



REPOSITIONING LEGAL AWARENESS DEVELOPMENT THROUGH MAQĀSID AL-SYARĪ'AH: A VALUE-BASED APPROACH TO INDONESIA'S NATIONAL LEGAL CULTURE

Edy Saputra

STAIN Tengku Dirundeng Meulaboh

Corresponding Author's: edysaputra@staindirundeng.ac.id

Amrizal Hamsa

STAIN Tengku Dirundeng Meulaboh

amrizalhamsa@staindirundeng.ac.id

Putri Alya Sabina

Syariah Islamiyah Departement - Al-Azhar Universty

putrialyasabina@gmail.com

Hospi Burda

UIN Mahmud Yunus Batusangkar, Indonesia

hospiburda@uinmybatusangkar.ac.id

Abstract

Legal awareness in Indonesia remains predominantly characterized by instrumental and sanction-driven compliance, despite high levels of religiosity, reflecting a structural weakness in national legal culture. This study aims to reposition legal awareness development by examining Maqāsid al-Syarī'ah as a value-based and ethical foundation capable of fostering internalized legal compliance within Indonesia's national legal system. Employing a qualitative normative legal research design, this study analyzes classical Islamic legal thought—particularly Ibn 'Āshūr's formulation of maqāsid—alongside contemporary legal scholarship and Indonesian legal discourse through thematic and comparative analysis. The findings demonstrate that prevailing positivist, socio-legal, and normative fiqh-oriented approaches remain limited in cultivating internal legal awareness, as they prioritize formal compliance, coercive enforcement, and doctrinal rigidity while neglecting ethical internalization and cultural resonance. In contrast, Maqāsid al-Syarī'ah provides an integrative ethical framework that aligns legal norms with moral objectives, public welfare (maṣlaḥah), and social meaning, thereby strengthening internalized legal compliance. This study further shows that although maqāsid-based principles have been applied in various legal sectors in Indonesia, they remain fragmented and disconnected from legal awareness policy. The novelty of this study lies in its conceptual repositioning of Maqāsid al-Syarī'ah not merely as a normative fiqh doctrine or sectoral reform tool, but as a comprehensive ethical and cultural framework for legal awareness development within Indonesia's national legal culture.

Keywords: *Legal Awareness; Legal Culture; Maqāsid al-Syarī'ah; Value-Based Legal Compliance; Islamic Legal Ethics; Indonesia.*

A. INTRODUCTION

Legal awareness in Indonesian society is predominantly characterized by instrumental legal compliance, where obedience to the law is motivated more by fear of sanctions than by internalized legal or moral values, despite the country's high level of religiosity. This condition reflects a structural weakness in legal culture, in which law is perceived primarily as a coercive instrument rather than as a shared ethical framework, resulting in a paradoxical situation where religious commitment does not consistently translate into lawful behavior across social sectors. Empirical studies indicate that law enforcement in Indonesia relies heavily on punitive sanctions in areas such as environmental protection and fisheries governance, reinforcing sanction-driven compliance (Arimurti & Najicha, 2023; Maskun et al., 2025; Shafira et al., 2025). At the same time, low levels of legal literacy persist, prompting initiatives to improve legal awareness through digital platforms and legal information systems, which suggests that normative understanding of law remains limited (Lubis et al., 2021; Serah et al., 2025; Wulandari et al., 2025). Furthermore, research on corruption demonstrates a clear paradox between high religiosity and persistent legal violations, including among Muslim politicians, indicating that religiosity alone does not function as an effective deterrent against unlawful conduct (Effendi & Ali, 2023; Khoirin & Junaedi, 2022). Recent scholarship therefore emphasizes the importance of integrating moral and ethical dimensions—drawing from Pancasila values, dignified justice, and Islamic ethics—into legal education and governance to strengthen internal legal awareness (Lubis et al., 2025; Prakoso et al., 2024; Prasetyo, 2025). These findings suggest that enhancing legal awareness in Indonesia requires a shift from a predominantly repressive and sanction-oriented approach toward a value-based model that incorporates moral and ethical principles as foundational elements of legal culture.

Existing studies on legal awareness in Indonesia predominantly employ positivist and socio-legal approaches that emphasize written law, formal regulation, and institutional compliance, often at the expense of deeper engagement with legal culture and value internalization. This tendency is evident in analyses of the juvenile criminal justice system and criminal law reform, where positivistic legal reasoning continues to dominate despite calls for more progressive and socio-legal perspectives (Rosidah et al., 2019a; Rosidah et al., 2019b; Anaria, 2020). Similar patterns appear in the enforcement of Islamic inheritance law, where rigid legal norms shaped by positivism and empiricism frequently clash with substantive notions of justice within local communities (Zaman et al., 2024). Although socio-legal approaches have increasingly been advocated to address Indonesia's plural legal reality, their application remains limited in mainstream legal awareness studies (Wiratraman, 2019; Yunaldi et al., 2022). In parallel, Islamic law scholarship in Indonesia largely concentrates on normative fiqh and formal legal incorporation, particularly in areas such as Islamic finance, marriage, and inheritance, while paying relatively little attention to the dynamics of legal culture and lived legal practices (Husni & Khairat, 2024; Yasa, 2015; Dupret et al., 2023). Exceptions that explore living Islamic law through cultural and social practices—such as the integration of fiqh mu'āmalah within local traditions—remain marginal within the broader literature (Mustofa et al., 2025). Furthermore, despite the growing prominence of Maqāṣid al-Syarī'ah in contemporary Islamic legal discourse, its application in Indonesia is still largely confined to specific regulatory domains, including domestic violence, child protection, environmental governance, and correctional reform, rather than being systematically linked to legal awareness development and national legal culture (Akmal et al., 2024; Yusefri et al., 2024; Susana et al., 2025; Tohari et al., 2022;

Bunyamin et al., 2025). This body of literature reveals a clear gap in integrating *Maqāṣid al-Syarī'ah* as a comprehensive ethical framework for fostering legal awareness within Indonesia's national legal system.

Despite the recognition that legal awareness in Indonesia remains largely instrumental and sanction-driven amid high levels of religiosity, existing legal awareness initiatives have not sufficiently addressed the deeper ethical and value-based foundations of legal compliance. As demonstrated by prevailing empirical conditions, the dominance of punitive enforcement mechanisms and limited legal literacy reflects a legal culture that prioritizes coercion over internalized moral commitment. However, the literature further shows that scholarly approaches to legal awareness in Indonesia remain predominantly positivist and socio-legal, while Islamic law studies largely focus on normative fiqh and formal legal incorporation, leaving the cultural and ethical dimensions of law underexplored. Consequently, although *Maqāṣid al-Syarī'ah* has increasingly been discussed in relation to specific legal reforms, it has not yet been systematically conceptualized as a comprehensive framework for legal awareness development within Indonesia's national legal system. This disconnect reveals a critical conceptual gap between the socio-religious realities of Indonesian Muslim society, the orientation of existing legal awareness policies, and the direction of current legal scholarship. Therefore, the central problem addressed in this study concerns how *Maqāṣid al-Syarī'ah* can be positioned as an ethical and value-based foundation for strengthening legal awareness in a manner that is culturally resonant and institutionally compatible with Indonesia's national legal system.

This study aims to analyze the concept of *Maqāṣid al-Syarī'ah* as a value-based foundation for legal awareness development in Indonesia and to examine its relevance within Indonesia's national legal system. Specifically, the study seeks to clarify the conceptual framework of *Maqāṣid al-Syarī'ah* within Islamic legal thought, to explore the theoretical construction of legal awareness in legal scholarship with particular reference to the Indonesian context, and to investigate how *Maqāṣid al-Syarī'ah* can be systematically integrated into legal awareness development policies and practices at the national level. Accordingly, this study is guided by three main research questions: how *Maqāṣid al-Syarī'ah* is conceptualized in Islamic law, how legal awareness is understood within legal theory in the context of Indonesia, and how *Maqāṣid al-Syarī'ah* can be integrated into the development of legal awareness within Indonesia's national legal system.

