



## The Relevance of Islamic Law in the Formation of Public Policy in the Era of Globalization

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### ABSTRACT

This study examines the role of Islamic law in the formation of public policy in the era of globalization. By focusing on the basic principles of Islamic law such as social justice, economic sustainability, and protection of individual rights, this study aims to identify the relevance and contribution of Islamic law in formulating more just and sustainable policies. The results of the study indicate that the application of the principles of social justice in Islamic law, such as fair distribution of wealth and attention to the weak, can enrich public policies aimed at reducing social inequality. In addition, the principle of economic sustainability in Islamic law, which prioritizes wise management of natural resources, has also been shown to be relevant to policies that support sustainable development. This study concludes that the integration of Islamic law in public policy is not only relevant, but also makes a positive contribution in creating policies that are more inclusive, just, and in favor of the welfare of the people.

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#### Keywords:

Islamic Law, Public Policy,  
Social Justice, Economic  
Sustainability, Globalization,  
Social Welfare.



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### INTRODUCTION

Islamic law, as a legal system that has developed and is practiced in many countries, has an important role in shaping public policy, especially in countries with a Muslim majority.[1]. In the midst of an era of increasingly rapid globalization, where state boundaries are increasingly blurred and interactions between countries are increasingly intense, the relevance of Islamic law in the formation of public policy is becoming increasingly important to analyze. Globalization brings new challenges that require countries to be more open to external influences, both in the economic, political, social, and technological fields. However, on the other hand, globalization has also given rise to debate about the extent to which Islamic law is still relevant in the modern context.[2].

In many aspects, Islamic law is not only a guideline in personal and spiritual matters, but also has universal values that can be applied in social and political life.[3]. Values such as justice, welfare, and sustainable management of natural resources, which are part of the principles of Islamic law, can make significant contributions to the development of public policies in this increasingly connected world. Therefore, it is important to dig deeper into how the principles of Islamic law can be adapted in the formation of public policies, especially those that touch on aspects of social welfare, human rights, and sustainable economic management.[4].

However, the main challenge faced is how to integrate Islamic law into the wider legal system of a country, which is often influenced by Western legal principles. In this case, the relevance of Islamic law depends not only on its normative understanding, but also on how Islamic law can be bridged with applicable international legal principles. Therefore, this article aims to explore how Islamic law remains relevant and contributes to the formation of public policy in the era of globalization, taking into account the challenges and opportunities that exist.[5][6].

The purpose of this article is to provide a deeper understanding of the relevance of Islamic law amidst the challenges of globalization, and how the application of its principles can produce fair, sustainable, and inclusive policies for society.

## **METHODS.**

### **1. Islamic Law in Public Policy Formation**

Islamic law has a strong foundation of teachings, which not only regulate ritual or personal aspects, but also regulate relations between individuals, society, and the state. The basic principles of Islamic law include justice (al-'adl), welfare (al-maslaha), and the welfare of the community (al-istihsan). These principles prioritize the common good and ensure the protection of individual rights and maintain social and economic stability. In the context of public policy formation, Islamic law provides guidance on various aspects of social life, including the economy, education, health, and the justice system, all of which are important for creating the welfare of society as a whole.[7][8]

One example of the application of Islamic law in public policy is the concept of social justice taught in the Qur'an and Hadith. Islamic law emphasizes the distribution of wealth that is fair and does not harm any party, as well as the importance of paying attention to the fate of the weak in society, such as orphans, the poor, and the dhuafa.[9][10]. In the formation of public policy, this principle is reflected in social programs that aim to reduce social inequality, such as zakat, alms, and social security systems. These policies aim to create a more equitable distribution of wealth, with the aim of reducing the gap between rich and poor.[11].

On the other hand, economic sustainability is also an important aspect of Islamic law that can be applied in public policy. In Islamic law, the management of natural resources and natural wealth must be carried out fairly and wisely, prioritizing the benefits for humanity without damaging the balance of nature. This principle is relevant to public policies that aim to achieve sustainable development, including in the energy, agriculture, and environmental management sectors. For example, Islamic law encourages sustainability in the use of natural resources by prioritizing the principles of tasfiyah (purification) and tahfiz (maintenance), which can be implemented in environmental policies that are more environmentally friendly.[12][13].

Furthermore, the development of law and the judicial system in Islam also makes an important contribution to public policy, especially in maintaining the supremacy of law and justice. Islamic law teaches that every individual must be treated fairly and their rights must be protected, regardless of social status, religion, or race. In the context of public policy, this principle can be used as a basis for formulating policies that ensure equal access for all levels of society to the judicial system, as well as to ensure law enforcement that is free from discrimination and abuse of power.[14].

Although many countries in the world implement a legal system based on positive law or the Western legal system, the application of Islamic legal principles in public policy does not necessarily mean ignoring the existing legal system. On the contrary, these principles can serve as a complement and provide a new perspective in formulating policies that are more humanistic and oriented towards the welfare of humanity as a whole. In this case, Islamic law can be a strong source of inspiration in the formation of public policies, especially those concerning social, economic, and justice issues.[15].

