From Divine Revelation to Legal Practice: Contextualizing Islamic Law in the Contemporary Era

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Abstract

This study aims to illuminate the gap between the idealism of Islamic law and its practical implementation by providing a deep insight into the associated challenges and potential solutions. The focus is on detailing the obstacles and strategies for realizing a dynamic Islamic law that aligns with the demands of contemporary Muslim societies. Employing library research methods, this study conducts an integrative and comprehensive analysis of the literature, summarizes significant information, traces ongoing debates, and formulates well-rounded conclusions. The findings reveal that the pragmatic application of Islamic law requires an inclusive and open approach to universal values and social contexts. Contextual interpretation and an in-depth understanding of Islamic legal texts are crucial for developing implementation strategies relevant to everyday life, considering social, cultural, political, and technological dynamics. Flexibility and responsiveness in interpreting Islamic law are essential to maintaining its relevance and benefits for the Muslim community. Therefore, Muslim countries must adopt a dynamic approach, remain open to change, and focus on the needs of modern Muslim societies. By integrating universal values that correspond with contemporary times, the implementation of Islamic law transcends legal aspects and becomes a vehicle to promote justice and welfare within Muslim communities today.

Keywords

Islamic Law; Revelation and Practice; Legal System; Modern Contexts

Introduction

Islamic law is a fundamental aspect of Muslim life.[1] It constitutes a comprehensive legal system that governs various areas, including *'ibādah* (worship), *mu'āmalah* (economic transactions), *jināyah* (criminal law), *aḥwāl shakhṣiyah* (family law), and more.[2] Islamic law is derived from the divine revelations found in the Qur'an, regarded as the word of Allah, and the hadith, which records the teachings and actions of the Prophet Muhammad.[3] However, in contemporary contexts, the application of Islamic law often encounters numerous challenges. Social, political, economic, and cultural developments have altered the demands and needs of Muslim societies. Therefore, Muslims must approach the implementation of Islamic law pragmatically, balancing the core religious values and principles with the realities of the modern world.

In the era of globalization, which continues to expand, Muslims worldwide are increasingly

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[1] 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.

[2] Aharon Layish, "Islamic Law in the Modern World: Nationalization, Islamization, Reinstatement," *Islamic Law and Society* 21, no. 3 (2014): 276–307.

[3] Prawitra Thalib, "Distinction of Characteristics Sharia and Fiqh on Islamic Law," *Yuridika* 33, no. 3 (2018): 439–52.

aware of the importance of presenting and applying Islamic law in everyday life. The concept of living Islamic law seeks to bridge the principles derived from revelation with the evolving realities of contemporary life. The strategy for implementing Islamic law in modern contexts involves an approach that connects its principles with a dynamic social environment. Living Islamic law emphasizes flexibility, adaptability, and a contextual understanding of its principles. The goal is to ensure the relevance and applicability of Islamic law in addressing complex modern issues such as technology, the global economy, human rights, and cultural diversity. The pragmatic application of living Islamic law requires a profound understanding of Islamic jurisprudence and its interpretation within a contemporary framework. Furthermore, this approach prioritizes the principles of justice, social welfare, and harmony within Muslim societies. To effectively apply living Islamic law, it is essential to comprehend how these principles are interpreted and practiced in the daily lives of Muslims. Therefore, integrating these principles into everyday life is crucial to maintaining the relevance and efficacy of Islamic law amid the dynamics of today's global society.