This study offers both theoretical and practical significance for the development of legal awareness in Indonesia. Theoretically, it enriches legal awareness scholarship by introducing *Maqāṣid al-Syarī'ah* as an integrative analytical framework that bridges Islamic legal thought and contemporary legal theory, thereby extending discussions that have been largely dominated by positivist and socio-legal approaches. Practically, this study provides a value- and ethics-based foundation for national legal awareness policies by demonstrating how principles of *kemaslahatan* embedded in *Maqāṣid al-Syarī'ah* can inform the design and implementation of legal awareness programs within Indonesia's national legal system. The novelty of this study lies in its conceptual repositioning of *Maqāṣid al-Syarī'ah* not merely as a normative fiqh doctrine or a tool for sectoral legal reform, but as a comprehensive ethical and cultural framework for legal awareness development that systematically integrates moral values into Indonesia's national legal culture.

B. LITERATURE REVIEW

1. Legal Awareness / Legal Consciousness Theory

Legal awareness in legal scholarship is commonly understood as a multidimensional concept closely related to legal consciousness, encompassing both knowledge of legal norms and the degree to which these norms are internalized in shaping individual behavior. Rather than being limited to formal understanding of legal rules, legal awareness reflects how individuals perceive, interpret, and relate to law in everyday life, thereby influencing their patterns of legal behavior. Empirical legal studies emphasize that legal awareness functions as a key mechanism of social adaptation, determining whether individuals comply with the law merely as an external obligation or as an internally accepted moral guideline (Abdrasulov et al., 2023). This perspective positions legal awareness not simply as cognitive knowledge, but as an interaction between legal understanding, moral evaluation, and behavioral disposition. Consequently, legal awareness serves as a foundational element in explaining why legal compliance may persist or deteriorate within a given legal culture.

Within this framework, legal scholarship distinguishes between instrumental legal compliance and internalized legal compliance as two contrasting yet interconnected forms of law-abiding behavior. Instrumental compliance refers to obedience motivated primarily by external factors, such as fear of sanctions or anticipation of rewards, resulting in formal conformity without genuine acceptance of legal values. In contrast, internalized legal compliance arises when individuals perceive the law as legitimate and morally justified, leading to voluntary adherence even in the absence of enforcement pressures. This distinction has been widely discussed in legal and psychological studies, which demonstrate that instrumental compliance tends to produce fragile and situational obedience, whereas internalized compliance fosters consistent and sustainable legal behavior grounded in normative conviction (Abdrasulov et al., 2023; Malko et al., 2022). The persistence of instrumental compliance thus signals a deficit in value internalization rather than a mere lack of legal regulation.

In the Indonesian context, the dynamics between instrumental and internalized compliance are closely linked to levels of legal literacy and the effectiveness of legal education. Studies indicate that public access to legal information through digital platforms and institutional dissemination mechanisms plays a strategic role in shaping legal awareness and influencing compliance patterns. Initiatives such as the dissemination of legal information via JDIH UNNES demonstrate that increased legal literacy can enhance not only formal compliance but also public participation and normative understanding of law (Wulandari et al., 2025). Similarly, research on legal awareness among university students shows that integrating legal education into academic environments contributes to deeper comprehension and internalization of legal norms, thereby encouraging value-based compliance rather than mere obedience driven by sanctions (Arwiyah & Machfiroh, 2016). These findings suggest that strengthening legal awareness in Indonesia requires moving beyond enforcement-centered approaches toward educational and cultural strategies that cultivate internalized legal compliance as a core component of national legal culture.

2. Legal Culture Theory

Legal culture theory explains that the effectiveness of law is not determined solely by the existence of legal rules and formal institutions, but by the extent to which those

rules are embedded in the values, beliefs, and attitudes of society toward law. Law functions as a social institution whose authority depends on cultural acceptance, meaning that legal compliance is closely related to how law is perceived within everyday social life rather than merely how it is enforced. This perspective highlights that legal awareness and compliance emerge from the interaction between normative structures and shared social meanings, positioning legal culture as a crucial determinant of whether law is experienced as coercive or ethically binding. Empirical and theoretical studies describe legal culture as a composite of rational, socio-economic, spiritual, and traditional elements that shape both public attitudes toward law and the behavior of legal actors within institutional settings (Miroshnichenko, 2013; Miroshnichenko, 2014; Silbey, 2015). These studies further demonstrate that legal norms gain legitimacy when they resonate with prevailing cultural values and lose effectiveness when they are detached from social realities. Accordingly, legal culture theory provides a foundational explanation for why formal legal systems may fail to cultivate internalized legal awareness in the absence of value alignment.

From a legal culture perspective, legal rules and institutions are inseparable from the social environments in which they operate, as societal values significantly influence how law is interpreted, applied, and enforced. Legal awareness is therefore shaped not only by statutory norms, but also by cultural narratives, moral expectations, and communicative practices surrounding law. Research grounded in philosophical, anthropological, and communicational approaches demonstrates that social contexts actively shape legal meaning and legal behavior, affecting both compliance and resistance to law (Sánchez Hidalgo, 2025; Miroshnichenko, 2013; Miroshnichenko, 2014). These findings indicate that when legal institutions prioritize formalism without engaging underlying cultural values, law tends to be perceived as an external force rather than a shared normative order. Consequently, weak legal awareness can be understood as a cultural phenomenon rather than a mere deficiency of regulation or enforcement capacity.

In the Indonesian context, legal culture theory has been widely used to analyze patterns of legal awareness and compliance within a pluralistic legal system characterized by socio-economic diversity and the coexistence of state, customary, and religious laws. Studies show that socio-economic conditions, cultural traditions, and historical legacies continue to shape public perceptions of law, often contributing to ambivalent or instrumental legal compliance, particularly among marginalized groups (Sutrisno, 2019). Legal reform efforts, including the restructuring of criminal justice and the incorporation of local and customary norms, reflect attempts to realign legal institutions with Indonesia's cultural and social realities (Faisal et al., 2024). At the same time, empirical research on legal pluralism highlights ongoing challenges related to legal uncertainty and policy fragmentation, emphasizing the need for culturally embedded legal frameworks to strengthen legal awareness within Indonesia's national legal system (Aldyan et al., 2025). These findings suggest that strengthening legal awareness in Indonesia requires not only regulatory reform but also the integration of cultural values into the operation of legal institutions.

3. Maqāṣid al-Syarī'ah as an Ethical and Value-Based Framework

Maqāṣid al-Syarī'ah conceptualizes Islamic law as a value-based and ethical system aimed at realizing public welfare (*maṣlaḥah*) rather than merely enforcing formal legal rules. Within this framework, law functions as a moral guide that seeks to cultivate justice, balance, and social harmony by orienting legal norms toward higher objectives. This

understanding positions Maqāṣid as inherently compatible with the notion of internalized legal awareness, as legal compliance is expected to arise from ethical conviction rather than fear of sanctions. Ibn 'Āshūr formulates Maqāṣid as the higher purposes of Islamic legislation designed to preserve essential human interests—religion, life, intellect, lineage, and property—while embedding moral responsibility and social justice within the operation of law (Ibn 'Āshūr, 1999). Contemporary Islamic legal scholarship further develops this perspective by framing Maqāṣid as an ethical synthesis between *uṣūl al-fiqh* and moral philosophy, emphasizing that Islamic law must respond to modern social realities through value-oriented reasoning rather than rigid textualism (Padela, 2022; Rohmanu & Rofiah, 2023; Mubarrak et al., 2025). Together, these perspectives affirm Maqāṣid as a normative-ethical foundation for law that prioritizes moral internalization over coercive enforcement.

