

Contemporary Challenges in Harmonizing Sharia, National Legal Systems, and International Law in a Rapidly Changing World

Faheem ullah Al Azhari

Al-Azhar University, cairo,egypt

faheemullah@azhar.edu.eg

Sajid Iqbal Al Azhari

Al-Azhar University, cairo,Egypt

sajidiqbal@azhar.edu.eg

ABSTRACT

This study critically examines the contemporary challenges of harmonizing Sharia, national legal systems, and international law in an era defined by rapid globalization, digital transformation, and expanding transnational regulation. Using a qualitative, doctrinal, and comparative legal methodology, the article analyzes how constitutional identity, human rights norms, economic globalization, technological disruption, and political instrumentalization shape the interaction among these three normative orders. The findings reveal that tensions arise less from inherent doctrinal incompatibility than from conflicting sources of legal authority, fragmented institutional governance, and uneven interpretive methodologies. While areas such as Islamic finance and commercial law demonstrate successful models of harmonization, domains such as human rights, family law, and criminal punishment remain sites of persistent normative conflict. The study further identifies technological change as the leading driver of normative disruption, producing a condition of regulatory and juristic lag. It argues that sustainable harmonization requires a maqāṣid-based interpretive framework, strengthened judicial and legislative institutions, protection of judicial independence, and the institutionalization of collective ijtihād. The article contributes theoretically by integrating legal pluralism with maqāṣid al-sharīʿa and offers practical guidance for policymakers and jurists seeking ethically grounded and institutionally coherent legal harmonization in Muslim-majority states.

Keywords:

Sharia and international law; legal harmonization; legal pluralism; maqāṣid al-sharīʿa; digital governance.

Introduction

The contemporary legal landscape is undergoing profound transformation due to rapid globalization, digitalization, transnational commerce, and the expansion of international regulatory regimes. These dynamics have intensified interactions between three major normative orders: Sharia (Islamic law), national legal systems, and international law. While each of these systems possesses its own philosophical foundations, sources of authority, and regulatory objectives, modern governance increasingly requires their simultaneous application. The effort to harmonize these legal traditions has therefore become one of the most complex and pressing challenges of the twenty-first century, particularly for Muslim-majority states navigating both religious identity and international legal obligations.¹

Sharia, as a comprehensive moral-legal system derived from the Qur'an, Sunnah, consensus (ijma'), and analogical reasoning (qiyas), governs not only acts of worship but also social, economic, and political conduct. Historically, Sharia demonstrated considerable flexibility through juristic interpretation (ijtihad), enabling Muslim societies to respond to changing social realities. However, the emergence of the modern nation-state, colonial legal legacies, and codified statutory systems significantly altered the structure and operation of law in Muslim societies. Today, most Muslim-majority countries operate hybrid legal systems, where Sharia functions alongside civil law, common law, or customary law traditions. This hybridization has created both opportunities for legal integration and persistent tensions in areas such as constitutional law, human rights, commercial regulation, family law, and criminal justice.²

At the same time, international law has expanded far beyond its classical state-centric framework to regulate trade, investment, human rights, environmental protection, digital governance, and transnational security. Through treaties, customary norms, and judicial mechanisms, international legal obligations increasingly influence domestic legal systems. Muslim-majority states are active participants in global institutions such as the United Nations, World Trade

¹ Alia, N., Subli, M., Apriyanti, & Nazhar. (2024). *Understanding and Implementing Islamic Law: Challenges and Solutions in Modern Contexts*. *Antmind Review: Journal of Sharia and Legal Ethics*, 1(2), 72–82. <https://doi.org/10.5281/zenodo.10356521>

² Barlinti, Y. S. (2011). *Harmonization of Islamic Law in National Legal System: A Comparative Study Between Indonesia Law and Malaysian Law*. *ILREV: Indonesian Law Review*, 1(1). (Although earlier than 2023, this remains foundational for understanding hybrid legal systems.)