Several previous studies are relevant to this research and can serve as additional references and points of comparison for assessing recent scientific developments. Elena Giunta, Mostafa El-Far, and Shehata examine the emphasis placed on Sharia law as a central element in the legal systems of Muslim-majority countries since the latter half of the twentieth century. They explore the concept of law in Islamic legal thought and provide an overview of the various interpretations of Islamic law that have emerged across different cultures.[4] Yogi Prasetyo argues that the epistemology of revelation-based science remains pertinent in addressing the multidimensional crises faced today, which stem from human errors in reasoning that neglect the role of God in governing human life.[5] Additionally, Jasser Auda discusses the maqasid approach within Islamic law, which seeks to achieve the objectives of Sharia through the pragmatic application of legal principles, highlighting the relevance of this approach in realizing practical implementations of Islamic law.[6] Iffatin Nur et al., in their research, explain the position of *maqāṣid al-sharī'ah* as the primary reference and ethical-spiritual foundation in the process of dynamizing Islamic law to address contemporary issues. They do this by examining the concept of *maqāṣid al-sharī'ah* and analyzing the flexibility, adaptability, and dynamism of Islamic law.[7] In contrast, Ahmed Fekry Ibrahim challenges the conventional view that regards Islamic law as an organic and methodologically coherent system. He supports his argument by analyzing four genres of juridical writing: compendium summaries of law (*mukhtaṣar*), jurisprudential dissent (*ikhtilāf*), commentary/super-commentary (*sharḥ/ḥāshiya*), and legal fatwas (*fatāwā*).[8]

Numerous previous studies have thoroughly examined various aspects of the pragmatic application of Islamic law, highlighting the critical roles of *ijtihād*, the *maqāṣid* approach, and the adaptation of Islamic law to social and cultural changes. Researchers have employed diverse methodologies, including literature reviews, case studies, cross-country benchmarking, and

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[4] Gianluca De Donno et al., "The Role of Shari'a as a Source of Law: Looking for a Pragmatic Approach," *JUS*, no. 1 (2018): 375–415.

[5] Yogi Prasetyo, "Convergence Epistemology of Legal Studies Based on Revelation," *International Journal of Law and Society (IJLS)* 1, no. 1 (2022): 11–24.

[6] Jasser Auda, *Maqasid Al-Shari'ah as Philosophy of Islamic Law* (International Institute of Islamic Thought (IIIT), 2022).

[7] Iffatin Nur, Syahrul Adam, and M Ngizzul Muttaqien, "Maqāṣid Al-Sharī 'at: The Main Reference and Ethical Spiritual Foundation for the Dynamization Process of Islamic Law," *Ahkam: Jurnal Ilmu Syariah* 20, no. 2 (2020): 331–360.

[8] Ahmed Fekry Ibrahim, "The Codification Episteme in Islamic Juristic Discourse between Inertia and Change," *Islamic Law and Society* 22, no. 3 (2015): 157–220.

theoretical analyses, to explore the complex dynamics of applying Islamic law in a contemporary context. However, this latest research makes a significant contribution by focusing on a more specific aspect, utilizing different research methods, and offering a more substantial practical contribution related to the pragmatic application of Islamic law in everyday life. This study aims to complement and enrich previous findings by presenting a more contextualized and current perspective. By referencing relevant prior research, it establishes a solid foundation to support its arguments and analyses. Integrating earlier findings within a broader framework, this study seeks to provide a comprehensive understanding of the challenges and solutions involved in actualizing the pragmatic application of Islamic law—from revelation to daily practice. Consequently, this approach is expected to offer a holistic and in-depth portrayal of the dynamics involved in applying Islamic law within the context of modern life.

Literature Review

The implementation of Islamic law is a comprehensive process that integrates its values and principles into various aspects of life—beyond formal legal frameworks—including social, economic, political, and cultural dimensions. This application begins with a deep understanding of Islamic teachings, particularly the Qur'an and Hadith, which serve as the primary sources of law. Living Islamic law raises several questions and challenges that must be examined analytically and critically. Certain aspects of punishment in Islamic law, such as flogging or amputation, have been sources of controversy and criticism within the international community. Therefore, it is essential to explore ways to modernize and adapt these punishments to align with the principles of justice and human rights.[9] The concept of living Islamic law also faces the challenge of integrating Islamic values with secular legal frameworks in countries with diverse legal systems. In many Muslim-majority countries, the legal system is based on secular principles that may differ from those of Islamic law.[10] For instance, Indonesia—the country with the largest Muslim population—demonstrates the integration of Islamic law within a pluralistic and national context.[11]