Beyond its conceptual foundations, Maqāṣid al-Syarī'ah provides an evaluative framework for assessing the legitimacy and effectiveness of legal norms based on their ethical and social outcomes. Ibn 'Āshūr cautions that laws detached from their moral purposes risk becoming formalistic and socially ineffective, particularly when they fail to resonate with lived realities and ethical sensibilities within society (Ibn 'Āshūr, 1999). Contemporary applications of Maqāṣid reinforce this insight by demonstrating how ethical reasoning grounded in *maṣlaḥah* can inform diverse legal domains, including medical ethics, family law, drug policy, and human trafficking, where moral complexity cannot be adequately addressed through punitive or purely doctrinal approaches (Padela, 2022; Laksana et al., 2025; Muttaqin et al., 2026; Bawono et al., 2025). These studies illustrate that Maqāṣid-based reasoning shifts legal focus from sanction-centered compliance toward ethical deliberation and human dignity, thereby strengthening the prospects for internalized legal awareness.

In the Indonesian context, Maqāṣid al-Syarī'ah has increasingly been applied beyond normative fiqh and sectoral legal reform, demonstrating its relevance as a broader ethical framework for legal development. Indonesian legal scholarship employs Maqāṣid principles to support criminal law reform oriented toward rehabilitation and restorative justice, to reframe communal intellectual property rights in ways that respect collective welfare, and to enrich disaster management policies with theological-ethical considerations (Ibrahim et al., 2025; Disemadi et al., 2024; Arief et al., 2025). Historical studies further reveal that Maqāṣid-guided adaptation enabled Islamic law in Indonesia to maintain continuity and legitimacy during the colonial period, a legacy that continues to shape contemporary legal institutions (Zaini et al., 2025). These applications suggest that Maqāṣid al-Syarī'ah can be repositioned as an ethical and cultural foundation for legal awareness development in Indonesia, bridging religious values and national legal culture by fostering value-based compliance aligned with social realities rather than mere formal obedience.

4. Integrative Ethical–Legal Framework in Legal Culture and Governance

Integrative ethical–legal theory views law as a normative system whose legitimacy and effectiveness depend on its capacity to incorporate moral and ethical values into legal rules, institutions, and governance practices. From this perspective, legal compliance is not sustained merely by enforcement mechanisms, but by the internal acceptance of law as a morally justified social order. Ethical integration enables law to function as a shared normative framework that cultivates trust, integrity, and public legitimacy, thereby

strengthening legal awareness and voluntary compliance. In the Indonesian context, this approach is reflected in the incorporation of foundational moral values into the legal system, particularly through the principles of Pancasila, which emphasize justice, democracy, and social welfare as guiding norms for legal development and civic life (Prakoso et al., 2024). This integration demonstrates that law gains social authority when it resonates with collectively endorsed ethical ideals.

Within legal culture and legal awareness discourse, ethical–legal integration operates as a mechanism that links formal legal norms with societal values and moral expectations. Civic education grounded in Pancasila has been shown to play a strategic role in shaping legal consciousness by aligning legal knowledge with ethical responsibility and social solidarity, thereby fostering trust in legal institutions (Prakoso et al., 2024). Similarly, Indonesian legal scholarship highlights the role of ethical reasoning in judicial practice through the concept of *Keadilan Bermartabat* (dignified justice), which seeks to balance formal legality with human dignity and cultural values in the interpretation and application of law (Prasetyo, 2025). Empirical studies further demonstrate that culturally sensitive legal practices—such as the incorporation of community norms and restorative principles in juvenile justice—contribute to more responsive and socially legitimate legal outcomes (Muchtar et al., 2024). These approaches suggest that legal awareness is strengthened when law is experienced as ethically grounded and culturally meaningful rather than merely coercive.

Ethical–legal integration also plays a crucial role in governance by reinforcing accountability, transparency, and moral responsibility within public institutions. Indonesian legal studies illustrate how Islamic ethical principles—such as justice, trustworthiness, and integrity—have been integrated into professional and regulatory frameworks, including the notarial profession, anti-corruption measures, and public service ethics, to prevent abuse of authority and enhance public trust (Lubis et al., 2025; Akhmad et al., 2023; Rajab et al., 2024). In environmental governance, *maqāṣid*-based ethical reasoning has been employed to critique and reconstruct resource management policies by aligning legal regulation with principles of sustainability and social justice (Susana et al., 2025). These developments indicate that ethical–legal frameworks provide a coherent foundation for governance that moves beyond formal compliance toward value-based regulation. Consequently, integrative ethical–legal theory offers a critical bridge connecting legal culture, legal awareness, and governance, reinforcing the argument that sustainable legal compliance in Indonesia requires the systematic integration of moral and ethical values into the national legal system.

C. METHODOLOGY

This study adopts a qualitative legal research design with a normative and analytical orientation, focusing on the examination of legal awareness development within Indonesia’s national legal system through the lens of *Maqāṣid al-Syarī’ah*. The research is conducted through library-based investigation, analyzing legal doctrines, ethical frameworks, and policy-related discussions relevant to legal awareness, legal culture, and value-based compliance. Rather than measuring legal awareness empirically, this study seeks to identify patterns, orientations, and underlying values embedded in existing legal awareness discourses and regulatory approaches in Indonesia, particularly those that reflect sanction-oriented or value-based models of legal compliance.

The data sources consist of authoritative classical Islamic legal texts—primarily Ibn ‘Āshūr’s formulation of *Maqāṣid al-Syarī’ah*—alongside contemporary legal scholarship, peer-reviewed journal articles indexed in Scopus, and relevant Indonesian legal and policy documents related to legal awareness, governance, and legal education. Data analysis is carried out through thematic and comparative analysis, in which legal awareness models identified in Indonesian legal discourse are examined against maqāṣid-based ethical principles to assess their alignment with value-oriented legal culture. This analytical process enables the formulation of an applied framework for legal awareness development that integrates ethical values into existing legal structures and institutional practices within Indonesia’s national legal system.

D. RESULTS AND DISCUSSION

1. Instrumental Legal Compliance and the Weakness of Legal Culture in Indonesia

The literature reviewed in this study consistently shows that legal awareness in Indonesia is predominantly characterized by instrumental legal compliance. Empirical studies indicate that obedience to legal norms is largely driven by fear of sanctions rather than by internalized legal or moral values, despite the high level of religiosity in Indonesian society. This pattern is evident in environmental protection and fisheries governance, where compliance intensifies primarily under strict enforcement and punitive control mechanisms (Arimurti & Najicha, 2023; Maskun et al., 2025; Shafira et al., 2025). In parallel, studies on legal literacy reveal that public understanding of law remains limited, even as access to legal information through digital platforms and legal information systems has expanded (Lubis et al., 2021; Serah et al., 2025; Wulandari et al., 2025). Furthermore, research on corruption demonstrates a persistent paradox between high religiosity and ongoing legal violations, including among Muslim political elites, indicating that religious commitment alone does not function as an effective deterrent against unlawful behavior (Effendi & Ali, 2023; Khoirin & Junaedi, 2022). Collectively, these studies document a pattern of sanction-oriented compliance and weak normative internalization across multiple legal sectors in Indonesia.

