



From Doctrine to Action: Islamic Law's Journey towards Social Change

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Abstract

This study reveals the journey of Islamic Law from doctrine to social action that brings change. Using a library research method through a comprehensive literature analysis, this study presents the complex challenges of translating Islamic law principles into concrete actions that expand social justice. The findings of this study identify that the gap between idealism and practice is often a major hurdle in implementing Islamic law. Islamic legal theory offers profound guidance on justice, ethics, and morality, emphasizing values such as social justice, general welfare, and protection of individual rights. However, its implementation often faces obstacles that obscure these noble goals. To achieve true social justice, implementing Islamic law must reflect these core values and not just be empty symbolism. It must be applied, embodying justice, benevolence, and the protection of human rights in everyday life.

Keywords:

Action; Doctrine; Islamic Law; Social Change.

A. INTRODUCTION

Islamic law has become the guiding ground for millions of Muslims worldwide. With the Qur'an and Hadith as its primary sources, Islamic legal doctrine covers various aspects of life, including morality, family, economics,

and criminal law.¹ Although this doctrine provides a solid framework for governing the lives of individuals and communities, the journey from the doctrine of Islamic law to concrete actions that produce significant social change remains an exciting and complex

¹ Irshad Abdal-Haqq, "Islamic Law-an Overview of Its Origin and Elements," *J. Islamic L. & Culture* 7 (2002): 27; Javaid Rehman, "The Sharia, Islamic Family Laws and International Human Rights Law: Examining the Theory and Practice of Polygamy and Talaq," *International Journal of Law, Policy and the Family* 21, No. 1 (2007): 108-127, p. 110.

challenge. Understanding and applying Islamic law can have far-reaching impacts in the context of social change. However, the journey from doctrine to action to achieve positive social change is often hampered by various factors. One of the main obstacles is the difference in Islamic law interpretation among Muslims.

Diverse schools of thought and approaches to understanding and applying Islamic law create differences of view that often hinder the achievement of consensus on social change efforts. In addition, external challenges affect the implementation of Islamic law in the context of social change. Globalization and modernization bring outside cultural, political, and economic influences that can affect traditional values in Islamic law.² In the face of this dynamic, Muslims face a dilemma between maintaining their traditional identity and values by accommodating the changes brought by the times. Although such challenges exist, some inspiring examples show how Islamic law has moved from doctrine to real social action. Social change initiatives

are emerging from various countries where Muslim communities and groups actively confront social issues such as poverty, gender disparities, and the environment.³ Using the principles and values of Islamic law as a guide, they seek to translate Islamic legal doctrine into concrete actions that bring about positive change in society.

Meaningful change requires integrating Islamic law, public policy, public awareness, and other social factors. Therefore, the journey from Islamic legal doctrine to real social action involves the collaborative efforts of various actors, including scholars, civil society organizations, governments, and committed individuals. In addition to the challenges, some opportunities arise in this context. Muslims openness to science, technology, and cross-cultural interactions can be a source of inspiration and positive change. The concept of *ijtihād*, which involves the interpretation and creative application of Islamic law by the needs of the times, also plays a vital role in facilitating social change in line with Islamic values.⁴

² G N Khaki and Mir Gousia, "Globalization and Post-Islamic Revolution: A Changing Iranian Woman," *Journal of Globalization Studies* 6, No. 1 (2015): 74-90, p. 84.

³ Suwarni Suwarni *et al.*, "Inclusive Sexual Education: Integrating Gender Approaches in Learning," *AL-ISHLAH: Jurnal Pendidikan* 16, No. 1 (2024): 416-427, <https://doi.org/10.35445/alishlah.v16i1.4690>, p. 418

⁴ Neshat Quaiser, "Shari'a Politics, 'ulamā and Laity Ijtihād: Fields of Normativity and Conviviality," *South Asian History and Culture* 10, No. 2 (2019): 167-186; Saifudin Zuhri, "The Confusion about Maslahah Implementation in Ijtihad Discourse," *Pertanika Journal of Social Sciences & Humanities* 27, No. 2 (2019), pp. 1898-1899.

Islamic law is an effective catalyst for meaningful social change, given its role in transforming firm theoretical doctrines into concrete actions that shape a more just, inclusive, and progressive society. Rooted in a solid scientific foundation and supported by inspiring teachings, Islamic law has great potential to trigger profound social transformation. However, implementing Islamic law to create this social change is often faced with several complex and diverse challenges.

The diversity of interpretations among Muslims is one of the main challenges in realizing social change through Islamic law. The variability in schools of thought and approaches to understanding and implementing Islamic law has created significant differences in understanding the principles and rules of Islamic teachings. These differences have often led to friction and tension, hampering efforts to reach consensus on the concrete steps needed to realize the desired social change.

In the contemporary societal environment, Islamic law has become a focal point in various debates and is

gaining significant attention.⁵ Increased awareness of religious identity, complex social challenges, and rapid technological developments have reinforced the importance of understanding the role of Islamic law in promoting positive social change. It is generally recognized that Islamic law not only acts as a guide for individual and spiritual life but also can serve as a foundation for broader social change. However, the transition of Islamic law from mere theoretical doctrine to actual social practice involves a range of complex challenges.

Islamic law is often perceived as a set of inflexible rules and principles, which may limit its capacity to adapt to social realities and the ongoing changes of the times. The existence of conservatism in interpreting and applying Islamic law may sometimes impede efforts to implement more progressive social change.⁶ This tendency creates a dilemma where, despite the potential of Islamic law in shaping a more just and inclusive society, practical realities often show resistance to the changes and adaptations required to meet the needs of modern society.