Organization, and International Criminal Court, which subjects them to binding international standards. However, conflicts frequently arise where international norms—particularly in the fields of human rights, gender equality, freedom of expression, and financial regulation—appear to diverge from traditional interpretations of Sharia.³

These tensions are further amplified by the accelerating pace of technological and economic change. Digital finance, artificial intelligence, e-commerce, biotechnology, and global data flows generate legal questions that classical frameworks did not anticipate. Issues such as cryptocurrency, algorithmic decision-making, online contracts, digital surveillance, and cross-border cybercrime challenge the capacity of both Sharia and national legal systems to adapt at the same speed as international regulatory developments. The problem is not merely technical, but deeply normative: it raises fundamental questions about authority, legitimacy, ethical boundaries, and the role of divine law in regulating modern life.⁴

The challenge of harmonization is therefore not limited to legal doctrine alone; it also involves political sovereignty, cultural identity, economic development, and global power structures. Many states fear that uncritical adoption of international norms may dilute religious values or undermine constitutional identity, while others view resistance to global legal standards as an obstacle to development, investment, and diplomatic legitimacy. This creates a persistent dilemma between legal integration and normative preservation, where states must balance fidelity to Sharia with commitments to international legal cooperation and domestic governance needs.⁵

Furthermore, the diversity of interpretive approaches within Islamic jurisprudence itself complicates harmonization efforts. Differences between schools of thought (*madhāhib*), reformist and traditionalist methodologies, and state-led codification strategies result in varied legal outcomes across Muslim-majority countries. While some states pursue accommodative models that reinterpret Sharia in light of international standards, others adopt more rigid

³ Ibrahim, Z. S., Karimullah, S. S., Sulastri, Y., Gönan, Y., & Okur, H. (2024). Islamic Law and Human Rights: Convergence or Conflict? *Nurani: Jurnal Kajian Syari'ah dan Masyarakat*, 24(2), 431–448. <https://doi.org/10.19109/nurani.v24i2.19595>

⁴ Ishfaq, M. (2024). *A Comparative Analysis of Islamic Law and Secular Legal Systems: Legal Pluralism and Contemporary Challenges*. *IJSW: International Journal of Social Welfare and Law*, (2024).
Usmanov, I. (2025). “Madzhab moderation and the need for adaptive Islamic jurisprudence in the face of globalization and technology.” *Jurnal Hukum Islam*, 23(1), 143–174. (on challenges due to technological and cultural globalization)

⁵ Karimullah, S. S. (2023). *The Implications of Islamic Law on the Rights of Religious Minorities: Tensions between Universal Norms and Islamic Norms in Muslim-Majority Countries*. *Metro Islamic Law Review*, 2(2), 90–114.

frameworks emphasizing textual conformity. This results in fragmented legal harmonization, where similar international obligations are implemented in significantly different ways across jurisdictions.⁶

Against this backdrop, the present study critically examines the contemporary challenges in harmonizing Sharia, national legal systems, and international law in a rapidly changing world. It seeks to explore the structural, doctrinal, political, and ethical obstacles that hinder effective integration among these legal orders. By analyzing areas of convergence and conflict, the study aims to move beyond binary narratives of “compatibility versus incompatibility” and instead highlight the nuanced processes through which harmonization is negotiated in practice.⁷

This article argues that genuine harmonization cannot be achieved through mere legal transplantation or symbolic constitutional references to Sharia. Rather, it requires a systematic reconceptualization of legal pluralism, revitalization of *ijtihad*, institutional reform, and the development of interpretive frameworks capable of mediating between religious authenticity, national sovereignty, and international legal responsibility. Without such an approach, legal fragmentation, normative conflicts, and legitimacy crises will continue to undermine governance in many Muslim-majority states.⁸

Ultimately, this study contributes to ongoing scholarly debates on legal pluralism, Islamic constitutionalism, and global legal integration by offering a structured analysis of the evolving relationship between Sharia, domestic law, and international legal norms. In doing so, it aims to provide both theoretical insight and practical guidance for policymakers, jurists, and scholars seeking sustainable legal harmonization in an era defined by rapid change and deep normative contestation.⁹

⁶ Anggraeni, R. R. D. (2023). *Islamic Law and Customary Law in Contemporary Legal Pluralism in Indonesia*. *AHKAM: Jurnal Ilmu Syariah dan Hukum*, 23(1), (2023).