It is essential to analyze whether the practical implementation of Islamic law has consistently reflected the values of justice, equality, and human rights.[12] In the economic context, the application of Islamic law is evident in financial practices that adhere to Sharia principles, such as the Islamic banking system and investments compliant with Islamic teachings.[13] These practices

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[9]   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; Bassam Tibi, "Islamic Law/Shari'a, Human Rights, Universal Morality and International Relations," *Human Rights Quarterly* 16, no. 2 (1994): 277–299; Anver M Emon, Mark Ellis, and Benjamin Glahn, *Islamic Law and International Human Rights Law* (New York: OUP Oxford, 2012); Mashood A Baderin, *International Human Rights and Islamic Law* (New York: OUP Oxford, 2003).

[10]   Emilia Justyna Powell, "Islamic Law States and Peaceful Resolution of Territorial Disputes," *International Organization* 69, no. 4 (2015): 777–807; 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.

[11]   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.

[12]   Mike Cole, *Education, Equality and Human Rights: Issues of Gender,'race', Sexuality, Disability and Social Class* (Taylor & Francis, 2022); Amira Mashhour, "Islamic Law and Gender Equality: Could There Be a Common Ground?: A Study of Divorce and Polygamy in Sharia Law and Contemporary Legislation in Tunisia and Egypt," *Human Rights Quarterly* 27, no. 2 (2005): 562–596; Ziba Mir-Hosseini, "Muslim Women's Quest for Equality: Between Islamic Law and Feminism," *Critical Inquiry* 32, no. 4 (2006): 629–645.

[13]   Zikri Rahmani et al., "Implementation of Sharia Economic Principles in the Globalization Era," *Asy Syar'iyyah: Jurnal Ilmu Syari'ah Dan Perbankan Islam* 8, no. 2 (2023): 185–200.

foster a fair and sustainable economic environment, where the distribution of wealth and economic opportunities is guided by the principles of justice and shared prosperity. Regarding the imposition of punishment within the Islamic legal system, Islamic law emphasizes maintaining proportionality, justice, and the protection of human rights.[14]

Furthermore, strengthening legal institutions and the judicial system requires special attention.[15] Issues such as corruption, the politicization of the law, and the fragility of the judicial system can impede the fair enforcement of laws and undermine the integrity of living Islamic law. Systematic reform and improvement are necessary to address these challenges and ensure that the legal system operates independently and impartially. In addition to internal challenges, living Islamic law also faces external obstacles. At times, Islamic law is subject to negative prejudices and stereotypes that overlook its diversity and complexity. This can obstruct constructive dialogue and mutual understanding between Muslim and non-Muslim communities. Therefore, it is essential to promote deeper discussion and understanding among different peoples and religions to overcome potential mistrust and tensions.

Method

This study employs a library research method involving an integrative and comprehensive analysis of the literature. This approach was selected because it enables researchers to uncover relevant data and information through an in-depth examination of sources directly related to the research subject. The initial phase involves a systematic search using pertinent keywords across library databases, academic journals, websites, and other electronic resources. After data collection, the next step is to conduct an integrative and thorough literature analysis. The study carefully reviews and evaluates each publication related to the research topic. An analytical approach is applied to understand and interpret the content within these sources. Through this method, researchers can extract relevant information, analyze diverse perspectives presented in the literature, and draw well-founded conclusions based on existing research. This process ensures that the study is not only comprehensive in exploring relevant literature but also supports the development of a deep and integrated understanding of the application of Islamic law within the context of contemporary realities.

This study aims to bridge the gap between the idealism of Islamic law and the reality of its practice, focusing primarily on providing an in-depth understanding of the challenges and solutions involved in realizing Islamic law that is both vibrant and relevant to the daily lives of modern Muslim societies. It specifically examines the complex background of these issues and seeks to make a substantial contribution toward developing a comprehensive understanding of the pragmatic application of Islamic law. By integrating findings from relevant previous research, the study strengthens its arguments and proposes practical solutions to bridge the divide between Islamic law's idealism and its real-world implementation. This approach ensures that Islamic law is not merely a theoretical concept but also delivers accurate and meaningful benefits to contemporary Muslim communities in their everyday lives. As part of this effort, the study explores

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[14] 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.