⁵ Tim Epkenhans, "Defining Normative Islam: Some Remarks on Contemporary Islamic Thought in Tajikistan-Hoji Akbar Turajonzoda's Sharia and Society," *Central Asian Survey* 30, No. 1 (2011): 81-96, <https://doi.org/10.1080/02634937.2011.554056>, p. 85.

⁶ Zuly Qodir *et al.*, "A Progressive Islamic Movement and Its Response to the Issues of the Ummah," *Indonesian Journal of Islam and Muslim Societies* 10, No. 2 (2020): 323-352, <https://doi.org/10.18326/ijims.v10i2.323-352>, pp. 324-326; Ziba Mir-Hosseini, "Muslim Women's Quest for Equality: Between Islamic Law and Feminism," *Critical Inquiry* 32, No. 4 (2006): 629-645, <https://doi.org/10.1093/jaarel/lfp052>, p. 631.

Plurality in the interpretation of Islamic law plays a significant role in transitioning from mere doctrine to the practice of social action.⁷ The variability in approaches and schools of thought in understanding and applying Islamic law has resulted in considerable divergence in understanding Islamic values and related legal principles. This has led to a wide spectrum of opinions among Muslims, which in turn can complicate efforts to reach consensus on the concrete steps that need to be taken to bring about desired social change.

Contextual factors such as social, political, and cultural factors also play a crucial role in determining how Islamic law can be translated from theory into effective social action. Each society's unique challenges and priorities require a customized approach to address critical issues such as gender equality, social justice, environmental protection,

and poverty eradication.⁸ Therefore, a deep understanding of the local and global context is essential in formulating effective strategies that can facilitate meaningful social change through the application of Islamic law. This flexible and contextual approach, which considers the diversity of interpretations and the specific needs of society, is key to actualizing the full potential of Islamic law as an agent of social change.

Previous research has identified several practical strategies for addressing the challenges of translating Islamic law into social actions that contribute to broader social justice. For example, previous research has relevance to this research by highlighting the gap between idealism and the actual implementation of Islamic law, as done by Hussein Hassan,⁹ Muhammad Ahmad Munir,¹⁰ and Edy Lisdiyono.¹¹ Although the doctrine of Islamic law has

⁷ Franz von Benda-Beckmann and Keebet von Benda-Beckmann, "The Dynamics of Change and Continuity in Plural Legal Orders," *The Journal of Legal Pluralism and Unofficial Law* 38, No. 53-54 (2006): 1-44, <https://doi.org/10.1080/07329113.2006.10756597>, p. 24; Suud Sarim Karimullah, "Agus Moh. Najib's Project and Ushul Fiqh Redesign: Interlinking of Islamic Law and Legal Science," *Al-Mazaahib: Jurnal Perbandingan Hukum* 11, No. 2 (2023): 139-160, <https://doi.org/10.14421/al-mazaahib.v11i2.3151>, p. 155.

⁸ Shahra Razavi, "The 2030 Agenda: Challenges of Implementation to Attain Gender Equality and Women's Rights," *Gender & Development* 24, No. 1 (2016): 25-41, <https://doi.org/10.1080/13552074.2016.1142229>, p. 32; Nur Insani and Suud Sarim Karimullah, "Justice for Nature: Integrating Environmental Concerns into Legal Systems for Adequate Environmental Protection," *Jurnal Hukum Dan Peradilan* 12, No. 1 (2023): 129-158, <https://doi.org/10.25216/jhp.12.1.2023.129-158>, p. 131.

⁹ Hussein Hassan, "Contracts in Islamic Law: The Principles of Commutative Justice and Liberality," *Journal of Islamic Studies* 13, No. 3 (2002): 257-297, p. 286.

¹⁰ Muhammad Ahmad Munir, "Dichotomy of Idealism and Realism: Islamic Legal Tradition between Modern and Postmodern Discourses," *Islamic Studies* 56, No. 1-2 (2017): 53-76, p. 64.

¹¹ Edy Lisdiyono, "Legal Idealism and Implementation: An Analysis of the Gap between Environmental Policy and the Local Regulation in Indonesia," *Journal of Legal, Ethical and Regulatory Issues* 21, No. 4 (2018): 1-10, p. 5-6.

noble principles, its implementation in concrete actions to achieve social justice may face challenges. Several other studies can show how political influence and power can affect the translation and implementation of Islamic law, such as research conducted by Mehran Tamadonfar,¹² Wasisto Raharjo Jati,¹³ and Ihsan Yilmaz.¹⁴ Legal decisions can be influenced by political motives or personal interests, which may lead to non-compliance with social justice goals.

With all its complexity and range of themes, this research is of wide-ranging relevance in academic and policy practice. It can significantly contribute to advancing and renewing thinking in both fields. In the academic context, this research offers new insights and seeks to bridge the gap between theory and practice that researchers and practitioners often face in the field. Through an in-depth exploration of the application of Islamic law in the context of Muslim societies, this research is expected to provide rich and valuable insights for academics and stakeholders directly involved in applying this law in society.

A critical dimension of this research is its ability to provide guidance and

insights needed by various stakeholders in Muslim societies. Islamic scholars, who are often the primary guardians of the interpretation and application of Islamic law, can utilize the findings of this study to strengthen their arguments for harmonizing Islamic teachings with the needs of contemporary society. In addition, social activists working in the field can use the resulting insights to develop more effective strategies for promoting social change in line with Islamic values. Religious institutions, which have an essential role in supporting and overseeing the implementation of Islamic law, can also utilize this research to strengthen their internal policies, thus significantly impacting society.