These findings confirm the central argument of legal awareness and legal consciousness theory that compliance motivated primarily by external sanctions reflects instrumental rather than internalized legal awareness. As explained in legal awareness scholarship, instrumental compliance produces fragile and situational obedience, which tends to erode once enforcement pressure decreases. The dominance of sanction-driven compliance identified in Indonesian environmental law, fisheries governance, and anti-corruption contexts illustrates a structural weakness in legal culture, where law is perceived mainly as a coercive instrument rather than as a shared normative order. From a legal culture perspective, this condition indicates a misalignment between formal legal norms and the values, beliefs, and moral expectations of society. Although religiosity is socially prominent, the empirical data show that religious identity has not been effectively translated into ethical legal behavior, suggesting that prevailing legal awareness initiatives have failed to engage deeper value internalization processes. This pattern aligns with critiques of positivist and socio-legal approaches that prioritize formal regulation and enforcement while neglecting the cultural and ethical dimensions of law.

When analyzed through the lens of *Maqāṣid al-Syarī’ah*, the empirical pattern identified in the literature reveals a fundamental gap between legal compliance and ethical

purpose. Maqāṣid-based reasoning emphasizes that law attains legitimacy and effectiveness when it promotes maṣlaḥah and internal moral responsibility, rather than relying on coercive sanctions alone. The dominance of instrumental compliance documented in Indonesian legal practice therefore reflects not merely weak enforcement design, but the absence of an ethical-value framework capable of internalizing legal norms within social consciousness. Consistent with the qualitative, normative methodology of this study, the thematic comparison between existing legal awareness models and maqāṣid-based principles demonstrates that current approaches remain structurally detached from value-oriented legal culture. This finding substantiates the novelty of the present study, which repositions Maqāṣid al-Syarī'ah not as a sectoral reform tool or normative fiqh doctrine, but as a comprehensive ethical foundation for legal awareness development that is culturally resonant with Indonesian Muslim society and institutionally compatible with the national legal system.

2. Limitations of Positivist and Normative Approaches in Legal Awareness Development

The reviewed literature reveals consistent limitations in positivist and socio-legal approaches to legal awareness development in Indonesia, as well as in normative fiqh-oriented Islamic law studies. Positivist legal studies demonstrate a dominant focus on written law, formal procedures, and textual interpretation, often neglecting broader social, ethical, and moral implications of legal enforcement (Rosidah et al., 2019a; Rosidah et al., 2019b; Anaria, 2020). Empirical findings also show that excessive judicial restraint persists, particularly in criminal justice and Islamic inheritance law, where judges prioritize legal certainty over substantive justice and moral considerations (Zaman et al., 2024). Socio-legal studies, while attempting to address social dimensions, face structural constraints stemming from methodological fragmentation, outdated teaching materials, limited interdisciplinary integration, and minimal public participation in legislative processes (Wiratraman, 2019; Mahardika, 2024). In parallel, Islamic law scholarship in Indonesia remains largely dominated by normative fiqh-oriented approaches that emphasize formal compliance with doctrinal rules while insufficiently engaging cultural practices, ethical reasoning, and lived legal experiences within diverse Muslim communities (Norman & Ruhullah, 2024; Mustofa et al., 2025; Faiz et al., 2025).

These findings substantiate the argument that prevailing legal awareness studies in Indonesia remain structurally detached from processes of value internalization. From the perspective of legal awareness theory, the dominance of positivist reasoning reinforces instrumental compliance by treating law primarily as a set of enforceable commands rather than as a normative system embedded in moral meaning. Even socio-legal approaches, although conceptually more open to social context, often fail to move beyond descriptive analysis due to methodological compartmentalization and weak integration with ethical theory. Legal culture theory helps explain this limitation by highlighting that legal norms cannot foster internalized compliance when they are produced and applied without meaningful engagement with societal values and moral expectations. The marginalization of public participation and interdisciplinary dialogue identified in the data further weakens the cultural legitimacy of law, resulting in legal awareness that remains formalistic and externally driven rather than ethically grounded.

When examined through a maqāṣid-based analytical lens, the limitations of normative fiqh-oriented Islamic law studies become particularly evident. While fiqh

provides doctrinal clarity and legal structure, the reviewed literature shows that its normative orientation frequently overlooks the ethical objectives and cultural adaptability emphasized in Maqāṣid al-Syarī'ah. Cases such as the accommodation of local wisdom in the determination of the qibla direction in Tana Toraja and the integration of fiqh mu'amalah within indigenous traditions demonstrate that legal compliance is more sustainable when ethical reasoning and cultural sensitivity are incorporated. Consistent with this study's qualitative and normative methodology, the thematic comparison between positivist, socio-legal, and fiqh-oriented approaches reveals a shared failure to systematically address legal awareness as a value-based cultural process. This finding reinforces the novelty of the present study, which positions Maqāṣid al-Syarī'ah as an integrative ethical framework capable of bridging doctrinal Islamic law, legal culture, and national legal awareness development—an approach that moves beyond both positivist formalism and narrowly normative fiqh toward a culturally resonant and ethically internalized legal system in Indonesia.

3. Repositioning Maqāṣid al-Syarī'ah as a Value-Based Framework for Legal Awareness

The reviewed contemporary Islamic legal scholarship consistently conceptualizes Maqāṣid al-Syarī'ah as a value-based and ethical framework oriented toward the realization of justice, moral development, and public welfare rather than mere formal legal compliance. Empirical and doctrinal studies demonstrate that maqāṣid is increasingly employed to address modern societal challenges through flexible and context-sensitive reasoning grounded in al-maṣlaḥah, enabling Islamic law to respond to issues such as medical ethics, drug policy, family law reform, and correctional governance (Padela, 2022; Laksana et al., 2025; Mubarrak et al., 2025; Muttaqin et al., 2026; Bunyamin et al., 2025). The literature further shows that maqāṣid integrates holistic human interests—religion, life, intellect, lineage, and wealth—into legal reasoning, thereby framing law as an ethical guide for human well-being (Alias et al., 2025; Mehellou et al., 2023). At the same time, scholars identify persistent challenges, including underdeveloped practical applications, risks of excessive flexibility in al-maṣlaḥah, and the absence of clear operational boundaries in translating maqāṣid principles into legal and policy frameworks (Padela, 2019; Mubarrak et al., 2025).

When analyzed through legal awareness and legal culture theory, these findings indicate that Maqāṣid al-Syarī'ah possesses conceptual characteristics that directly address the deficiencies of instrumental and sanction-driven legal compliance identified in Indonesian legal culture. Legal awareness theory emphasizes that sustainable compliance emerges when legal norms are internalized as morally legitimate rather than externally imposed. The maqāṣid framework aligns with this premise by repositioning law as an ethical project that cultivates moral reasoning, social responsibility, and purposive obedience. Unlike positivist or narrowly socio-legal approaches, maqāṣid-based reasoning embeds legal norms within shared moral objectives, thereby strengthening their cultural resonance. From a legal culture perspective, the flexibility and contextual sensitivity of maqāṣid enable law to engage social values, ethical narratives, and lived experiences, which are essential for transforming law from a coercive instrument into a shared normative order. The empirical application of maqāṣid in diverse contemporary fields demonstrates its capacity to function not merely as doctrinal interpretation, but as a cultural mechanism for internalizing legal meaning.

Consistent with this study's qualitative, normative, and thematic methodology, the comparative analysis of contemporary maqāṣid scholarship reveals that its true transformative potential lies in its repositioning beyond normative fiqh toward an integrative ethical framework for legal awareness development. While existing studies largely apply maqāṣid in sectoral legal reforms, the findings indicate a conceptual gap in systematically linking maqāṣid to legal awareness as a cultural and behavioral process. This study advances the discourse by articulating maqāṣid al-Syarī'ah as a foundational ethical infrastructure capable of bridging Islamic legal thought, legal culture, and national legal policy. By emphasizing internalized moral commitment, purposive reasoning, and cultural adaptability, maqāṣid offers a coherent framework for shifting legal awareness in Indonesia from sanction-oriented compliance toward value-based obedience. This repositioning constitutes the central novelty of the study, as it reframes maqāṣid not as an auxiliary interpretive tool of fiqh, but as a comprehensive ethical paradigm for strengthening internal legal awareness within Indonesia's national legal culture.