[15] Amartya Sen, "What Is the Role of Legal and Judicial Reform in the Development Process?," in *The World Bank Legal Review, Volume 2: Law, Equity and Development* (Brill Nijhoff, 2006), 33–49; Karina Ansolabehere, "Legal Institutions as Arenas for Promoting Human Rights," in *Routledge Handbook of Law and Society in Latin America* (Routledge, 2019), 293–308.

the strategic role of fostering a deep understanding of Islamic law's application in modern contexts, with the goal of establishing a solid foundation for a holistic and integrated strategy for its implementation in the contemporary era.

Result

The contextualization of Islamic law in daily life involves pragmatic practices that consider social, cultural, and political realities while adapting to changing circumstances. This pragmatic approach provides flexibility in addressing the dynamic development of society without compromising the core principles of Islamic law. It emphasizes a careful evaluation of actions based on their consequences and benefits, ensuring that legal responses are both relevant and wise within specific contexts. Rather than viewing Islamic law as a fixed and static system, pragmatic practice regards it as dynamic and capable of evolving alongside societal demands. This approach involves more than analyzing social realities; it also requires a deep interpretation of legal sources while acknowledging the complexities of Muslim communities' lived experiences. Despite its adaptive nature, pragmatic practice remains grounded in the core teachings of the Qur'an, Hadith, and Islamic legal traditions. It seeks to preserve the integrity of the law while making it applicable and responsive in various modern settings. Ultimately, this approach allows Islamic law to accommodate social and cultural diversity, offering a meaningful path toward justice. In various Muslim countries, the pragmatic application of Islamic law serves not only as a system of control but also as a relevant and effective means for achieving sustainable social justice.

The pragmatic application of Islamic law can be observed in several Muslim-majority countries that have adapted legal frameworks to address social change while upholding Islamic principles. Morocco is a prominent example, having reformed aspects of family and civil law—such as inheritance, divorce, and women's rights—to align with contemporary societal needs. These reforms demonstrate Morocco's commitment to balancing modern demands with the foundational values of Islamic law. In Turkey, pragmatic legal reforms were initiated under Mustafa Kemal Atatürk in the early 20th century. Although the state officially separated religion from governance, Turkey modified traditional Islamic laws as part of its broader secularization and modernization agenda.[16] The adoption of European civil codes and the revision of family law illustrate a pragmatic strategy in aligning Islamic traditions with national transformation goals. Indonesia, home to the world's largest Muslim population, offers a unique example of pragmatic legal adaptation in a pluralistic society. While Islamic law is applied in specific areas, such as marriage and inheritance, Indonesia also accommodates its cultural and religious diversity. This balance reflects a pragmatic legal approach that is responsive to evolving societal needs, aiming to integrate Islamic legal values within a diverse national framework and uphold social harmony.

The three country examples demonstrate how Muslim nations incorporate pragmatic practices in applying Islamic law. By understanding the social, cultural, and political complexities, they create a responsive legal framework while upholding the principles of Islamic law that form the foundation of Muslim society's values. This accurately illustrates how pragmatic approaches are essential for maintaining relevance and fairness in the application of Islamic law across diverse contexts within Muslim countries. Nevertheless, it is important to note that the application of pragmatic practices in Islamic law can generate controversy in some countries. Certain community

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16 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.

groups may oppose changes or adjustments to Islamic law, arguing that such modifications represent a strict reduction of traditional teachings. In some instances, tension arises between efforts to preserve the original values of Islam and the need to adapt to social realities and evolving times. For example, Saudi Arabia, known for its conservative application of Islamic law, faces challenges in integrating pragmatic practices with Islamic norms that are considered very strict.[17] Despite initiatives aimed at economic and social reform, legal changes are often met with resistance from conservatives who uphold traditional interpretations of Islamic law.

