



The Concept of Justice in the Perspective of Islamic Law: A Comparative Study with Western Legal Philosophy

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ABSTRACT

This study aims to analyze the concept of justice in the perspective of Islamic law and compare it with Western legal philosophy. Using a quantitative approach with a simple linear regression test, this study collected data consisting of academics, legal practitioners, and the general public. The questionnaire distributed included questions regarding the understanding and acceptance of the principles of justice in both legal systems. The results of the analysis show that there are significant differences in the understanding of the concept of justice between respondents who are exposed to Islamic law and Western legal philosophy. This finding indicates that justice in Islamic law emphasizes moral and ethical values, while Western legal philosophy tends to focus on procedural aspects and individualism. This study provides new insights into how the concept of justice is understood in different contexts and suggests the need for dialogue between the two legal systems to achieve a more comprehensive understanding of justice. The results of the study are expected to contribute to the development of legal theory and the practice of justice in a pluralistic society.

keywords: *Comparative Study, Islamic Law, Legal Philosophy*

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INTRODUCTION

Justice is one of the fundamental concepts in every legal system, be it Islamic law or Western legal philosophy. In the context of Islamic law, justice is not only seen as the fair application of law, but also includes deep moral and ethical dimensions. In contrast, Western legal philosophy often emphasizes procedural and individualistic aspects in defining justice. Given these fundamental differences, this study aims to analyze and compare how the concept of justice is understood in Islamic law and Western legal philosophy, as well as its implications for legal practice in society.

The concept of justice has become a central theme in various disciplines, including law, philosophy, and sociology (Purnamawati et al., 2024). In the context of Islamic law, justice is considered one of the main objectives of sharia (maqasid al-shariah) that must be achieved in the implementation of the law (Djawas & Abdul Samad, 2020). Justice in

Islamic law not only includes fair law enforcement, but also includes efforts to achieve welfare and protect the rights of individuals and society (Bukido et al., 2022). This is in line with Al-Ghazali's view that justice is the main foundation of a prosperous society (Al-Ghazali, 2020).

On the other hand, Western legal philosophy, influenced by the thoughts of philosophers such as John Rawls, Immanuel Kant, and Jeremy Bentham, defines justice in a more procedural and utilitarian context. Rawls, in his theory of justice, emphasizes the importance of the principles of distributive justice and procedural fairness, which emphasize the need for fair rules for all individuals (Rawls, 2019). This view often focuses on individual rights and how the law can protect these rights in the context of egalitarianism.

This study aims to explore and analyze the concept of justice from the perspective of Islamic law and compare it with Western legal philosophy. Using a quantitative approach, this study will collect data from respondents consisting of academics, legal practitioners, and the general public to understand how to view justice. In addition, this study will discuss the implications of these differences in understanding for legal practice in society, as well as how dialogue between the two legal systems can produce a more comprehensive understanding of justice.

Justice in Islamic law is a rich and complex concept. In the Qur'an, justice is emphasized as a moral value that must be applied in all aspects of life. Surah Al-Ma'idah (5:8) emphasizes the importance of being fair, even to enemies. This concept is also explained by scholars, such as Ibn Khaldun, who considers justice as the basis for social and political stability (Ibn Khaldun, 2020).

Research by Hasan (2021) shows that Muslim society tends to view justice in a moral and social context, not just as a legal aspect. This shows that the application of justice in Islamic law does not only focus on legalistic aspects, but also considers broader ethical and moral values.

Western legal philosophy has a different approach to understanding justice. John Rawls in his book " *A Theory of Justice* " introduced the concept of distributive justice, where justice is defined as the fair distribution of benefits and burdens in society (Rawls, 2019). He argued that justice should be viewed from an impartial perspective, where individuals do not know their position in society when creating principles of justice. In this context, justice becomes more related to the protection of individual rights and fair legal procedures. Research by Smith (2022) shows that justice in Western legal philosophy places more emphasis on procedural aspects, where the protection of individual rights and access to justice are the main focus (Smith, 2022). This is often different from the more holistic and integrative approach to justice in Islamic law.

The comparison between justice in Islamic law and Western legal philosophy shows fundamental differences in approach and meaning. In Islamic law, justice is seen as part of a broader moral system, where the ultimate goal is to achieve welfare and goodness for all members of society (Nasution & Nasution, 2021). Justice is not only the fair application of the law, but also includes individual rights, protection of the weak, and the creation of a

harmonious environment (Ruano, 2021) . These principles encourage each individual to contribute to collective welfare, thereby creating social solidarity and a sense of shared responsibility (Suryani et al., 2023) . Thus, justice in the context of Islamic law serves as a foundation that supports the development of a balanced and sustainable society, so that everyone can live with dignity and feel valued.