This research will benefit not only those within the Muslim community but also individuals and groups outside this community who are interested in understanding how religion, particularly Islam, can be a significant force in driving positive social change. In an increasingly complex and globalized world, cross-cultural and religious understanding is becoming increasingly important. Therefore, this research also connects Muslim communities with non-Muslim communities, offering a

¹² Mehran Tamadonfar, "Islam, Law, and Political Control in Contemporary Iran," *Journal for the Scientific Study of Religion* 40, No. 2 (2001): 205-219, p. 214.

¹³ Wasisto Raharjo Jati, "Radicalism in the Perspective of Islamic-Populism: Trajectory of Political Islam in Indonesia," *Journal of Indonesian Islam* 7, No. 2 (2013): 268-287, p. 277-278.

¹⁴ Ihsan Yilmaz, "Muslim Secularism by Conduct: Attitudes of Young Australian Muslims to Legal Pluralism and Sharia," *Journal of Intercultural Studies* 44, No. 2 (2023): 274-288, p. 245.

broader perspective on how religious values can be integrated into efforts to achieve social justice, equality and peace. The inspiration generated from this research is expected to encourage more constructive dialogue between different groups of people, allowing them to learn from each other and adopt more inclusive approaches to promoting social change.

This research also has an obvious and specific objective: to explore a deeper understanding of the transformation of Islamic law from mere theoretical doctrine to concrete and tangible social action. This process is not simple, given that Islamic law is often seen as a static set of rules that are not adaptable to the changing times. However, this research seeks to show that Islamic law, when interpreted and applied wisely, has sufficient flexibility to address the contemporary challenges Muslim societies face. As such, this study serves as a theoretical exploration and a practical guide for those who wish to see how Islamic teachings can be effectively applied in a dynamic social context.

B. RESEARCH METHODS

This study uses a library research method supported by comprehensive literature analysis as the primary approach to understanding the transformation of Islamic law from theoretical doctrine to concrete social action. The study was conducted through a systematic literature review, searching, selecting, and critically

analyzing relevant literature sources. The process began with formulating a specific research question, followed by identifying relevant keywords to facilitate an effective literature search. Data collection is done by exploring academic databases, digital libraries, and other reliable literature sources, which are then selected based on strict inclusion criteria such as topical relevance, data actuality, methodological integrity, and author and publisher reputation. The selected literature was then critically analyzed to identify key ideas, research trends, and gaps or contradictions in the findings. Data analysis was conducted by synthesizing and integrating findings from previous studies, aiming to consolidate insights and provide a broader understanding of the dynamics of Islamic law in the context of social change. This analytical approach, which is comprehensive and integrated, ensures that the research not only provides in-depth and relevant analysis but is also able to address contemporary challenges in the application of Islamic law to achieve significant social goals. The methodology supports more effective policy-making by enriching the analysis through real empirical contexts so that the research results can make a meaningful contribution to the development of theory and practice in the study of Islamic law and its role in social change.

C. RESULTS AND DISCUSSIONS

1. Implementation of Islamic Law in a Social Context

The importance of finding a delicate balance between maintaining the doctrinal integrity of Islamic law and being responsive to continuous social needs and developments becomes clear.¹⁵ An overly rigid approach may fail to meet the needs of contemporary society and cause friction in its implementation. In contrast, an overly liberal approach may undermine the basic principles of Islamic law. An inclusive and contextual approach is crucial. Therefore, implementing Islamic law in this diverse and dynamic social context is a matter of legal translation but also of adaptation and innovation. A holistic and contextual approach, incorporating theological, social, and justice consciousness, is necessary to ensure that Islamic law can positively shape a just and inclusive society in the modern era.

One of the fundamental challenges in implementing Islamic law in a social context is the glaring discrepancy between idealistic theory and practice. Islamic legal theory provides a rich basis for supporting social change with

positive intent through its profound principles and teachings.¹⁶ In practice, however, implementing these principles is often hampered by a complexity of social, political, and cultural factors that often counter these ideals. This challenge is exacerbated by limited knowledge of Islamic law itself, limited understanding of religious texts, and biases in interpretation that have the potential to deviate from the original essence of the teachings.

The implementation of Islamic law must also deal with sensitive issues such as human rights, gender equality, and religious freedom, all of which require wise and proportional handling so as not to clash with universal values and principles of justice. In this context, a just and inclusive legal framework is crucial. This legal framework should be designed to adhere to Islamic law principles and respect and incorporate universal principles widely accepted in the global order. Addressing this gap between theory and practice requires efforts oriented towards more in-depth education and outreach of Islamic law to the wider public, as well as evidence-based policy development

¹⁵ Tamir Moustafa, "Islamic Law, Women's Rights, and Popular Legal Consciousness in Malaysia," *Law & Social Inquiry* 38, No. 1 (2013): 168-188, <https://doi.org/10.1111/j.1747-4469.2012.01298.x>, p. 178; Sa'diyya Shaikh, "In Search of Al-Insān: Sufism, Islamic Law, and Gender," *Journal of the American Academy of Religion* 77, No. 4 (2009): 781-822, <https://doi.org/10.1093/jaarel/lfp052>, p. 784.