In Iran, where Islam forms the foundation of the legal system, reform efforts have sparked considerable controversy. Although the Iranian government has attempted to incorporate pragmatic elements into its laws, the diverse interpretations of Islamic law by various societal groups often lead to tensions and differing viewpoints.[18] It is important to recognize that each country has a unique social and political context, so the pragmatic practices applied in Islamic law can vary significantly. Despite the pressure to adapt to changing times, these efforts frequently face the challenge of preserving the core principles of Islamic values. Consequently, implementing pragmatic practices in the application of Islamic law across Muslim countries involves a complex dynamic that balances tradition, the demands of modern society, and diverse interpretations of Islamic law.

Each country faces unique challenges in balancing the integrity of Islamic teachings with the demands of modern society. In Malaysia, a pragmatic approach is evident in a dual legal system that integrates Islamic and civil law. However, debates surrounding the implementation of ḥudūd punishments reveal tensions among differing interpretations, political interests, and societal values. These disagreements highlight the complexity of upholding Islamic legal principles while adapting to contemporary realities.[19] In contrast, Tunisia exemplifies a more secular approach, where civil law reforms are grounded in Islamic legal traditions but oriented toward universal values such as gender equality, women's rights, and religious freedom. Tunisia's legal reforms represent a deliberate response to the evolving needs of its society while still acknowledging its Islamic heritage. These diverse approaches demonstrate that the pragmatic application of Islamic law involves ongoing negotiation between tradition and modernity. Although tensions and disagreements are inevitable, they also create opportunities for legal evolution, dialogue, and the development of legal systems that reflect both Islamic values and the aspirations of contemporary Muslim communities.

Applying Islamic law in society requires a pragmatic approach to address its complexities and

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[17] Zainah Almihdar, "Human Rights of Women and Children under the Islamic Law of Personal Status and Its Application in Saudi Arabia," *Muslim World Journal of Human Rights* 5, no. 1 (2009); 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, 139–180; Wael Mohammed Nusairat, "Criminal Responsibility For Sexual Exploitation Of Children Via Electronic Means Of Communication Considering Saudi Arabia's Anti-Cyber Crime Law," *Russian Law Journal* 11, no. 2 (2023): 178–191.

[18] Shaul Bakhash, "Islam and Social Justice in Iran," in *Shi'ism, Resistance, and Revolution* (Routledge, 2019), 95–115; Mehran Tamadonfar, "Islam, Law, and Political Control in Contemporary Iran," *Journal for the Scientific Study of Religion* 40, no. 2 (2001): 205–20; Ann Elizabeth Mayer, "Islamic Rights or Human Rights: An Iranian Dilemma," *Iranian Studies* 29, no. 3–4 (2007): 269–296.

[19] Muhammad Ridhuan Tony Lim Abdullah et al., "Sustainable Socio-Religious Harmony Development in Malaysia: An Interpretive Structural Modelling for Multi-Religious Society," *Journal of Al-Tamaddun* 12, no. 1 (2017): 53–64; Raihan Azzahra and Farid Sufian Shuaib, "Religious Courts in Indonesia and Malaysia: History, Structure, and Jurisdiction," *Indonesian Comparative Law Review* 4, no. 2 (2022): 115–130; Rebecca Foley, "Muslim Women's Challenges to Islamic Law The Case of Malaysia," *International Feminist Journal of Politics* 6, no. 1 (2004): 53–84.

challenges. Pragmatic application of Islamic law acknowledges the importance of considering social, cultural, and political contexts when interpreting and implementing legal principles. This approach involves a rational evaluation of the Muslim community's actual circumstances, taking into account the consequences, justice, and benefits of the legal actions undertaken. Pragmatic analysis in applying Islamic law encompasses several key aspects. First, a thorough understanding of the social and cultural context is essential to grasp the community's needs and aspirations. Since each society possesses distinct characteristics and dynamics, these factors significantly influence how Islamic law is applied. Therefore, careful analysis of these elements is crucial in determining the most appropriate method of application. Moreover, pragmatic practice emphasizes the importance of fair and proportionate assessment of situations. When addressing controversial or complex issues, a pragmatic approach requires consideration of justice, benefit, and the greater good. This enables wise decision-making and accounts for the long-term implications of applying Islamic law.[20]