4. Integrating Maqāṣid al-Syarī'ah into Legal Awareness Development within Indonesia's National Legal System

The literature demonstrates that Maqāṣid al-Syarī'ah has been practically integrated into various domains of Indonesia's national legal system, particularly in legal culture, governance ethics, and value-based policy frameworks. Empirical and normative studies show that maqāṣid principles are applied to strengthen victim protection in cases of domestic violence and sexual abuse, emphasizing the protection of life, dignity, and justice (Akmal et al., 2024; Murdiana et al., 2026; Nuroniyah et al., 2025). In family law, maqāṣid-based reinterpretations of *ḥifẓ al-nasl* are used to harmonize Islamic normativity with state law, enhancing legal certainty and social justice in marriage regulation (Mustamam et al., 2025; Busriyanti et al., 2025). In the sphere of governance ethics, studies highlight maqāṣid-driven reforms in environmental governance through sustainability-oriented legal critique and participatory resource management, as well as in correctional systems through rehabilitation and reintegration programs grounded in spiritual and moral development (Susana et al., 2025; Bunyamin et al., 2025). Additionally, maqāṣid-based policy frameworks are employed in child protection and labor regulation to promote holistic welfare and public benefit (Yusefri et al., 2024).

When analyzed through legal culture theory, these findings indicate that maqāṣid-based integration operates as a cultural mechanism that embeds ethical values into legal practice, thereby strengthening internal legal awareness. The incorporation of victim-centered justice, family protection, and environmental responsibility demonstrates a shift from formalistic rule enforcement toward purposive and value-oriented legal reasoning. This shift aligns with the legal culture perspective that law gains legitimacy when it resonates with shared moral expectations and social realities. In governance ethics, maqāṣid-based approaches reframe legal authority as a moral responsibility rather than merely administrative power, as evidenced in correctional reform and ecological governance. These applications illustrate that maqāṣid principles function not only as doctrinal references but as ethical standards that guide institutional behavior, encouraging voluntary compliance and moral accountability among legal actors and the public.

Consistent with the qualitative and normative methodology of this study, the thematic comparison of these sectoral applications reveals that maqāṣid al-Syarī'ah can be systematically integrated into legal awareness development by positioning it as an

overarching ethical framework rather than a domain-specific reform tool. While existing studies demonstrate successful maqāṣid implementation in discrete legal fields, they remain fragmented and have not been conceptualized as part of a unified national legal awareness strategy. This study advances a novel integrative perspective by proposing maqāṣid al-Syarī'ah as a foundational ethical infrastructure linking legal culture, governance ethics, and policy formulation within Indonesia's national legal system. Through this repositioning, maqāṣid serves to internalize legal values across institutions and society, transforming legal awareness from sanction-oriented obedience into value-based compliance rooted in moral conviction and public welfare. This integrative role constitutes the study's key contribution to both legal awareness scholarship and Islamic legal studies in Indonesia.

E. CONCLUSION

This study set out to address the persistent problem of instrumental and sanction-driven legal awareness in Indonesia by examining the potential of Maqāṣid al-Syarī'ah as a value-based foundation for strengthening national legal culture. Drawing on a qualitative, normative, and thematic analysis of contemporary legal scholarship, Islamic legal theory, and Indonesian legal discourse, the study responds to the paradox whereby high levels of religiosity coexist with weak internalization of legal norms. The findings confirm that prevailing legal awareness in Indonesia remains largely external and coercive in nature, shaped by punitive enforcement, limited legal literacy, and positivist orientations that prioritize formal compliance over ethical legitimacy.

The analysis demonstrates that existing positivist, socio-legal, and normative fiqh-oriented approaches are structurally limited in their capacity to foster internalized legal awareness. Positivist and socio-legal frameworks tend to reinforce instrumental obedience by treating law primarily as a system of commands and sanctions, while normative fiqh approaches often emphasize doctrinal compliance without systematically engaging ethical objectives and cultural contexts. As a result, legal awareness initiatives in Indonesia have largely failed to connect legal norms with the moral values, social meanings, and lived experiences that shape legal behavior. This condition reflects a deeper weakness in legal culture, where law is perceived as an external force rather than a shared ethical order.

By contrast, this study finds that Maqāṣid al-Syarī'ah, as conceptualized in contemporary Islamic legal scholarship, offers a coherent ethical and value-based framework that directly addresses these deficiencies. Maqāṣid-oriented reasoning repositions law as a purposive and moral project aimed at realizing public welfare (*maṣlaḥah*), justice, and human dignity, thereby aligning legal compliance with internal moral conviction rather than fear of sanctions. When analyzed through the lenses of legal awareness and legal culture theory, maqāṣid demonstrates a strong conceptual compatibility with internalized legal compliance, as it embeds legal norms within shared ethical objectives and culturally resonant values. This finding substantiates the central argument of the study that maqāṣid should be understood not merely as an interpretive tool of fiqh or a mechanism for sectoral legal reform, but as an ethical infrastructure capable of reshaping legal consciousness at the societal level.

The study further shows that maqāṣid-based principles have already been applied in various domains of Indonesia's national legal system—such as victim protection, family

law, environmental governance, correctional reform, and child welfare—yet these applications remain fragmented and have not been systematically linked to legal awareness development. Through an integrative ethical–legal analysis, this study demonstrates that maqāṣid can function as a unifying framework connecting legal culture, governance ethics, and value-based policy design. In this role, maqāṣid contributes to transforming law from a sanction-oriented regulatory system into a culturally embedded and ethically grounded normative order that encourages voluntary and sustainable compliance.

The theoretical contribution of this study lies in its repositioning of Maqāṣid al-Syarī'ah as a comprehensive ethical framework for legal awareness development, thereby bridging Islamic legal thought and contemporary legal theory within the Indonesian context. This contribution extends legal awareness scholarship beyond its dominant positivist and socio-legal orientations by foregrounding value internalization, moral legitimacy, and cultural resonance as core determinants of legal compliance. Practically, the study offers a normative foundation for reorienting national legal awareness policies toward educational, institutional, and governance strategies that integrate ethical values into legal practice, rather than relying predominantly on coercive enforcement.

This study is not without limitations. Its normative and library-based design does not empirically measure levels of legal awareness or behavioral change across social groups. Consequently, future research could build on this framework through empirical studies, policy evaluations, or comparative analyses to assess how maqāṣid-based legal awareness initiatives operate in practice and how they influence legal behavior across different legal sectors and communities.

Ultimately, this study argues that strengthening legal awareness in Indonesia requires more than stricter sanctions or broader dissemination of legal rules. It requires a fundamental shift toward a value-based legal culture in which law is internalized as an ethical commitment rooted in social welfare, justice, and moral responsibility. By repositioning Maqāṣid al-Syarī'ah as an ethical and cultural foundation of legal awareness, this study offers a theoretically grounded and contextually resonant pathway for fostering sustainable legal compliance within Indonesia's national legal system.