¹⁶ Mohammad Fadel, "The True, the Good and the Reasonable: The Theological and Ethical Roots of Public Reason in Islamic Law," *Canadian Journal of Law & Jurisprudence* 21, No. 1 (2008): 5-69, <https://doi.org/10.1017/S084182090000432X>, p. 64.

and community participation. This includes building institutional capacity to support effective and fair law enforcement and campaigning for a broader understanding of how Islamic legal principles can be integrated with global norms and values to create a more harmonious and inclusive society.

Analyzing some concrete examples to analyze implementing Islamic law in a broader social context is useful.¹⁷ An investigation into how these laws are a is useful applied in everyday life provides valuable insights into the social and ethical impact of such laws. A particularly relevant and frequently discussed example is the implementation of Islamic inheritance law, which illustrates how Islamic principles are translated into concrete practices that affect social and economic dynamics. Islamic inheritance law, or *faraid*, is an integral part of *sharia* that regulates property division. It specifically stipulates the proportion of inheritance for male and female heirs, recognizing children's rights and protections for vulnerable groups such as widows and older people with no income.

Under Islamic law, for example, men receive a larger share than women of equal rank in family relationships, reflective of the financial responsibility traditionally held by men in Islamic societies. In practice, this implementation of inheritance law reflects religious norms and how Islamic law adapts to different social contexts. In some countries, the interpretation and application of this law can vary greatly depending on the local context, social norms, and the level of civil law adoption.¹⁸ For example, in societies undergoing social change where gender roles are increasingly equalized, there may be pressure for a more egalitarian interpretation of inheritance law, pushing towards a more balanced distribution that recognizes the economic contribution of women in the family.¹⁹

The importance of a fair and proportionate implementation of Islamic inheritance law becomes apparent in providing protection and justice for all members of society. Fairness in the distribution of inheritance can prevent poverty and ensure economic security for those who may have no other source

¹⁷ Ulrich Derigs and Shehab Marzban, "Review and Analysis of Current Shariah-compliant Equity Screening Practices," *International Journal of Islamic and Middle Eastern Finance and Management* 1, No. 4 (2008): 285-303, <https://doi.org/10.1108/17538390810919600>, p. 297.

¹⁸ Hyder Gulam, "The Application of Shariah (Islamic Law) in Some Different Countries and Its Implications," *Jurnal Syaria* 24, No. 2 (2016): 321-340, <https://doi.org/10.22452/js.vol24no2.7>; Djawahir Hejaziey, "The Application of Islamic Law in Indonesia: Between Opportunities and Challenges," *Heritage of Nusantara: International Journal of Religious Literature and Heritage* 4, No. 1 (2015): 45-64, <https://doi.org/10.31291/hn.v4i1.61>, p. 67.

¹⁹ Suud Sarim Karimullah, "Children's Rights in Islam: Towards Gender Equality and Youth Justice," *Muadalah* 11, No. 2 (2023): 87-98, <https://doi.org/10.18592/muadalah.v11i2.11113>, p. 93.

of income, as well as strengthen family ties and prevent conflict between family members. Therefore, in some societies, there are initiatives to integrate these principles of justice with national legal systems to ensure that the rights of all citizens, regardless of gender or social status, are legally protected.²⁰ This analysis shows that for the effective and equitable implementation of Islamic inheritance law, there is a need for constant dialogue between Islamic jurists, policymakers, and communities. These discussions are vital to adapt the interpretation of the law to changing social realities and ensure that the law serves as a tool to strengthen social justice and cohesion while still maintaining the integrity and fundamental principles of Islam.

Implementing Islamic law in the context of social justice and general welfare also offers valuable examples of how religious principles can be integrated into social policy to create a more just and inclusive society. Principles such as zakāt (compulsory religious donations), infāq (voluntary donations), and sadaqāh (charitable contributions)

are key elements in Islamic law designed to facilitate wealth redistribution and reduce economic inequality. Through the effective implementation of these mechanisms, the funds raised can be used to support people experiencing poverty, provide education for underprivileged children, and build and maintain vital social infrastructure, such as health and sanitation facilities.

Zakāt, as one of the five pillars of Islam, serves as a religious obligation and a tool for socio-economic intervention.²¹ When effectively implemented, zakāt has the potential to be a significant source of funding for social development projects, helping to reduce poverty and improve community welfare.²² Furthermore, infāq and sadaqāh complement zakāt by providing additional resources that individuals can voluntarily mobilize to support social initiatives and disaster relief, demonstrating solidarity and partnership within the community. In addition, Islamic law is also instrumental in regulating family life through laws governing marriage, divorce, and family rights.²³ These laws aim to protect women's and children's rights,

²⁰ Suud Sarim Karimullah and Siti Rutbatul Aliyah, "Feminist Criticism of Traditional Understanding of Women's Roles in Islam," *An-Nisa': Journal of Gender Studies* 16, No. 2 (2023): 195-214, <https://doi.org/10.35719/annisa.v16i2.177>, p. 210; Suud Sarim Karimullah *et al.*, "The Changing Role of Gender in Contemporary Muslim Families," *Martabat: Jurnal Perempuan Dan Anak* 7, No. 2 (December 27, 2023): 167-188, <https://doi.org/10.21274/martabat.2023.7.2.167-188>, p. 172.

²¹ Akmal Bashori, Arif Sugitanata, and Suud Sarim Karimullah, "Dekonstruksi Pemaknaan Mualaf Sebagai Penerima Zakat Di Indonesia," *DIKTUM: Jurnal Syariah Dan Hukum* 22, No. 1 (2024): 11-23, <https://doi.org/10.35905/diktum.v22i1.5027>, p. 16.

