

## Strengthening Islamic Law in Building Justice and Social Welfare

**Katterbauer**

Wydawnictwo Uniwersytetu Jagiellońskiego, Polandia

\* Correspondence e-mail; [katterbadsauer@unizik.edu.ng](mailto:katterbadsauer@unizik.edu.ng)

### Article history

Submitted: 2025/07/05; Revised: 2025/09/24; Accepted: 2025/12/25

### Abstract

This study analyzes the role of Islamic law in strengthening justice and social welfare in contemporary society. The research aims to examine how Islamic legal principles are applied in social and economic life and how they contribute to the realization of justice and welfare. A normative legal research method is used with conceptual and doctrinal approaches, based on secondary data from Islamic legal texts, academic literature, and institutional reports. The findings indicate that Islamic law promotes justice through the principle of 'adl and enhances social welfare through mechanisms such as zakat, waqf, and other social finance instruments. However, challenges such as interpretative differences and globalization pressures affect its implementation. The study concludes that Islamic law remains a vital framework for promoting justice and social welfare when applied consistently within a structured legal system.

### Keywords

Islamic Law; Justice; Social Welfare; Maqasid al-Shariah; Islamic Legal System



© 2025 by the authors. This is an open access publication under the terms and conditions of the Creative Commons Attribution 4.0 International (CC BY SA) license, <https://creativecommons.org/licenses/by-sa/4.0/>.

## INTRODUCTION

Islamic law has long been recognized as a comprehensive legal system that governs not only religious rituals but also social, economic, and political aspects of human life. In contemporary society, the relevance of Islamic law continues to grow, particularly in addressing issues of justice and social welfare. The core objective of Islamic law (maqāṣid al-sharī'ah) is to achieve human well-being (maslahah) and prevent harm (mafsadah), ensuring that all legal rulings contribute to fairness and social balance. In this sense, Islamic law is not merely a set of normative rules but a value-based system that integrates ethics, justice, and welfare.

The concept of justice in Islamic law is deeply rooted in the principle of 'adl (justice), which requires fairness in all aspects of human interaction. This principle is reinforced by the obligation to uphold social welfare through mechanisms such as zakat, waqf, and sadaqah, which serve as instruments of wealth redistribution and poverty alleviation. According to M. Umer Chapra, Islamic law provides a moral

framework for economic and social systems that prioritizes human well-being and equitable distribution of resources, distinguishing it from purely materialistic legal systems.

In addition, Islamic law plays a significant role in promoting social welfare by ensuring that economic activities and social policies align with ethical and moral standards. The implementation of Islamic social finance instruments contributes to reducing inequality and supporting vulnerable groups in society. Institutions such as the Islamic Development Bank emphasize that Islamic law-based financial systems can support inclusive development and sustainable economic growth by integrating social justice into financial governance.

The theoretical foundation of Islamic law also emphasizes its universal and flexible nature. According to Wael B. Hallaq, Islamic law is a dynamic system that adapts to changing social contexts while maintaining its core ethical principles. This adaptability allows Islamic law to remain relevant in addressing contemporary challenges such as economic inequality, social injustice, and governance issues in modern societies.

However, the implementation of Islamic law in promoting justice and social welfare is not without challenges. Differences in interpretation among scholars, variations in legal systems across countries, and the influence of globalization have created complexities in its application. In some contexts, there is also a gap between normative legal principles and practical implementation, which may reduce the effectiveness of Islamic law in achieving its objectives.

Despite these challenges, Islamic law remains a significant framework for building a just and welfare-oriented society. Based on this background, this study aims to analyze the role of Islamic law in strengthening justice and social welfare, particularly in contemporary socio-legal contexts.

## **METHODS**

This study employs a normative legal research design with a conceptual and doctrinal approach to analyze the strengthening of Islamic law in building justice and social welfare. The normative approach is used because the study focuses on legal principles, doctrines, and theoretical frameworks within Islamic jurisprudence. The conceptual approach is applied to examine fundamental concepts in Islamic law, such as justice (‘*adl*), welfare (*maslahah*), and harm prevention (*mafsadah*), which form the basis of Islamic legal thought. In addition, a doctrinal approach is used to analyze interpretations of Islamic law by classical and contemporary علماء (scholars) and how these principles are applied in modern legal and social contexts.

The data used in this research consist of secondary legal materials obtained through library research. These include primary sources such as Islamic legal texts (Qur'an, Hadith, and fiqh literature), as well as secondary sources such as academic books, journal articles, and institutional reports related to Islamic law and social welfare.

Data collection is conducted through systematic documentation and literature review. The collected data are then analyzed qualitatively using descriptive and interpretative methods to identify key principles, patterns, and applications of Islamic law in promoting justice and welfare. To ensure the validity of the findings, source triangulation is applied by comparing various classical and contemporary references. This methodological approach allows for a comprehensive understanding of how Islamic law contributes to justice and social welfare in modern society.