## **2. Research Stages**

### **1. Determine the research problem**

The first step in research is to clearly identify the research problem. At this stage, the researcher needs to conduct a literature review to find gaps in existing knowledge. This also includes determining the relevance of the research problem in the current context and formulating the problem to be studied. The problem formulated must be specific enough and manageable, so that the focus of the research remains clear throughout the process.

### **2. Literature Review**

Literature review is an important stage to collect information and research relevant to the topic being studied. At this stage, researchers will review various scientific articles, books, reports, and other credible sources to understand the findings, methods, and limitations of previous research. From this literature review, researchers can find theoretical frameworks and methodologies used by other researchers, as well as build a theoretical basis for the research to be conducted.

### **3. Formulate Hypotheses or Research Objectives**

After understanding the research problem and the results of the literature review, the next stage is to formulate a hypothesis or research objective. The hypothesis that is formulated must be specific, measurable, and testable, and relevant to the previously identified problem. In addition, the research objective needs to be clearly explained, lead to the desired results, and provide direction for the entire research.

### **4. Designing Research Methodology**

At this stage, the researcher plans the research design and methods that will be used to collect and analyze data. The researcher decides the type of research to be conducted (qualitative, quantitative, or mixed methods), as well as the data collection techniques to be used, such as surveys, interviews, experiments, or observations. In addition, at this stage, the researcher also selects the sample and sampling method, and defines the research instruments that will be used to collect data.

### **5. Data Collection**

The next stage is collecting the data needed to answer the research question or test the hypothesis. The researcher will carry out the data collection process based on a previously designed methodology. At this stage, it is important to ensure that ethical principles of research, such as informed consent and confidentiality, are adhered to. The researcher must also monitor the data collection to ensure the accuracy and consistency of the data obtained.

## 6. Data Analysis

Once the data is collected, the researcher will analyze it to find relevant insights and answer the research questions. The data that has been collected must be organized and cleaned so that it is ready for analysis. The researcher will then use an appropriate analysis method, such as statistical analysis for quantitative data or thematic analysis for qualitative data. The results of this analysis will provide a deeper understanding of the patterns or relationships that exist in the data.

## 7. Interpretation of Results

This stage focuses on drawing conclusions based on the results of the data analysis. Researchers will compare their findings with previous studies and the theoretical framework used in the study. In addition, researchers will discuss the implications of their findings, both for theory, practice, and policy. Researchers will also note the limitations of the study and discuss whether the hypotheses or objectives of the study have been achieved.

## 8. Conclusion and Recommendations

At this stage, the researcher summarizes the main findings of the study and provides recommendations based on the results obtained. These recommendations can be practical, theoretical, or policy suggestions that can be implemented. In addition, the researcher will also identify areas for future research that can develop further understanding of the topic being studied.

## 9. Writing Research Reports

A research report or thesis is a documentation of the entire research process. Researchers must write a report that includes all sections, such as introduction, literature review, methodology, results, discussion, conclusion, and recommendations. Researchers must also ensure that all sources used are recorded correctly in accordance with applicable citation guidelines, and that the document is checked for errors.

## 10. Presentation and Dissemination of Research Results

The final stage is to present the research results to interested parties. Researchers can prepare presentations to share findings with academic audiences, policymakers, or the general public. In addition, research can also be published in academic journals or disseminated through conferences to gain feedback and criticism from the scientific community. Dissemination of research results ensures that the findings can contribute to relevant science and practice.

## **RESULTS AND DISCUSSION**

In this study, the results obtained indicate that the application of Islamic legal principles in the formation of public policies can have a positive impact on the welfare of society. Based on data analysis, it was found that the principles of social justice in Islamic law, such as fair distribution of wealth and protection of the weak, can be adapted in public policies to reduce social inequality. For example, zakat and social security programs based on the principle of justice can improve the welfare of the poor and vulnerable groups. In addition, the principle of economic sustainability in Islamic law, which emphasizes wise and sustainable management of natural resources, has been shown to be relevant to public policies aimed at maintaining environmental balance and long-term economic development.

### **Conclusion**

Based on the results of this study, it can be concluded that Islamic law has a significant role in the formation of public policy in the era of globalization, especially in terms of social justice, economic sustainability, and protection of individual rights. The basic principles of Islamic law, such as fair distribution of wealth, attention to the weak, and wise management of natural resources, are very relevant to public policies that aim to achieve the welfare of society as a whole. Although many countries adopt a legal system based on positive or

Western law, the integration of Islamic legal principles in public policy can provide added value that enriches existing policy approaches. Thus, Islamic law is not only relevant in a traditional context, but can also contribute to formulating policies that are more just, sustainable, and in favor of the interests of humanity.

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