "Islamic Law: Its Sources, Interpretation and the Translation of It into Laws Written in English," *International Journal for the Semiotics of Law-Revue Internationale de Sémiotique Juridique* 29 (2016): 251–60, https://doi.org/10.1007/s11196-016-9473-x.

respected in international legal arrangements. Related to issues of human rights and gender equality, the integration of Islamic law in global legal settings raises critical questions. Some aspects of Islamic law relating to marriage, inheritance, and criminal punishment have been criticized as contrary to gender equality and universal human rights. Therefore, it is essential for countries implementing Islamic law to ensure that the regulations are interpreted and enforced with due regard to individual rights, including the rights of women and minorities. A prudent and balanced approach is needed to respond to the implications of integrating Islamic law in various global legal settings. The need for open dialogue, the recognition of religious freedom, and the protection of universal human rights are essential aspects that must be considered. Legal arrangements that combine spiritual elements with secular legal principles can be the basis for building inclusive, equitable, and diversity-respecting societies.

Integration of Islamic law in a global legal setting is essential to avoid coercion or domination of one religion over another. Islamic law principles should be implemented, considering the freedom of religion and the needs of people with different beliefs and religions. Respecting pluralism and promoting open interreligious dialogue can foster harmonious cooperation between faiths in addressing global legal issues. Moreover, the role of Islamic jurists and scholars is crucial in integrating Islamic law in global legal settings. They actively review, interpret, and apply Islamic law principles by considering the existing social, cultural, and legal context. A deep understanding and critical thinking from a legal and religious perspective will help overcome conflicts and tensions that may arise due to this integration.

The application of Islamic law in global legal settings must also pay attention to the role of women and minorities. The protection of the rights of women and minorities is an essential aspect of maintaining equality and justice in the legal system. Promoting an inclusive and progressive interpretation of Islamic law can help ensure that gender equality and human rights are not sacrificed. Critical reasoning and in-depth analysis are essential in considering the implications of integrating Islamic law in a global legal setting. Communities, states, and international organizations must work together to build inclusive legal frameworks, respect religious freedom, pay attention to human rights, and encourage constructive interreligious dialogue. With a thoughtful approach and deep understanding, integrating Islamic law can positively contribute to achieving justice, equality, and harmony in the global legal setting.

Acknowledging and tackling the emerging challenges of incorporating Islamic law into diverse global legal systems is crucial. One of the primary obstacles pertains to the varying interpretations and applications of Islamic law among countries with Muslim-majority populations. This discrepancy highlights the absence of a singular representation of the entire Muslim community. Consequently, embracing the diversity within Islamic law and considering a wide array of perspectives is imperative when constructing an all-encompassing global legal framework. Moreover, it is essential to emphasize that incorporating Islamic law into the international legal landscape must not neglect or contravene secular law and universally accepted human rights principles. These principles should serve as guiding principles for the worldwide acceptance and implementation of Islamic law, ensuring the protection of human rights, including those of women and minority groups, in any such integration endeavor.

In a worldwide legal context, the collaboration and exchange of ideas among Islamic legal scholars, experts, and practitioners of diverse religious and cultural backgrounds are paramount. Engaging in rigorous critical analysis, extensive research, and open dialogue can bridge the gap between Islamic law and secular legal systems. This process facilitates the evolution of legal norms in response to societal changes, technological advancements, and universally acknowledged values. Integrating Islamic law into global legal frameworks also necessitates close cooperation between nations, international organizations, and religious institutions.

Engaging in multilateral discussions and reaching consensus is imperative to establish a global legal framework accommodating Islamic legal principles. Organizations such as the Organization of Islamic Cooperation (OIC) and other international bodies can be platforms for fostering further dialogue and collaboration, thereby positively contributing to the integration of Islamic law in diverse global legal contexts. These efforts address Muslim communities' legal requirements while promoting interreligious harmony. Nevertheless, adopting a balanced approach in this integration is crucial, one that upholds human rights, respects pluralism, and guarantees gender equality. A comprehensive and equitable global legal framework can only be established with a profound understanding, critical reasoning, and a firm commitment to universal values. All these measures hold significant relevance and importance, particularly in a country like Indonesia, where a substantial portion of the population adheres to the Muslim faith.

CONCLUSION

The integration of Islamic law is a complex phenomenon with significant implications in global legal settings that can enrich existing legal frameworks. The principles of Islamic law, such as social justice, balance, and the Common Good, provide a different perspective and complement the principles of secular law. Thus, this integration sometimes results in more inclusive and equitable policies for Muslim communities. In addition, the integration of Islamic law can also promote interreligious dialogue. A better understanding of Islamic law can pave the way for non-Muslim communities to understand Muslims' values, practices, and aspirations. It encourages constructive dialogue, mutual understanding, and cooperation among various religions in addressing global legal issues. However, it should be recognized that the integration of Islamic law also faces challenges and controversies. First, differences in the interpretation and implementation of Islamic law among Muslim-majority countries can lead to conflict and tension. Therefore, understanding this diversity and promoting inclusive and equality-based interreligious dialogue is essential to maintain harmony and prevent potential conflict. Second, the protection of human rights and gender equality should be a significant concern in the integration of Islamic law. Some aspects of Islamic law, particularly those related to marriage, inheritance, and criminal punishment, have come under criticism for potentially contradicting the principles of gender equality and universal human rights. Therefore, in integrating Islamic law, it is essential to ensure that individual rights, including those of women and minorities, are not sacrificed or violated. Thus, the implications and challenges associated with integrating Islamic law must be carefully considered, and a balanced and inclusive approach must be taken. Integrating Islamic law can be valuable for achieving justice, harmonious interreligious dialogue, and protecting human rights in an increasingly complex and multicultural global legal setting. In the face of these developments, collaboration between Islamic jurists, scholars, and legal practitioners from various religious and cultural backgrounds has become crucial to achieve positive and equitable outcomes for Muslim and non-Muslim communities.

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