Pragmatic analysis involves assessing the consequences and benefits of applying Islamic law. The primary purpose of Islamic law is to benefit humanity;[21] therefore, it is essential to consider the impact of legal decisions on society. In some cases, the rigid and dogmatic application of Islamic law can produce negative effects, such as discrimination, injustice, or social instability. Pragmatic practice, therefore, requires critical reflection on these consequences and the pursuit of balanced and fair solutions. Additionally, pragmatic analysis in the application of Islamic law involves understanding the dynamics of social change. Society continuously evolves over time, and its challenges also change.[22] As Muslim societies undergo rapid social, political, and technological transformations, Islamic legal thought is increasingly called upon to provide contextual and relevant solutions. Contemporary Islamic law continues to evolve amid the tension between preserving tradition and addressing the challenges of modernity.[23] Consequently, Islamic law must be able to adapt to these changes and provide relevant responses.

Discussion

The idealism of Islamic law refers to the concepts and principles contained in the teachings of Islam, regarded as the source of perfect and relevant laws to regulate human life. However, the reality of applying Islamic law in different countries and societies often reveals a significant gap between these ideal principles and prevailing practices. One of the primary causes of this gap is the diverse interpretation of the texts of Islamic law. Islamic law, as a whole, is derived from various sources, including the Qur'an, Hadith, and *Ijmā'* (consensus).[24] Nevertheless, a wide range of interpretations and applications of these texts exists among different groups of scholars and legal practitioners. This divergence in views can lead to confusion in understanding the principles

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[20] Suud Sarim Karimullah, "The Relevance of the Concept of Justice in Islamic Law to Contemporary Humanitarian Issues," *Al-Ahkam: Jurnal Ilmu Syari'ah Dan Hukum* 8, no. 1 (2023): 83–98.

[21] David Johnston, "Maqāsid Al-Sharī'a: Epistemology and Hermeneutics of Muslim Theologies of Human Rights," *Die Welt Des Islams* 47, no. 2 (2007): 149–187.

[22] J Donald Hughes, *An Environmental History of the World: Humankind's Changing Role in the Community of Life* (Routledge, 2009).

[23] Aldona Piwko, "Contemporary Islamic Law between Tradition and Challenges of Modernity: Some Examples Worth Consideration," *Bogoslovni Vestnik* 81 (2021): 91–101.

[24] 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; 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.

of Islamic law and ultimately results in a gap between legal idealism and actual legal practice.

One crucial aspect to consider when applying Islamic law is the social, political, and economic context. First, the idealism of Islamic law is often shaped by conservative and literalist interpretations of its sources. This can create tension between the principles of Islamic law and the needs of modern society. Therefore, efforts should be made to broaden interpretative horizons by adopting a contextual and responsive approach to social, cultural, and technological changes. Furthermore, this gap is also influenced by political and power dynamics that affect the legal policymaking process. At times, the application of Islamic law may be used by governments or specific groups to maintain dominance or restrict individual freedoms. Hence, it is essential to preserve the independence of the judiciary, protect human rights, and ensure justice in the application of Islamic law. Additionally, there is a gap in understanding and approach to Islamic law between scholars and the general public. Some scholars may lean toward preserving tradition and conservatism, while the general public often desires an interpretation of Islamic law that is more inclusive and relevant to their contemporary lives.

Maintaining a balance between the ideological principles of Islamic law and the practical realities of a diverse society is essential. Pragmatic approaches to applying Islamic law must interpret religious regulations in light of common interests, the protection of human rights, and widely recognized universal values.[25] By doing so, harmony can be achieved between the idealism of Islamic law and real-world conditions, enabling Islamic law to provide tangible benefits to the Muslim community in everyday life. Furthermore, it is necessary to strengthen good governance and accountability within the Islamic legal system to bridge the gap between the idealism of Islamic law and reality. Governments and the judiciary must perform their functions with integrity and independence, avoiding abuse of power and corruption. Additionally, effective oversight mechanisms and public participation in policymaking should be enhanced to ensure transparency and accountability in the application of Islamic law.