REFERENCES

- Abdrasulov, E., Saktaganova, A., Saktaganova, I., Zhenissov, S., & Toleuov, Z. (2023). Legal awareness and its significance when determining the nature of a person's legal behaviour. *International Journal of Electronic Security and Digital Forensics*, 15(6), 578–590. <https://doi.org/10.1504/IJESDF.2023.133960>
- Akhmad, A., Fernando, Z. J., & Teeraphan, P. (2023). Unmasking Illicit Enrichment: A Comparative Analysis of Wealth Acquisition Under Indonesian, Thailand and Islamic Law. *Journal of Indonesian Legal Studies*, 8(2), 899–934. <https://doi.org/10.15294/jils.v8i2.69332>
- Akmal, A. M., Mundzir, C., Asti, M. J., Abbas, R., & Mustafa, Z. (2024). Legal Solutions for Domestic Violence in Unregistered Marriages in Indonesia: Integrating Maqāṣid al-Sharī'ah. *El-Usrah*, 7(2), 768–788. <https://doi.org/10.22373/ujhk.v7i2.25971>

- Aldyan, A., Aldyan, R. A., Putri, K. A., & Alasttal, A. (2025). Legal Pluralism in Environmental Management: Evidence from Bali, Indonesia. *Journal of Law, Environmental and Justice*, 3(2), 229–267. <https://doi.org/10.62264/jlej.v3i2.131>
- Alias, M N, Abdullah, M. N., Kamis, M. S., Afandi, A. J., & Alias, N. (2024). SCIENTIFIC APPROACH AS THE BASIS FOR THE FORMATION OF MAQĀṢID AL-SHARĪ'AH CONCEPT AND PRINCIPLES: A COMPARATIVE STUDY. *Malaysian Journal of Syariah and Law*, 12(2), 350–363. <https://doi.org/10.33102/mjssl.vol12no2.568>
- Alias, Muhammad Nazir, Abdullah, M. N., Osman, M. F., Ismail, N. F., & Kamis, M. S. (2025). The Position of Maqasid al-Shariah within Islamic Legal Sources: A Comprehensive Analysis. *Samarah*, 9(2), 937–964. <https://doi.org/10.22373/q4byre51>
- Anaria, U. (2020). Analogy Interpretation for Renewal Criminal Justice in Indonesia. *Legality: Jurnal Ilmiah Hukum*, 28(1), 70–80. <https://doi.org/10.22219/ljih.v28i1.10604>
- Arief, A., Sultan, L., Amin, A. R. M., Musyahid, A., & Syarif, M. F. (2025). Aligning Fiqh Disaster with Indonesia's Management Disaster Policy: A Maqāṣid Methodology Review. *Al-Manahij: Jurnal Kajian Hukum Islam*, 19(1), 101–116. <https://doi.org/10.24090/mnh.v19i1.12872>
- Arifin, F., Astawa, I. G. P., Maarif, I., Sulastri, D., & Abdullah, M. K. (2025). Recognition of Customary Norms Within the Framework of Indonesian Legal Positivism. *Khazanah Hukum*, 7(1), 92–104. <https://doi.org/10.15575/kh.v7i1.39409>
- Arimurti, D. J., & Najicha, F. U. (2023). Analysis of changes in criminal threats in regulations on environmental protection and management. *Indonesian Journal of Environmental Law and Sustainable Development*, 2(2), 289–306. <https://doi.org/10.15294/ijel.v2i2.68993>
- Arwiyah, M. Y., & Machfiroh, R. (2016). Analysis of legal awareness of the dormitory student: (Case study on 1st-year student at the University of X). *International Journal of Economic Research*, 13(9), 3965–3969. Retrieved from <https://www.scopus.com/inward/record.uri?eid=2-s2.0-85016597997&partnerID=40&md5=42e0boaf4561282fa840a33df244b095>
- Bawono, B. T., Huda, M. N., Prayitno, A. H., & Siswanto, M. A. (2025). Human Trafficking and the Relevance of Hifz al-nafs and Hifz al-'ird in Contemporary Islamic Legal Ethics. *MILRev: Metro Islamic Law Review*, 4(1), 597–618. <https://doi.org/10.32332/milrev.v4i1.10694>
- Bunjamin, B., Arifin, F., Maarif, I., Bahri, R. A., & Abdullah, M. K. (2025). Reforming Indonesia's Correctional System: The Role of Maqāṣid Al-Syarī'ah in Ensuring Justice and Rehabilitation. *De Jure: Jurnal Hukum Dan Syar'iah*, 17(1), 52–71. <https://doi.org/10.18860/j-fsh.v17i1.29258>
- Chamdan, U. (2025). Marriage Law Reform in Indonesia A Maqasid al-usrah Perspective on Legal Adaptation. *Al-Istinbath: Jurnal Hukum Islam*, 10(2), 631–649. <https://doi.org/10.29240/jhi.v10i2.12739>
- Disemadi, H. S., Al-Fatih, S., Silviani, N. Z., Rusdiana, S., & Febriyani, E. (2024). Revitalizing Intellectual Property Rights in Indonesia: A Maqasid al-Sharia Perspective on Communal Ownership. *Al-Istinbath: Jurnal Hukum Islam*, 9(2), 625–648. <https://doi.org/10.29240/jhi.v9i2.11039>

- Dupret, B., Belkadi, A., Lindbekk, M., & Yakin, A. U. (2023). Paternal Filiation in Muslim-Majority Environments: A Comparative Look at the Interpretive Practice of Positive Islamic Law in Indonesia, Egypt, and Morocco. *Journal of Law, Religion and State*, 10(2–3), 167–217. <https://doi.org/10.1163/22124810-20230002>
- Effendi, E., & Ali, M. (2023). PUBLIC AWARENESS OF PUBLIC ADMINISTRATION GOVERNANCE AND LEGAL AWARENESS REGARDING ANTI-CORRUPTION MEASURES. *Corporate Law and Governance Review*, 5(1), 8–16. <https://doi.org/10.22495/clgrv5i1p1>
- Faiz, A. B. D. K., Zulfahmi, A. R., & Awaka, M. Q. (2025). From Qibla Deviation to Social Cohesion: The Construction of Minority Fiqh at the Great Mosque of Makale, Tana Toraja. *Journal of Islamic Law*, 6(2), 317–337. <https://doi.org/10.24260/jil.v6i2.4066>
- Faizin, M., & Jafar, W. A. (2024). Protecting Child Labor Rights: Maqasid Sharia Framework and Policy Recommendations. *Samarah*, 8(2), 1187–1215. <https://doi.org/10.22373/sjhk.v8i2.24559>
- Fauziah, N. (2023). The Evaluation of Maqāṣid Asy-Syarī'ah on Discourses of the Islamic Family Law. *El-Usrah*, 6(1), 81–90. <https://doi.org/10.22373/ujhk.v6i1.13035>
- Ghozali, M., Rofiah, K., Zahro', K., & Sahid, M. M. (2025). Reforming Qardh Practices in Islamic Banking: A Critical Analysis Based on Jasser Auda's Maqāṣid al-Sharīah Systems Approach in Indonesia. *Justicia Islamica*, 22(2), 437–460. <https://doi.org/10.21154/justicia.v22i2.11165>
- Harahap, N., Saputri, M. A., & Ariestino, L. (2025). Reinterpreting Ḥifẓ al-nasl in Contemporary Marriage Contracts: Navigating Islamic Normativity and State Law. *MILRev: Metro Islamic Law Review*, 4(2), 1258–1280. <https://doi.org/10.32332/milrev.v4i2.11158>
- Ibn 'Āshūr, M. al-Ṭāhir. (1999). *Maqāṣid al-Sharī'ah al-Islāmiyyah* (2nd ed.). Amman: Dār al-Nafā'is.
- Ibrahim, Z. S., Karimullah, S. S., Assaad, A. I., Septiani, R., & Okur, H. (2025). Integration of Maqāṣid al-Sharī'ah in the Criminal Law Reform to Achieve Justice and Human Dignity. *Jurnal Hukum Islam*, 23(1), 105–144. <https://doi.org/10.28918/jhi.v23i1.04>
- Khairat, M. (2024). Penetration of Muamalah Jurisprudence into Indonesian Law. *Al-Istinbath: Jurnal Hukum Islam*, 9(2), 699–722. <https://doi.org/10.29240/jhi.v9i2.11116>
- Khoirin, N., & Junaedi, M. (2022). Religious inconsistency on corruption behaviour among Muslim politicians in Indonesia. *HTS Teologiese Studies / Theological Studies*, 78(1). <https://doi.org/10.4102/hts.v78i1.7361>
- Laksana, A. W., Lubis, M. R., Suwondo, D., Ngazis, M., & Sari, R. M. P. (2025). Integrating Maqasid al-Shari'ah in Contemporary Islamic Legal Reform on Drug Policy. *MILRev: Metro Islamic Law Review*, 4(1), 416–439. <https://doi.org/10.32332/milrev.v4i1.10665>
- Lubis, A., Lubis, I., Sinaga, N. A., Lubis, D. I. S., & Lubis, A. H. (2025). STRENGTHENING THE INTEGRITY OF THE NOTARY POSITION FROM THE PERSPECTIVE OF ISLAMIC ETHICS. *Petita: Jurnal Kajian Ilmu Hukum Dan Syariah*, 10(1), 449–465. <https://doi.org/10.22373/petita.v10i1.501>
- Lubis, M., Pamungkas, A. R. P., Jacob, D. W., Al-Khowarizmi, A.-K., & Lubis, A. R. (2021). User