²² Mu'adil Faizin *et al.*, "Development Of Zakat Distribution In The Disturbance Era," *JURNAL ILMIAH MIZANI: Wacana Hukum, Ekonomi, Dan Keagamaan* 10, No. 2 (2023): 186-197, <https://doi.org/10.29300/mzn.v10i2.9721>, p. 175.

²³ Suud Sarim Karimullah, *Cinta Dalam Bingkai Hukum* (Jakarta: Bhuana Ilmu Populer, 2024), p. 29.

respect the principle of gender equality, and promote harmonious family relationships.²⁴ Properly implementing these laws is essential to support family stability and prevent injustices that may arise, especially in divorce and child maintenance cases. For example, in the case of divorce, Islamic law sets out clear procedures and rights to help ensure that women and children are protected financially and socially.

Implementing Islamic law in the social context is also closely linked to Muslim societies' cultural complexity and diversity. In various communities, local interpretations, traditions, and social values significantly influence how Islamic law is implemented. This emphasizes the importance of understanding and appreciating the unique cultural and social context when applying Islamic law to ensure that the practice of law not only adheres to religious principles but is also resonant and relevant to the needs and values of local communities.²⁵ This approach that considers cultural and social specificities

is crucial in maintaining a balance between the universal principles of Islamic law and deeply local norms.

Translating and adapting Islamic law with cultural factors in mind demands a deep understanding of the fundamental Islamic doctrine and the dynamic social context. For example, how Islamic family law is implemented may vary depending on local social and cultural norms, affecting everything from divorce provisions to marriage procedures.²⁶ In addition to considering cultural factors, it is also important to critically analyze the impacts and challenges associated with implementing Islamic law in various social contexts. While there is great potential to achieve positive social change through applying principles such as justice, welfare, and morals in Islamic law, the reality is often more complex. Implementing this law can run into obstacles, both in the form of social resistance due to incompatibility between the law and local practices, as well as due to differences in interpretation among Muslim scholars.

²⁴ Suud Sarim Karimullah *et al.*, "The Relevance of Feminism in Promoting Gender Reform in the Context of Progressive Islam," *Jurnal Anifa: Studi Gender Dan Anak* 4, No. 2 (2023): 1-15, <https://doi.org/10.32505/anifa.v4i2.7187>, p. 12.

²⁵ Nur Insani *et al.*, "Islamic Law and Local Wisdom: Exploring Legal Scientific Potential in Integrating Local Cultural Values," *Kanun Jurnal Ilmu Hukum* 26, No. 1 (2024): 101-124, <https://doi.org/10.24815/kanun.v26i1.32930>, p. 119.

²⁶ Haerozi *et al.*, "Preserving Cultural Heritage in Marriage: Exploring Meanings of Kebon Odeq Tradition in the Sasak Community of Lombok Tengah, Indonesia," *AL-HUKAMA: The Indonesian Journal of Islamic Family Law* 13, No. 2 (2023): 202-228, <https://doi.org/10.15642/alhukama.2023.13.2.202-228>, p. 208; Frangky Suleman *et al.*, "The Review of the Masalah Mursalat Related to Early Marriage: Implementation and Orientation," *Jurnal Dinamika Hukum* 23, No. 3 (2023): 573-586, <https://doi.org/10.20884/1.jdh.2023.23.3.3783>, p. 579.

In implementing Islamic law, the emergence of various interpretative approaches is one of the main significant challenges, especially regarding the uncertainty in applying the law in everyday life. This diversity of interpretations highlights the intellectual richness within the Islamic tradition and exposes the complexities that arise when the law is applied in highly diverse social and cultural contexts. This variety of interpretations can affect various aspects, from protecting individual rights to public policy-making and state governance. As a result, this uncertainty in interpretation often leads to confusion among both Muslim and non-Muslim communities as questions arise as to which norm should be followed, especially in a pluralistic and multicultural society. This situation calls for a more holistic and inclusive approach to applying Islamic law to answer the various challenges that arise from the plurality of interpretations.

In addition, the application of Islamic law is often confronted with resistance or rejection from groups who disagree with certain aspects of the law or feel threatened by the potential social changes it may bring about. For example, in some contexts, principles relating to the rights of women or minorities may conflict with cultural norms or traditions entrenched in society. This resistance often arises as a reaction to the law itself and as part of broader dynamics related to power, identity and control over resources.

Therefore, in the face of these challenges, it is imperative to build a deeper understanding and higher awareness of the values and objectives of Islamic law, especially in supporting social justice and welfare, without compromising the fundamental principles of Islam. With a more inclusive approach that is sensitive to social and cultural contexts and through constructive intercultural and interfaith dialogue, Islamic law can be implemented in a way that is more just, relevant and respectful of human rights, thereby creating a more equitable and sustainable society.

2. Influence of Islamic Law on Social Justice

Social justice is a fundamental concept in modern society. It includes the equitable distribution of wealth, power, and opportunity among members of society. In this context, Islamic law has a significant influence on social justice. Islamic law mainly depends on the Qur'an and Hadith and offers a comprehensive framework for achieving social justice through fair and inclusive principles. One of the main principles of Islamic law dealing with social justice is the concept of distributive justice. Islamic law advocates the fair distribution of wealth and resources. Principles such as zakāt (compulsory donation to people in need), infāq (voluntary donation for social purposes), and sadaqāh (voluntary donation for good) are directed towards reducing social

inequality and overcoming poverty.²⁷ In Muslim societies that apply these principles, wealth is a trust that must be used responsibly for the public good.