To bridge the gap between the idealism of Islamic law and its practical application, a progressive approach is essential. This approach emphasizes that Islamic law must remain relevant and adaptable to contemporary realities while preserving its core principles. It involves encouraging contextual interpretations that incorporate diverse perspectives and respond to community needs. A crucial aspect of this strategy is promoting women's active participation in policymaking to ensure gender inclusivity and equality in the application of Islamic law. Education and public awareness also play vital roles. A deeper understanding of Islamic law—its principles and socio-cultural context—can foster a more critical and inclusive society open to legal reform. Strengthening judicial institutions is equally important. Judges must be equipped to apply Islamic law fairly, uphold justice, and provide equal legal protection for all citizens. Moreover, public participation in legal and policy decisions ensures that Islamic law reflects the people's aspirations. A participatory and inclusive process allows space for dialogue and accountability. Through these combined efforts—contextualization, education, institutional reform, gender inclusivity, and civic engagement—the application of Islamic law can better fulfill its goal as a source of justice, balance, and welfare in contemporary Muslim societies.

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[25] Ngainun Naim, "Islamic Jurisprudence for Diversity: From Theological-Normative Reason to Progressive Contextual Reasoning," *Al-'Adalah* 15, no. 1 (2018): 51–72; Ahmad Muhtadi Anshor, "Fiqih and Progressive Law: Study of Inequality and Racial Issues in America," *Al-Daulah: Jurnal Hukum Dan Perundangan Islam* 11, no. 1 (2021): 1–22.

Conclusion

The pragmatic application of Islamic law requires an inclusive and adaptive approach that responds to social realities and universal values. Islamic law should not be regarded as a static doctrine but as a dynamic legal system capable of evolving with the times. To ensure its continued relevance and effectiveness, core concepts such as justice, gender equality, human rights, and minority protection must be integrated into its interpretation and implementation. A contextual and in-depth understanding of Islamic legal texts is essential for formulating strategies that align with the complexities of modern life. This necessitates translating Islamic principles into legal practices that address evolving social, cultural, political, and technological contexts. Flexibility in legal reasoning is crucial to maintaining both the integrity and applicability of Islamic law. Incorporating universal values into Islamic legal frameworks is not a compromise of religious principles but a means to fulfill the law's moral and ethical objectives in today's world. Muslim societies must adopt holistic, forward-looking legal strategies that balance traditional teachings with contemporary demands. Through pragmatic legal thinking, Islamic law can remain a relevant, just, and beneficial system—supporting the well-being, rights, and dignity of modern Muslim communities. This dynamic approach is essential for meaningful legal reform and social justice.

Although this study provides a profound conceptual understanding of the importance of a pragmatic approach to Islamic law—particularly its responsiveness to universal values and contemporary social dynamics—it has certain limitations. First, the discussion remains largely normative and conceptual, lacking empirical data to demonstrate how such pragmatic approaches are applied in practice across various Muslim-majority countries. Second, the research scope is broad and does not sufficiently address specific local contexts, such as variations in legal schools (madhhab), legal cultures, or political systems that significantly influence the flexibility of Islamic legal implementation. Third, the integration of universal values, such as human rights and gender equality, requires further critical analysis, especially concerning potential tensions between religious norms and global standards. Future research should therefore focus on developing in-depth case studies in specific Muslim-majority countries to explore the practical challenges and realities of implementing pragmatic Islamic law. Researchers are also encouraged to incorporate perspectives from legal practitioners, religious scholars, and civil society actors to obtain a more comprehensive understanding. Moreover, an interdisciplinary approach—integrating law, sociology, political science, and gender studies—should be strengthened to ensure that Islamic legal scholarship remains responsive, relevant, and contributive to the evolving needs of contemporary Muslim societies.

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