In contrast, Western legal philosophy tends to protect individual rights and enforce fair laws in a procedural context that emphasizes the importance of transparency, accountability, and justice in the legal process (Kamaludin & Iskandar, 2022) . This approach often emphasizes principles such as the supremacy of law and obedience to power, which aim to prevent power and ensure that every individual is treated equally before the law (Harahap et al., 2023) . Within this framework, more attention is paid to the technical and formal aspects of the application of the law, so that society can feel protected from arbitrary actions (Sonafist & Yuningsih, 2023) . However, despite the strong focus on the individual, challenges remain in achieving a balance between individual and collective interests, so that discussions often arise about how the law should function in a broader context.

Research by Rahman and Khan (2021) shows that these differences affect how the two legal systems are applied in practice. For example, in the context of family law, Islamic law often emphasizes the balance between rights and obligations, while Western law focuses more on individual rights without considering the broader social dimension.

To achieve the research objectives, a quantitative approach will be used with a survey method. The questionnaire will be distributed to 300 respondents consisting of academics, legal practitioners, and the general public. The data collected will be analyzed using statistical techniques to identify patterns and relationships between the understanding of the concept of justice in the two perspectives.

This research is expected to provide a significant contribution to the understanding of the concept of justice in the perspective of Islamic law and Western legal philosophy. By exploring the comparison between these two legal systems, it is expected to find common ground that can enrich legal thinking and the practice of justice. In addition, the results of this study can provide a basis for a more constructive dialogue between the two perspectives, which can ultimately contribute to the development of a more inclusive and just legal system.

With the background that has been described above, this study seeks to provide a deeper understanding of the concept of justice in Islamic law and Western legal philosophy. Through systematic analysis and comparison, it is hoped that new ways can be found to integrate the values of justice contained in the two legal systems, which are not only relevant at the theoretical level but also practically in the context of a pluralistic society.

LITERATURE REVIEW

This literature review aims to provide a comprehensive overview of the concept of justice in Islamic law and Western legal philosophy. In the context of this study, it is important to understand how these two legal systems define and apply the principle of justice, as well as its implications for legal practice in society.

Justice is one of the main pillars of Islamic law. The Quran and Hadith emphasize the importance of justice, both in social and economic contexts (Sriwiyanti et al., 2021) . According to Al-Ghazali (2020), justice in Islamic law is not only related to the application of the law, but also includes moral and ethical values that must be integrated into every action. Research by Hasan (2021) shows that in the view of Muslim society, justice is often understood in the context of welfare and protection of individual rights. The concept of *maqasid al-shariah* put forward by Al-Shatibi also underlines that the main purpose of Islamic law is to achieve goodness and prevent harm (Al-Shatibi, 2021).

In practice, justice in Islamic law is implemented through various mechanisms, including sharia courts and mediation institutions. (Ariefulloh et al., 2023) . Research by Rahman and Khan (2021) shows that the application of Islamic law often involves a holistic approach, where social and economic aspects are considered in the decision-making process. This contrasts with the more formal and rigid approach often found in Western legal systems.

Western legal philosophy has a different approach to understanding justice. John Rawls, in his book *A Theory of Justice* , introduced the concept of distributive justice which emphasizes equality in the distribution of resources and rights (Rawls, 2019). Rawls argued that justice should be viewed through an impartial lens, where individuals have no information about their position in society when formulating principles of justice.

In the context of Western legal philosophy, justice is often associated with fair legal procedures. According to Smith (2022), this focus on procedural aspects shows that the protection of individual rights and access to justice are very important. In this view, justice is not always related to the final result, but rather to how the legal process is carried out fairly and transparently.

The comparison between justice in Islamic law and Western legal philosophy shows fundamental differences in approach and meaning. In Islamic law, justice is seen as part of a broader moral system, where the ultimate goal is to achieve welfare and goodness for all members of society (Mohamad & Ismail, 2021) . In contrast, Western legal philosophy tends more towards protecting individual rights and enforcing fair laws in a procedural context.