- Experience Design in E-Consultation on General Legal Criminals: The Utilization of Alternative Design. In *ACM International Conference Proceeding Series* (pp. 81–86). Telkom University, Indonesia: Association for Computing Machinery. <https://doi.org/10.1145/3462676.3462689>
- Mahardika, A. G. (2024). The Implementation of Referendum as a Limitation to Autocratic Legalism in the Formation of the Nusantara Capital City Law. *Al-Ahkam: Jurnal Ilmu Syari'ah Dan Hukum*, 9(2), 113–129. <https://doi.org/10.22515/alahkam.v9i2.10181>
- Malko, A. V., Lipinsky, D. A., Zryachkin, A. N., & Musatkina, A. A. (2022). Psychological Aspects of Deformations of Legal Consciousness and Legal Liability. *Psychology and Law*, 12(4), 140–153. <https://doi.org/10.17759/psylaw.2022120411>
- Mehellou, A., Mohamad Saleh, M. S., & Omar, B. (2023). Maqāṣid al-Sharī'ah as Goal Framing for Sustainable Behaviours: A Conceptual Framework. *Intellectual Discourse*, 31(1), 183–209. Retrieved from <https://www.scopus.com/inward/record.uri?eid=2-s2.0-85177787636&partnerID=40&md5=74cc0913085bc74101b8f0bffd870f19>
- Miroshnichenko, O. (2013). Legal culture of modern society: General philosophical and anthropological analysis of the category. *World Applied Sciences Journal*, 28(2), 212–215. <https://doi.org/10.5829/idosi.wasj.2013.28.02.13802>
- Miroshnichenko, O. (2014). Legal culture of modern society: General philosophical and anthropological analysis of the category. Talking about the structure of the category. *Asian Social Science*, 10(12), 1–5. <https://doi.org/10.5539/ass.v10n12p1>
- Mubarrak, Z., Bakar, I. A., Hamdani, M., Musrizal, & Khalilullah. (2025). The Urgency of the Islamic Law and Contemporary Societal Challenges: The Flexibility of al-Maslahah in Determining the Hierarchy of Maqāṣid al-Sharī'ah. *El-Usrah*. <https://doi.org/10.22373/pxydd884>
- Muchtar, S., Yunus, A., Arifin, A. P., & Faried, M. (2024). Juvenile Criminal Responsibility in Justice Systems: A Comparative Study of Judicial Interpretations in Indonesia and Australia. *Jambe Law Journal*, 7(2), 371–394. <https://doi.org/10.22437/home.v7i2.387>
- Murdiana, E., Rodliyah, N., Natamiharja, R., Fathoni, M. N., & Jha, G. K. (2026). The Victim's Best Interest Principle in Islamic Law: An Examination of the Substance of Sexual Violence in Muslim Majority Countries in the Contemporary Era. *MILRev: Metro Islamic Law Review*, 5(1), 33–60. <https://doi.org/10.32332/milrev.v5i1.10654>
- Mustofa, I., Sauqi, M., Ambarwati, D., & Yahya, A. (2025). Living Islamic Law in Indigenous Communities in Indonesia: Integration of Fiqh in the Tradition of Mu'amalah of the Muslim Community of Banjar. *Al-Manahij: Jurnal Kajian Hukum Islam*, 19(2), 289–312. <https://doi.org/10.24090/mnh.v19i2.14792>
- Muttaqin, M. Z., Izzi, A. I., Nazar, R. F., Arifin, S. W. T., & Sandra, M. Y. (2026). Family Harmony in Contemporary Islamic Law: Ibn 'Ashūr's Maqāṣid Perspective on Marital Rights and Duties. *MILRev: Metro Islamic Law Review*, 5(1), 61–79. <https://doi.org/10.32332/milrev.v5i1.10480>
- Norman, N. A., & Ruhullah, M. E. (2024). EXPLORING THE ETHICAL DIMENSIONS OF FIQH: THE ROLE OF THE SOUL IN ACHIEVING MAQĀṢID AL-SHARĪ'AH. *Al-Shajarah*, 29(1), 47–77. Retrieved from <https://www.scopus.com/inward/record.uri?eid=2-s2.0-85199269891&partnerID=40&md5=f2fb61b953cc6160816d4114baee56a0>

- Nuroniya, W., Al Azkiya, M. A., Wahid, A., Labib Shodiq, F. L., & Maula, B. S. (2025). Assessing Indonesia and Malaysia's Legal Responsiveness to Domestic Violence Victims within Islamic Law Framework. *Al-Manahij: Jurnal Kajian Hukum Islam*, 19(2), 247–270. <https://doi.org/10.24090/mnh.v19i2.13736>
- Padela, A. I. (2019). Using the Maqāṣid al-Sharī'ah to Furnish an Islamic Bioethics: Conceptual and Practical Issues. *Journal of Bioethical Inquiry*, 16(3), 347–352. <https://doi.org/10.1007/s11673-019-09940-2>
- Padela, A. I. (2022). Maqāṣidī Models for an “Islamic” Medical Ethics: Problem-Solving or Confusing at the Bedside? *American Journal of Islam and Society*, 39(1–2), 72–114. <https://doi.org/10.35632/ajis.v39i1-2.3069>
- Prakoso, P., Rokhman, F., & Handoyo, E. (2024). Pancasila as a Foundation for Legal Reform: Evaluating the Impact of Civic Education on Indonesian Legal Systems. *Journal of Law and Legal Reform*, 5(3), 1429–1468. <https://doi.org/10.15294/jllr.v5i3.16498>
- Prasetyo, T. (2025). KEADILAN BERMARTABAT: RECONSTRUCTING LEGAL AUTHORITY IN INDONESIA. *Cogito*, 17(2), 122–137. Retrieved from <https://www.scopus.com/inward/record.uri?eid=2-s2.0-105020736792&partnerID=40&md5=ba75eb96079fc3ba00763d8ceb57ed6a>
- Rahmaidha, D. D. S., Sulistiyono, A., Kusumo, A. T. S., & Aziz, S. (2025). SYSTEMIC FAILURES IN PROMOTING LEGAL CULTURE OF INTELLECTUAL PROPERTY RIGHTS AMONG INDONESIA'S CREATIVE ECONOMY ACTORS. *Indonesia Private Law Review*, 6(1), 19–42. <https://doi.org/10.25041/iplr.v6i1.4224>
- Rajab, H., Paee, R., & Nurdin, R. (2024). Ethical Governance in Public Service: A Comparative Study of Hadaya al-‘Ummal in Islamic Law and Gratification in Indonesian Law. *International Journal of Law and Society*, 3(3), 206–216. <https://doi.org/10.59683/ijls.v3i3.120>
- Rohmanu, A., & Rofiah, K. (2023). Tāhā ‘Abd al-Raḥmān’s Philosophical Contribution to Theorize Ethical Maqāṣid. *Al-Ahkam*, 33(2), 185–206. <https://doi.org/10.21580/ahkam.2023.33.2.17527>
- Rosidah, N., & Ritonga, R. (2019a). Does the juvenile justice system protect youth supply chain? Progressive juvenile court judges: Reform of the juvenile criminal justice system in Indonesia through a socio-legal approach supported by PLS-structural equation modeling. *International Journal of Innovation, Creativity and Change*, 6(1), 216–235. Retrieved from <https://www.scopus.com/inward/record.uri?eid=2-s2.0-85074154607&partnerID=40&md5=d88e83f3d1aeb1c227boab49ddcb13dd>
- Rosidah, N., & Ritonga, R. (2019b). Progressive juvenile court judges: Reform of the juvenile criminal justice system in Indonesia through a socio-legal approach. *International Journal of Innovation, Creativity and Change*, 5(2), 753–768. Retrieved from <https://www.scopus.com/inward/record.uri?eid=2-s2.0-85072614390&partnerID=40&md5=6356be3f831ee84ca9de4b3ea68fb53c>
- Sánchez Hidalgo, A. J. (2025). Facts and Rules: Incidence of the Social Environment in the Understanding and Elaboration of Law, from the Communicational Theory of Law. *International Journal for the Semiotics of Law*, 38(1), 99–120.