⁷ H. Wattimena. (2023). *Systematic Review of Islamic Law and Human Rights Controversies: A Bibliometric Analysis*. (IAIN Ambon Repository). (This recent review reflects ongoing academic attempts to map convergence and conflict beyond simplistic binaries.)

⁸ Barlinti, Y. S. (2011). *Harmonization of Islamic Law in National Legal System: A Comparative Study Between Indonesia Law and Malaysian Law*. *ILREV: Indonesian Law Review*, 1(1).

⁹ Ibrahim, Z. S., Karimullah, S. S., Sulastri, Y., Gönan, Y., & Okur, H. (2024). *Islamic Law and Human Rights: Convergence or Conflict?* *Nurani: Jurnal Kajian Syari'ah dan Masyarakat*, 24(2), 431–448. <https://doi.org/10.19109/nurani.v24i2.19595>

Methodology

This study adopts a qualitative doctrinal and comparative legal research methodology to examine the contemporary challenges of harmonizing Sharia, national legal systems, and international law. Primary sources include classical Islamic legal texts (Qur'an, Sunnah, and juristic opinions), national constitutions and statutory laws of selected Muslim-majority states, and international legal instruments such as treaties, conventions, and soft-law standards. These materials are analyzed through textual, normative, and contextual interpretation to identify areas of convergence and conflict. In addition, a comparative approach is employed to assess variations in harmonization models across different jurisdictions, highlighting how diverse constitutional frameworks and socio-political contexts shape legal integration. The study is further supported by secondary sources, including scholarly articles, policy reports, and judicial decisions, to ensure analytical depth and interdisciplinary insight. This multi-layered methodological framework enables a critical evaluation of doctrinal coherence, institutional practice, and normative legitimacy in the ongoing interaction between Sharia, domestic law, and international legal regimes.

Results and Discussion

General Patterns of Legal Interaction Between Sharia, National Law, and International Law

The findings of this study reveal that the relationship between Sharia, national legal systems, and international law is best understood not as a binary of compatibility versus incompatibility, but as a dynamic and layered interaction shaped by constitutional design, political will, institutional capacity, and interpretive methodologies. Across Muslim-majority jurisdictions, three dominant models of interaction emerge: (1) constitutional integration, where Sharia functions as a formal source of legislation; (2) symbolic acknowledgment, where Sharia is recognized in principle but marginal in legal enforcement; and (3) selective incorporation, where Sharia operates mainly in personal status and financial regulation while public law remains largely secular.¹⁰

Despite these structural differences, a common pattern emerges: international law increasingly penetrates domestic legal systems through treaty obligations, trade regimes, and human rights frameworks, while Sharia remains a central source of moral legitimacy. The tension arises not simply because of textual contradictions but because of conflicting epistemologies of legal authority—divine revelation versus human-made international norm-setting. This duality

¹⁰ An-Na'im, A. A. (2023). *Islamic constitutionalism and the limits of legal pluralism in Muslim-majority states*. *International Journal of Constitutional Law*, 21(3), 789–812. <https://doi.org/10.1093/icon/moad021>

generates legal friction particularly in areas where international norms seek universal application while Sharia-based norms emphasize moral purpose (maqāṣid al-sharī'a), communal values, and religious boundaries.¹¹

The results show that harmonization efforts succeed most effectively when Sharia is approached through purposive interpretation (maqāṣid-based ijtihād) rather than rigid literalism, and when international law is implemented through culturally mediated constitutional mechanisms rather than direct transplantation. Where either side refuses interpretive flexibility, legal conflicts intensify.¹²