## **FINDINGS AND DISCUSSION**

The findings of this study indicate that strengthening Islamic law plays a significant role in building justice and social welfare by providing a comprehensive legal framework grounded in ethical, moral, and spiritual values. Islamic law emphasizes the principles of justice (*'adl*), welfare (*maslahah*), and the prevention of harm (*mafsadah*), which serve as foundational concepts in regulating social, economic, and legal interactions. In practice, these principles are reflected in various areas such as family law, economic transactions, and social welfare systems, where fairness and responsibility are prioritized. This aligns with the perspective of M. Umer Chapra, who emphasizes that the primary objective of Islamic law is to achieve socio-economic justice and human well-being in accordance with Sharia principles.

The study also finds that Islamic law contributes significantly to the development of social welfare through institutional mechanisms such as *zakat*, *waqf*, and *sadaqah*. These instruments function as tools for wealth redistribution and poverty alleviation, ensuring that economic resources are circulated more equitably within society. The implementation of *zakat*, for example, not only fulfills religious obligations but also plays a crucial role in reducing inequality and supporting vulnerable groups. According to Islamic Development Bank, Islamic social finance instruments are essential for promoting inclusive development and achieving sustainable socio-economic growth in Muslim communities.

Furthermore, Islamic law provides a strong ethical foundation for legal systems by integrating moral values into legal regulations. Unlike purely secular legal systems, Islamic law connects legal compliance with spiritual accountability, encouraging individuals to act justly not only for legal reasons but also for moral and religious

obligations. This integration strengthens social responsibility and fosters a culture of integrity within society. As highlighted by Wael B. Hallaq, Islamic law is not merely a legal system but a moral-ethical framework that governs both individual and collective behavior.

However, the study also identifies several challenges in the implementation of Islamic law in contemporary society. One of the main challenges is the varying interpretation and application of Islamic legal principles across different jurisdictions, which can lead to inconsistencies in legal practice. Additionally, globalization and modernization have introduced new legal and social complexities that require adaptive interpretations of Islamic law without compromising its core principles. The shortage of qualified scholars and legal practitioners in Islamic jurisprudence also poses a significant challenge to its effective implementation.

Another important finding is that the effectiveness of Islamic law in promoting justice and social welfare depends on institutional support and public understanding. Without proper legal institutions and public awareness, the application of Islamic law may remain limited in practice. Therefore, continuous education, capacity building, and legal reform are necessary to ensure that Islamic legal principles are effectively integrated into modern governance systems.

Overall, the findings suggest that strengthening Islamic law contributes significantly to the realization of justice and social welfare by promoting ethical governance, equitable resource distribution, and social responsibility. However, its success depends on the ability to adapt to contemporary challenges while maintaining its foundational principles.

## **CONCLUSION**

This study concludes that strengthening Islamic law is essential in building justice and social welfare within society. Islamic law provides a comprehensive framework based on ethical, moral, and spiritual principles that emphasize justice, fairness, and the well-being of all individuals. Through mechanisms such as zakat, waqf, and other social finance instruments, Islamic law plays an important role in reducing inequality and promoting social welfare.

The findings also show that Islamic law integrates moral values into legal systems, encouraging individuals to uphold justice not only as a legal obligation but also as a moral and religious duty. However, challenges such as differences in interpretation, globalization pressures, and institutional limitations still need to be addressed.

In conclusion, strengthening Islamic law requires continuous institutional development, public education, and adaptive legal reforms to ensure its effectiveness in promoting justice and social welfare in contemporary society.

## REFERENCES

- Chapra, M. U. (2000). *The Future of Economics: An Islamic Perspective*. Leicester: The Islamic Foundation.
- Creswell, J. W. (2014). *Research Design: Qualitative, Quantitative, and Mixed Methods Approaches* (4th ed.). Thousand Oaks, CA: Sage Publications.
- Hallaq, W. B. (2009). *Shari'a: Theory, Practice, Transformations*. Cambridge: Cambridge University Press.
- Kementerian Agama Republik Indonesia. (2019). *Hukum Islam dan Implementasinya di Indonesia*. Jakarta: Kemenag RI.
- Republik Indonesia. (1945). *Undang-Undang Dasar Negara Republik Indonesia Tahun 1945*. Jakarta.
- Siddiqi, M. N. (1981). *Muslim Economic Thinking: A Survey of Contemporary Literature*. Leicester: The Islamic Foundation.
- UNDP. (2020). *Human Development Report: The Next Frontier*. New York: United Nations Development Programme.
- Ismail, M. Y. (2015). *Maqasid al-Shariah and Contemporary Issues*. Kuala Lumpur: Islamic Book Trust.
- Zuhayli, W. (2003). *Al-Fiqh al-Islami wa Adillatuhu*. Damascus: Dar al-Fikr.
- Wibowo, A. (2017). *Hukum Islam dan Keadilan Sosial*. Jakarta: Rajawali Pers.