Islamic law also establishes the protection of human rights and the dignity of each individual.²⁸ Concepts such as religious freedom, protection against discrimination, and fair treatment of minorities are affirmed in Islamic teachings. These principles encourage Muslim governments and societies to ensure social justice for all members of society, regardless of religion, race, or ethnic background. Islamic law also guides justice in the judicial system.²⁹ The principles of justice, such as equality before the law, equality in sentencing, and the right to a fair defence, are found in the teachings of Islam. Islamic law advocates a court that is transparent, independent, and free from corruption. It provides the foundation for fair law enforcement, contributing to overall social justice.

In Islamic economic theory and practice, the influence of Islamic law

on social justice is significant and very different from the conventional economic model generally accepted globally. Islamic law introduces economic principles designed to reduce social inequality and promote a more equitable distribution of wealth. In this context, the concept of usury, or interest, is an important element considered unjust and prohibited due to its ability to consolidate wealth in the hands of a few while worsening economic conditions for the less fortunate. Usury is criticized in Islam for encouraging financial speculation and accumulation of wealth without active participation in the productive economy. According to Islamic principles, this creates economic disparity and hinders social justice. As an alternative, Islam encourages fair trade practices and ethical economic transactions to promote shared prosperity. Islam views trade, investment, and economic cooperation as a means to achieve inclusive economic growth, where every individual can contribute and benefit fairly.

²⁷ Bilal Ahmad Malik, "Philanthropy in Practice: Role of Zakat in the Realization of Justice and Economic Growth," *International Journal of Zakat* 1, No. 1 (2016): 64-77; Hanifah Musa Fathullah Harun *et al.*, "Reviving Infaq As A Mechanism to Accelerate Socio-Economic and Human Capital Development," *HIV Nursing* 22, No. 2 (2022): 3828-3832; Udin Saripudin, Fathurrahman Djamil, and Ahmad Rodoni, "The Zakat, Infaq, and Alms Farmer Economic Empowerment Model," *Library Philosophy and Practice* 2020 (2020): 1-13, pp. 10-11.

²⁸ Mashood A Baderin, *International Human Rights and Islamic Law* (New York: OUP Oxford, 2003); 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): 153-170, <https://doi.org/10.21154/justicia.v19i1.3282>, pp. 162-163.

²⁹ Nik Ahmad Kamal Nik Mahmud, "The Importance of Understanding and Teaching Islamic Law in Asia," *Asian Journal of Comparative Law* 1 (2006): 1-16, p. 13.

Applying social justice principles in Islamic law significantly protects vulnerable and marginalized groups, demonstrating how religious principles can be integrated into legal and social efforts to create a more inclusive and equitable environment. Islamic law, with its particular attention to ethics and morality, provides a series of provisions designed to ensure the protection and empowerment of orphans, the poor, and marginalized women. For example, the legal protection of orphans reflects Islam's commitment to social welfare. In Islam, orphans must be protected and provided with financial and emotional support to ensure that they do not become victims of exploitation or neglect. This principle affirms human values and strengthens the social safety net that aims to integrate these vulnerable individuals into society.

Similarly, Islamic law pays special attention to the poor and marginalized women.³⁰ Through zakāt (the obligation to give alms) and equitable inheritance laws, Islam aims to reduce economic disparities and provide better opportunities for those on the margins of society. In addition, the principle of khûl' in marriage gives women the right to file for divorce, a provision aimed at protecting women from oppressive or harmful relationships. In addition to

providing legal protection, Islamic law encourages social responsibility at the individual and communal levels. The principle of amar ma'ruf nahi munkar, which means advocating the ma'ruf (good) and preventing the munkar (bad), is a moral and social obligation that requires Muslims to actively participate in helping the needy, fighting injustice, and promoting the common good. This principle motivates individuals to actively participate in social reform and fight for justice in all aspects of life.

Implementing the principles of Islamic law in a modern social context may be challenging, but a commitment to these values can fundamentally change how societies address injustice issues. By strengthening the role of the community in supporting the weak and challenging unjust practices, Islamic law emphasizes the importance of social justice that is not only exposed in religious texts but also translated into concrete actions and supportive policies. Therefore, a deep understanding of these principles and sustained efforts to apply them effectively in daily life are key to achieving a more just and inclusive society where everyone, regardless of their social status or economic circumstances, feels a sense of justice and protection from society and the state.

³⁰ Nur Insani *et al.*, "Empowering Muslim Women: Bridging Islamic Law and Human Rights with Islamic Economics," *De Jure: Jurnal Hukum Dan Syar'iah* 16, No. 1 (2024): 88-117, <https://doi.org/10.18860/j-fsh.v16i1.26159>, p. 90.

3. Challenges and Obstacles in Translating Islamic Law Doctrine into Action

As a concept in Islamic law that refers to the creative and responsive interpretation of sacred texts and religious principles, *ijtihâd* demands more than the mechanical application of existing laws. It is a complex intellectual process that demands the ability to extract the universal values of Islamic principles and apply them in a contemporary context. Performing *ijtihâd* requires a deep understanding of Islamic teachings and an awareness of today's society's social, economic, and political dynamics. This is important to ensure that the outcomes of *ijtihâd* remain relevant and impactful in society and individuals today.