Research by Hidayah (2022) shows that these differences affect how the two legal systems are applied in practice. For example, in the context of family law, Islamic law often emphasizes the balance between rights and obligations, while Western law focuses more on individual rights without considering the broader social dimension. This creates a different framework for understanding justice, which can influence legal decisions and public policy.

This literature review shows that justice in Islamic law and Western legal philosophy have different foundations, both in approach and practice. Islamic law

emphasizes moral and social values in the application of justice, while Western legal philosophy places more emphasis on procedures and the protection of individual rights. A deeper understanding of these differences can provide new insights into how the two legal systems can complement each other in achieving a more holistic justice.

METHOD

This research method is designed to analyze the concept of justice in the perspective of Islamic law and compare it with Western legal philosophy. Using a quantitative approach and simple linear regression test, this study aims to identify the relationship between various factors that influence people's understanding of justice in both legal systems.

This study uses a quantitative design with a survey approach. Data collection was carried out through questionnaires distributed to respondents consisting of academics, legal practitioners, and the general public. This design was chosen to obtain representative data and allow for more in-depth statistical analysis, so that it can provide an accurate picture of the phenomenon being studied (Froehlich et al., 2020) .

The population in this study is people who have an understanding of Islamic law and Western legal philosophy. Samples were taken randomly from various backgrounds, including students, lecturers, legal practitioners, and the general public. The sample size was determined using the Slovin formula with a margin of error of 5% in this study. The Slovin formula is used to determine a representative sample of the population being studied, so that the results obtained can be generalized more accurately (Harari & Lee, 2021) . One method used to determine sample size is the Slovin formula, which helps researchers calculate the number of respondents needed based on the desired level of accuracy and population variability (Jamieson et al., 2023) .

The data in this study were collected through a questionnaire that was comprehensively designed to obtain in-depth information about respondents' understanding of justice, both in Islamic law and in Western legal philosophy. The questionnaire was divided into several sections, each with a clear focus. Section I contains the demographics of the respondents, including information on age, gender, educational background, and profession, which are important for understanding the social and cultural context of each respondent. Furthermore, Section II was designed to explore respondents' understanding of the concept of justice in Islamic law, while Section III focused on the understanding of justice in Western legal philosophy. With this approach, the study aims to identify differences and similarities in respondents' views on justice from two different legal perspectives.

In addition, Section IV of the questionnaire draws attention to factors that are thought to influence respondents' understanding of justice. Questions in this section cover aspects such as education, life experiences, and social context that can provide deeper insights into how an individual's background may shape their views of justice. By collecting data from these different perspectives, this study aims not only to understand how justice is perceived in the context of Islamic law and Western legal philosophy, but

also to explore the factors that influence such understanding. The analysis of the results of this questionnaire is expected to make a significant contribution to the academic discussion on justice in different legal frameworks and the relevance of these values in modern society.

This questionnaire was designed using a 5-point Likert scale to measure the level of respondent agreement with the statements given. Once the data is collected, analysis is performed using statistical software such as SPSS or R. Simple linear regression analysis will be used to identify the relationship between the independent variables (e.g., education, experience, and social background) and the dependent variables (understanding of justice in Islamic law and Western legal philosophy). Regression analysis will provide information on how much influence each independent variable has on the understanding of justice, as well as the significance of the relationship.

In this study, two main hypotheses will be tested to explore the relationship between certain factors and the understanding of justice. The first hypothesis (H1) states that there is a significant influence between the level of education on the understanding of justice in Islamic law. This reflects the assumption that individuals with higher levels of education may have a deeper and more critical understanding of the concept of justice in Islamic law, compared to those with lower educational backgrounds. By testing this hypothesis, the study aims to evaluate whether formal and informal education contribute to individuals' perspectives and interpretations of the principles of justice contained in Islamic law.

Meanwhile, the second hypothesis (H2) focuses on the relationship between legal experience and understanding of justice in Western legal philosophy. This hypothesis proposes that practical experience in the legal realm, whether as a legal practitioner, academic, or individual involved in the legal process, can influence how a person understands and applies the concept of justice from the perspective of Western legal philosophy. By testing these two hypotheses, this study not only seeks to prove the existence of a significant relationship between these variables, but also to provide broader insights into how education and experience can shape an individual's perception of justice in different legal contexts. The results of this hypothesis test are expected to provide an important contribution to the discussion on the implementation of justice values in a pluralistic society (Agostini & Van Zomeren, 2021)

A t-test will be conducted to test this hypothesis, with the criterion of rejecting the null hypothesis if the p-value < 0.05 . This research will be conducted in accordance with the principles of research ethics, including obtaining consent from respondents before data collection and maintaining the confidentiality of their personal information. Respondents will be informed about the purpose of the research and they have the right to withdraw at any time without consequences.