<https://doi.org/10.1007/s11196-024-10108-4>

- Serah, Y. A., Purwanto, P., Sirait, R. A. M., & Astono, A. (2025). Building Legal Awareness Through Digital Platforms: Conceptualizing Web Applications in Responsive Legal Counseling. *Indonesian Journal of Advocacy and Legal Services*, 7(2), 431–466. <https://doi.org/10.15294/ijals.v7i2.29611>
- Shafira, M., Akib, M., Sumarja, F. X., & Fardiansyah, A. I. (2025). IN-DEPTH ANALYSIS ON STRENGTHENING SANCTIONS FOR FISHERIES VIOLATIONS IN INDONESIA: CHALLENGES, OBSTACLES, AND REFORM. *Indonesian Journal of International Law*, 22(3). <https://doi.org/10.17304/ijil.vol22.3.1831>
- Shesa, L., Yuniardi, H., Kholid, M., & Utami, H. S. (2025). Flexibility of Rejang Semendo System in Modern Marriage Law: An Islamic-Law Analysis. *Jurnal Ilmiah Al-Syir'ah*, 23(2), 245–264. <https://doi.org/10.30984/jis.v23i2.3595>
- Silbey, S. S. (2015). Legal Culture and Legal Consciousness. In *International Encyclopedia of the Social & Behavioral Sciences: Second Edition* (pp. 726–733). School of Humanities Arts, and Social Sciences, Massachusetts Institute of Technology, Cambridge, MA, United States: Elsevier Inc. <https://doi.org/10.1016/B978-0-08-097086-8.86067-5>
- Suntana, I., & Priatna, T. (2023). Four obstacles to the quality of constitutional law learning in Indonesia. *Heliyon*, 9(1). <https://doi.org/10.1016/j.heliyon.2023.e12824>
- Susana, L. M., Tripalupi, R. I., Kholil, S., Efendi, N., & Sakinah, G. (2025). Reconstructing Islamic Legal Norms in Environmental Governance: A Maqasid-Based Legal Critique of Indonesia's Resource Policies. *Al-Istinbath: Jurnal Hukum Islam*, 10(2), 650–670. <https://doi.org/10.29240/jhi.v10i2.13038>
- Sutrisno, E. (2019). Relations between legal culture and economic empowerment among marginalized group of farmers. *Journal of Legal, Ethical and Regulatory Issues*, 22(3). Retrieved from <https://www.scopus.com/inward/record.uri?eid=2-s2.0-85070964083&partnerID=40&md5=cf3e7f738e9d726f47b2357c62fcb8a3>
- Taqiyuddin, H., Adnan, M., & Alif, M. (2025). Habitus and Legal Behavior in Islamic Inheritance Practice: A Socio-Legal Analysis in Rural Serang Regency, Indonesia. *El-Usrah*, 8(1), 72–96. <https://doi.org/10.22373/p17zvdi18>
- Tohari, C., Fawwaz, H., & Swadjaja, I. (2022). THE IJTihad CONSTRUCTION OF ISLAMIC LAW BASED ON THE MAQĀSHID AL-SYARĪ'AH APPROACH IN THE INDONESIAN CONTEXT. *Prophetic Law Review*, 4(2), 195–221. <https://doi.org/10.20885/PLR.vol4.iss2.art4>
- Violetta, K. V., Mukhlis, M. M., & Tajudin, M. S. (2025). The Dilemma of Administrative Sanctions in Legalizing Palm Oil Plantations in Indonesian Forest Areas. *Volksgeist: Jurnal Ilmu Hukum Dan Konstitusi*, 8(1), 171–190. <https://doi.org/10.24090/volksgeist.v8i1.13114>
- Wiratraman, H. P. (2019). The challenges of teaching comparative law and socio-legal studies at Indonesia's law schools. *Asian Journal of Comparative Law*, 14(S1), S229–S244. <https://doi.org/10.1017/asjcl.2019.15>
- Wulandari, C., Sugianto, S., Putra, A. T., Emha, Z. I. F., & Hassan, M. S. (2025). Literacy, Compliance, and Digital Legal Awareness: The Role of JDIH UNNES in Disseminating

- Legal Information. *Indonesian Journal of Advocacy and Legal Services*, 7(1), 233–254. <https://doi.org/10.15294/ijals.v7i1.26600>
- Yanto, A., Rahayu, D. P., Haryadi, D., Darmawan, A., & Manik, J. D. N. (2024). Genuine paradigm of criminal justice: rethinking penal reform within Indonesia New Criminal Code. *Cogent Social Sciences*, 10(1). <https://doi.org/10.1080/23311886.2023.2301634>
- Yasa, A. (2015). The development of Indonesian Islamic law: A historical overview. *Journal of Indonesian Islam*, 9(1), 101–122. <https://doi.org/10.15642/JIIS.2015.9.1.101-122>
- Yunaldi, W., Saputra, R., & Fitriz, Y. (2022). Legal Studies and Authentic Paradigm: An Idea for Reforming National Laws. *Quality - Access to Success*, 23(190), 251–260. <https://doi.org/10.47750/QAS/23.190.27>
- Zaini, A., Zainor Ridho, M., Zaenal Muttaqin, E., & Yussof, H. B. (2025). Adaptation of Islamic Law in the Dutch Colonial Era: Fiqh al-aqalliyāt, Maqasid Al-Shariah, and Its Legacy for Modern Indonesian Islamic Legal Institutions. *Jurnal Ilmiah Al-Syir'ah*, 23(2), 265–278. <https://doi.org/10.30984/jis.v23i2.2758>
- Zaman, J. Q., Sholeh, A. K., Fadil, F., Salam, N., & Binti Ros Azman, A. S. (2024). The Influence of Positivism and Empirism in The Enforcement of Islamic Inheritance Law in Indonesia. *Substantive Justice International Journal of Law*, 7(1), 48–69. <https://doi.org/10.56087/substantivejustice.v7i1.267>