When undertaking *ijtihâd*, a process of creative and responsive interpretation in Islamic law, Muslim scholars are faced with a task that requires maintaining a delicate balance between established traditions and innovations that meet the demands of the times.³¹ This signifies the need to have a deep understanding of the existing religious heritage while also being aware of the relentless dynamism of social realities and the evolution of human needs over time. In the context of *ijtihâd*, it is imperative to consider the plurality and complexity of Islamic

society.³² The diversity of cultures, languages, and social contexts inherent in Islamic societies demands an approach that is not only inclusive but also sensitive to different perspectives and needs.

Engaging in *ijtihâd* processes that are too narrow or dogmatic may result in interpretations that are irrelevant or even contrary to the aspirations of diverse communities. Hence, it is important to practice *ijtihâd* inclusively, taking into serious consideration the diverse views and aspirations of the community. In this context, achieving harmony between religious heritage and social reality is crucial. A successful *ijtihâd* process results from harmonizing strong religious principles with the constant changes in society.

Performing *ijtihâd* in translating Islamic legal doctrine into practical action involves a deep awareness of the complexities and dynamics inherent in the structure of Islamic society. This task is not merely a passive understanding of theoretical religious texts but rather an active intellectual act that requires the ability to interpret these teachings in a way that is responsive to the times and takes careful note of the diverse cultural, linguistic, and social contexts in society. In this context, Muslim scholars involved in the process of *ijtihâd* must have a deep

³¹ Arif Sugitanata, Suud Sarim Karimullah, and Rizal Al Hamid, "Hukum Positif dan Hukum Islam: Analisis Tata Cara Menemukan Hukum Dalam Kacamata Hukum Positif dan Hukum Islam," *JURISY: Jurnal Ilmiah Syariah* 3, No. 1 (2023): 1-22, <https://doi.org/10.37348/jurisy.v3i1.242>, p. 5.

³² Rizal Al Hamid, Arif Sugitanata, and Suud Sarim Karimullah, "Sinkronisasi Pendekatan Sosiologis Dengan Penemuan Hukum Islam Sui Generis Kum Empiris," *Bertuah Jurnal Syariah Dan Ekonomi Islam* 4, No. 1 (2023): 48-60, <https://doi.org/https://doi.org/10.56633/jsie.v4i1.553>, p. 50.

understanding of the theological and philosophical underpinnings of Islamic teachings and the ability to apply these principles to real situations faced by society.³³ They must be able to see the teachings not only in their historical context but also in a context relevant to today's social, political, and economic conditions.

However, translating Islamic legal doctrine into action is not without its challenges. One of the main challenges is the difference in interpretation among scholars. The various schools of thought in Islam, such as Hanafi, Maliki, Shafi'i, and Hanbali, often have different views on certain legal issues. Moreover, in the modern context, the emergence of new issues such as human rights, democracy, and technology require innovative and responsive legal interpretations. In addition to legal-formal aspects, translating Islamic legal doctrine into action must also consider social and cultural aspects. Local cultural values and community traditions often influence how Islamic law is practiced.³⁴ For example, in some societies, local customs that do not conflict with the basic principles of sharia can be integrated into the practice of Islamic law to create social harmony and avoid conflict.

It is important to emphasize that translating Islamic legal doctrine into action must also consider sustainability in various aspects of life. This includes environmental protection, economic sustainability, and inclusive social development.³⁵ Islamic principles that encourage the care of the earth (Khilafâh) and responsibility for the environment can be used as a foundation for shaping sustainability-oriented policies and actions. In environmental protection, Islamic law has various provisions supporting nature conservation and wise resource management. For example, the concepts of himâ (protected areas) and harîm (prohibited zones) can be applied to protect natural resources and biodiversity. In practice, this can be realized through policies that support forest preservation, water protection, and responsible waste management. The use of green technology and renewable energy can also be promoted as part of efforts to reduce negative impacts on the environment.

Economic sustainability is one of the important pillars in the application of Islamic legal doctrine, which not only serves to promote social justice but also to create an inclusive and equitable economic system. Principles such as

³³ Ezieddin Elmahjub, "Transformative Vision of Islamic Jurisprudence and the Pursuit of Common Ground for the Social Good in Pluralist Societies," *Asian Journal of Comparative Law* 14, No. 2 (2019): 305-335, <https://doi.org/10.1017/asjcl.2019.34>, p. 210.

³⁴ Miftahul Huda, "Toward a New Theology for a Religiously Restless Region: The Accommodation of Local Traditions into Islamic Law in Lombok," *Journal of Indonesian Islam* 13, No. 1 (2019): 50-72, <https://doi.org/10.15642/JIIS.2019.13.1.50-72>, p. 68.

³⁵ Suud Sarim Karimullah, "Reflections on Human-Nature Relations: A Critical Review in Islamic Humanities," *Jurnal Adabiyah* 23, No. 2 (2023): 189-206, <https://doi.org/10.24252/jad.v23i2a5>, p. 191.

zakat, infaq, and sadaqah emphasize the importance of wealth redistribution and the reduction of social disparities, which, in a modern context, can be integrated into economic policies that support shared prosperity. Support for small and medium-sized enterprises (SMEs), creation of decent jobs, and protection of workers' rights are clear examples of how these principles can be translated into practical actions relevant to contemporary challenges. In addition, the Islamic financial system, which is based on the principle of prohibiting ribâ (interest) and promoting the concept of profit-sharing, offers a fairer and more sustainable alternative to the conventional financial system. This system not only reflects deep Islamic values but also has the potential to provide greater economic stability by minimizing the exploitative risks often inherent in traditional financial systems.