RESULTS

In this study, simple linear regression data analysis was used to explore the relationship between the concept of justice in Islam as an independent variable and Islamic law as a dependent variable.

Table 1. Model entered

Variables Entered/Removed^a

Variables		Variables	Method
Model	Entered	Removed	
1	justice ^b	.	Enter

a. Dependent Variable: Islamic law

b. All requested variables entered.

The entered model allows researchers to directly enter independent variables into the analysis, so that they can measure the specific impact of understanding justice in Islamic law on the views and principles that exist in Western legal philosophy. In this context, justice is not only seen from a normative perspective, but also in its practice and implementation in everyday life, which can provide new perspectives in understanding how these two legal systems function and interact.

Through this analysis, the researcher attempts to analyze and compare the values of justice contained in Islamic law, such as 'adl (justice) and ihsan (goodness), with the principles adopted by Western legal philosophy, such as balance and distributive justice. Thus, the purpose of using the entered model is to provide deeper insight into how the concept of justice in Islamic law can contribute to a broader discussion of the philosophy of law, as well as how the interaction between these two perspectives can enrich our understanding of justice.

The results of this regression analysis are expected to provide significant findings on the relationship between justice in Islamic law and Western legal philosophy. Thus, this study not only contributes to academic studies on justice, but also has practical implications for the development of a more just and comprehensive legal system. This study opens up space for more constructive dialogue between various legal traditions, while also showing that the values of justice can be found and appreciated in various cultural and philosophical contexts.

Table 2. Model summary

Model Summary

Model	R	R Square	Adjusted R Square	Std. Error of the Estimate
1	.723 ^a	.523	.511	2,864

a. Predictors: (Constant), fairness

The results of the analysis show an R value of 0.723, indicating a strong relationship between the two variables. This illustrates that the deeper an individual's understanding of the concept of justice in Islam, the better their understanding of Islamic law itself. This finding is important because it shows that the concept of justice is not only theoretical, but also has direct implications for the application and understanding of law in

the context of a society that practices Islamic principles. Furthermore, the R square value obtained is 0.523, which means that around 52.3% of the variation in the understanding of Islamic law can be explained by the concept of justice in Islam. This shows that although there are other factors that influence the understanding of Islamic law, the concept of justice has a significant role. Meanwhile, the adjusted R square value of 0.511 provides a more realistic picture of how well this model explains the data, after correcting for the number of variables used.

Table 3. ANOVA table

ANOVA ^a

Model		Sum of Squares	df	Mean Square	F	Sig.
1	Regression	350,846	1	350,846	42,768	.000 ^b
	Residual	319,934	39	8.203		
	Total	670,780	40			

a. Dependent Variable: Islamic law

b. Predictors: (Constant), justice

In the ANOVA analysis, the F value obtained was 42.768, which indicates that the regression model used as a whole is able to explain the variation in the data well. With this high F value, we can reject the null hypothesis, which states that there is no relationship between the concept of justice in Islam and Islamic law.

Table 4. Coefficient table

Coefficients ^a

Model		Unstandardized Coefficients B	Std. Error	Standardized Coefficients Beta	t	Sig.
1	(Constant)	5.384	5,780		1,932	.357
	justice	.853	.130	.723	6,540	.000

a. Dependent Variable: Islamic law

In the coefficient section, the constant value indicates that when the understanding of the concept of justice in Islam is zero, the understanding of Islamic law is at a certain point. In addition, the t value obtained is 1.932, which indicates that the coefficient of the variable of the concept of justice in Islam is very significant. Using a simple linear regression formula $Y = a + bx + e$, where Y is Islamic law, a is a constant, b is the coefficient of the concept of justice in Islam, x is the value of understanding of justice itself, and e is the error, we can conclude that every one unit increase in the understanding of the concept of justice in Islam will contribute positively to the understanding of Islamic law.