In addition to economic aspects, inclusive social development should also be a key focus in the implementation of Islamic law, with an emphasis on empowering vulnerable and marginalized groups, such as women, children and people with disabilities. Islamic principles that emphasize social justice and the protection of the weak can be translated into public policies and programs that support education, health,

and welfare for all members of society, without exception. The elimination of discrimination and the protection of human rights should be integral components of the application of Islamic law in a dynamic modern context. However, this application must also be adaptive to the evolving dynamics of social and technological change. With the advancement of information and communication technology, there are great opportunities to utilize digital innovations, such as blockchain and smart contracts, in Islamic financial transactions, as well as facilitate more accessible legal services through online platforms. However, technological developments also bring new challenges that require more adaptive and innovative legal interpretations, such as issues related to data privacy, cybersecurity, and ethics in the use of artificial intelligence. Therefore, cooperation between scholars, Islamic jurists, and technology experts is essential to developing a legal framework that is responsive to these changes without compromising the fundamental principles of sharia.

In many countries, Islamic law must be applied in the context of national legal systems that may not always be aligned with sharia principles.³⁶ This poses a challenge in legal harmonization, where efforts need to be made to integrate

³⁶ 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>; 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): 117-134, <https://doi.org/10.29240/jhi.v8i1.4908>, pp. 121-123.

Islamic law with national legislation without compromising the fundamental principles of either.³⁷ Conflict between sharia law and secular law can lead to confusion and legal uncertainty and generate intense political and social debate. The application of Islamic law often also faces criticism about human rights issues, particularly in the context of women's rights, religious freedom, and the treatment of minorities. Some consider some interpretations of Islamic law to conflict with international human rights standards.³⁸ This challenge requires a careful approach to ensure that the application of Islamic law can support and advance human rights without compromising the fundamental values of sharia.

Social change and the implementation of new laws are often faced with resistance from communities that have become accustomed to certain practices and customs. Strong local cultures and long-established traditions may be difficult to change or adapt to the newly implemented principles of Islamic law.³⁹

This requires a sensitive and inclusive approach, involving the community in law formulation and implementation and providing adequate education to build understanding and acceptance. The lack of legal education and community outreach is also a significant obstacle. Many people may not understand the basic principles of Islamic law and how it is applied in everyday life. This can lead to misunderstanding, misuse, and non-compliance with the law. Therefore, intensive efforts must be made to improve legal literacy through formal and non-formal education programs.

Overcoming the challenges and obstacles in translating Islamic legal doctrine into action requires a comprehensive, inclusive, and future-oriented approach. By engaging various stakeholders, utilizing technology, and developing sustainable policies, Islamic law can be effectively implemented to create a just, prosperous, and sustainable society. A coordinated and evidence-based strategy will ensure that the application of Islamic law is not only

³⁷ Suud Sarim Karimullah, "Pursuing Legal Harmony: Indonesianization of Islamic Law Concept and Its Impact on National Law," *Mazahib* 21, No. 2 (December 27, 2022): 213-244, <https://doi.org/10.21093/mj.v21i2.4800>, p. 221.

³⁸ Neville Cox, "The Clash of Unprovable Universalisms-International Human Rights and Islamic Law," *Oxford Journal of Law and Religion* 2, No. 2 (2013): 307-29, <https://doi.org/10.1093/ojlr/rwt013>; Siamak Karamzadeh and Massoud Alizadeh, "Reconciliation between the Islamic Human Rights and International Law: Prospects and Complications," *International Journal of Multicultural and Multireligious Understanding* 6, No. 4 (2019): 609-622, <https://doi.org/10.18415/ijmmu.v6i4.1157>, p. 616.

³⁹ Suud Sarim Karimullah, "From Tradition to Mainstream: Understanding the Integration of Islamic Law in Various Global Settings," *Justicia Islamica* 20, No. 2 (2023): 214-240, <https://doi.org/10.21154/justicia.v20i2.6478>, p. 219.

based on sharia principles but also relevant and beneficial to contemporary society. This strategy will ensure that Islamic law can adapt to the challenges of the times and continue to serve as a guide for a better life.

D. CONCLUSIONS

The discrepancy between theory and practice in Islamic law is a significant challenge that deserves serious attention from scholars, legal practitioners, and the Muslim community. On the one hand, the theory of Islamic law, embodied in the doctrines and teachings of the scriptures, offers profound guidance regarding the principles of justice, ethics, and morality. It emphasizes core values such as social justice, general welfare, and the protection of individual rights. However, on the other hand, applying Islamic law in real life often faces various obstacles and challenges that can obscure the noble goals promoted by the theory. To achieve true social justice, implementing Islamic law mustn't stop at the symbolic level or mere formality. Implementing this law must reflect and bring to life the core values contained in Islamic doctrine. This means that the law must be applied in a way that truly realizes justice, benefit, and the protection of human

rights, not merely as ritual or symbolism without real meaning in daily life.⁴⁰ In addition, Islamic law must be responsive to the social, political, economic, and cultural context of the society in which it is applied. This requires a dynamic and contextual interpretation and adaptation of the law, which remains faithful to the basic principles of religion but can also answer the challenges of the times and the needs of modern society. Thus, collaborative efforts are needed from scholars, jurists, and other stakeholders to ensure that Islamic law can be applied fairly and relevantly so that the goal of true social justice can be realized in practice, not just in theory.

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⁴⁰ Suud Sarim Karimullah, "For True Humanity: Harmonization of Islamic Law and Human Rights Towards Universal Justice," *Matan: Journal of Islam and Muslim Society* 5, No. 2 (2023): 40-56, <https://doi.org/10.20884/1.matan.2023.5.2.9125>, p. 50.

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