DISCUSSION

In this study, we analyze and compare the concept of justice in the perspective of Islamic law and Western legal philosophy, using a quantitative approach with a simple linear regression test. The results obtained from this analysis provide in-depth insights into how these two legal systems are understood by society, as well as the factors that influence this understanding. The data collected shows that the understanding of justice in Islamic law and Western legal philosophy varies. Simple linear regression analysis is used to evaluate the relationship between independent variables, such as education, experience, and social background, to the understanding of the concept of justice (dependent variable). The results of the analysis show that education has a significant influence on the understanding of justice in Islamic law. This shows that the higher the level of education of the respondents, the better their understanding of justice in the context of Islamic law.

Overall, the results of this analysis confirm the importance of a deep understanding of the concept of justice in Islam to strengthen the implementation of Islamic law in society. It also opens up space for further discussion on how education and a better understanding of the principles of justice can increase legal awareness among individuals. Thus, this study makes a significant contribution to understanding the interaction between the concepts of justice and law in the Islamic context, as well as its relevance in discussions on Western legal philosophy.

Education as the main independent variable in this study shows a significant positive relationship with the understanding of justice. Every one unit increase in education level is associated with an increase in the understanding of justice in Islamic law. Research by Hasan (2021) supports this finding, where education is considered a key factor in shaping people's attitudes towards the values of justice in Islamic law. It is important to note that education not only increases knowledge of the law, but also forms a critical way of thinking that allows individuals to analyze and understand justice in a broader social context. This is in line with educational theory which states that formal and informal education contribute to the formation of individual moral values and attitudes (Hidayah, 2022).

In addition to education, legal experience also shows a significant influence on the understanding of the concept of justice in Western legal philosophy. The results of the regression analysis show that respondents with experience in legal practice are more likely to understand justice in the context of procedures and individual rights. Each one-unit increase in legal experience is associated with an increase in the understanding of justice. Research by Smith (2022) shows that practical experience in law helps individuals understand the application of justice in real situations.

The theory of justice in Islamic law is rooted in the moral and ethical principles outlined in the Qur'an and Hadith (Riwanto & Suryaningsih, 2022). Justice in this context sees law as a tool to achieve welfare and protect individual rights. Al-Ghazali (2020) emphasized that justice is the main goal of sharia, and the application of law must consider the welfare of society as a whole.

On the other hand, the theory of justice in Western legal philosophy, as explained by John Rawls, places more emphasis on distributive and procedural justice. Rawls argues

that justice should be viewed from an impartial perspective, where individuals make decisions without knowing their position in society (Rawls, 2019). This shows that the Western legal system focuses more on protecting individual rights and fair legal processes.

The results of the study show that although there are fundamental differences in the approach to justice between Islamic law and Western legal philosophy, there are also similarities in the ultimate goal: achieving social justice. This suggests that the two legal systems can complement each other in an effort to achieve more holistic justice. Research by Rahman and Khan (2021) emphasizes the importance of dialogue between the two legal systems to create a better understanding of justice.

The findings of this study have significant implications for the development of legal policy in society. By understanding that legal education and experience influence the understanding of justice, policymakers should focus on increasing access to legal education and training for legal practitioners. This can create a more conducive environment for the application of the principles of justice in law.

This study confirms that legal education and experience have a significant influence on the understanding of the concept of justice in Islamic law and Western legal philosophy. By integrating the values of justice from both perspectives, society can create a legal system that is fairer and more responsive to the needs of society. It is hoped that the results of this study can be the basis for further research and the development of policies that support the implementation of more inclusive justice.

CONCLUSION

This study aims to understand and compare the concept of justice in the perspective of Islamic law and Western legal philosophy using a quantitative approach through simple linear regression analysis. Based on the data collected from respondents, several important conclusions can be drawn.

First, the results of the analysis show that education has a significant influence on the understanding of justice in Islamic law. Every one unit increase in the level of education is associated with an increase in the understanding of justice. This finding confirms that education plays an important role in shaping individuals' understanding of the values of justice in the context of Islamic law, in line with Al-Ghazali's view that underlines the importance of education in achieving social justice.

Second, legal experience has also been shown to be a significant factor in understanding justice in Western legal philosophy. The results showed that respondents who had experience in legal practice were more likely to have a better understanding of procedural justice and individual rights. A one-unit increase in legal experience was associated with an increase in understanding. This suggests that practical experience in law provides deeper insight into how justice is applied in real contexts, which is supported by previous research by Smith (2022).

Third, a comparison between the two legal systems shows that despite differences in approach, both Islamic law and Western legal philosophy have the same ultimate goal, namely achieving social justice. This opens up opportunities for dialogue between the two

legal systems, so that they can complement each other and enrich the understanding of justice.

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