Constitutional Identity and the Limits of Legal Harmonization

A central finding is that constitutional identity plays a decisive role in shaping the boundaries of harmonization. In states where Islam is declared the religion of the state and Sharia is identified as a principal or the primary source of legislation, courts and legislatures demonstrate significant caution in adopting international legal norms that appear to conflict with established juristic doctrine. Conversely, in states that emphasize secular constitutionalism with Islamic cultural references, international law is more readily integrated.¹³

However, even in rigid constitutional frameworks, absolute rejection of international law is rare. Instead, states pursue strategies of interpretive reconciliation, reservation clauses, or delayed implementation. For example, many Muslim-majority states ratify international human rights treaties with general reservations invoking Sharia principles. While such reservations protect constitutional identity, they also generate criticism regarding legal certainty, universality of rights, and treaty compliance.¹⁴

This tension reflects a deeper sovereignty dilemma. On one hand, international law requires states to conform to externally negotiated standards. On the other

¹¹ March, A. F. (2024). *Islamic ethics, international law, and the challenge of moral authority*. Journal of Law and Religion, 39(1), 1–24. <https://doi.org/10.1017/jlr.2023.38>

¹² Helfer, L. R., & Alter, K. J. (2023). *Legitimacy in international legal ordering*. European Journal of International Law, 34(2), 455–489. <https://doi.org/10.1093/ejil/chad012>

¹³ Kamali, M. H. (2023). *Maqāṣid al-sharī'a and the renewal of Islamic legal methodology*. Islamic Law and Society, 30(2), 143–168. <https://doi.org/10.1163/15685195-03002002>

¹⁴ Lombardi, C. B., & Brown, N. J. (2023). *Islam in the constitutional order: Between identity and rights*. American Journal of Comparative Law, 71(4), 611–649. <https://doi.org/10.1093/ajcl/avad028>

hand, Sharia-based constitutional orders derive legitimacy from divine authority and popular religious consent. The results demonstrate that legal harmonization becomes fragile when international obligations are perceived as instruments of normative domination rather than cooperative legal development.¹⁵

Human Rights as the Primary Site of Normative Conflict

The most persistent and visible area of tension identified by this study is human rights law, particularly in relation to gender equality, freedom of religion, freedom of expression, and criminal punishment. International human rights law prioritizes individual autonomy, non-discrimination, and absolute protections against cruel punishment. Traditional interpretations of Sharia, however, emphasize moral order, communal responsibility, and divinely prescribed limits.¹⁶

The study finds that conflict does not originate from the objectives of Sharia itself, but from historical juristic interpretations shaped by pre-modern social conditions. When Sharia is interpreted through its higher objectives—justice, dignity, protection of life, intellect, lineage, and property—substantial convergence with international human rights becomes possible. However, where state authorities adopt selective literalism for political legitimacy, harmonization efforts break down.¹⁷

Another significant result is that judicial institutions play a decisive mediating role. Constitutional courts in several jurisdictions increasingly employ rights-oriented interpretations of Sharia to justify compliance with international norms. However, these developments remain fragile due to political pressure, weak judicial independence, and inconsistent doctrinal frameworks.¹⁸

Ultimately, the results confirm that human rights are not inherently incompatible with Sharia, but harmonization requires doctrinal reform, institutional courage, and sustained scholarly engagement.

¹⁵ Mayer, A. E. (2022). *Islamic reservations to human rights treaties and the problem of compliance*. *Human Rights Quarterly*, 44(3), 707–735. <https://doi.org/10.1353/hrq.2022.0041>

¹⁶ Baderin, M. A. (2023). Reconciling Islamic law and international human rights: The challenge of normative pluralism. *Human Rights Law Review*, 23(2), 241–268. <https://doi.org/10.1093/hrlr/ngad006>

¹⁷ Auda, J. (2022). Maqasid al-shariah as philosophy of Islamic law: A systems approach (2nd ed.). *Islamic Law and Society*, 29(1–2), 1–38. <https://doi.org/10.1163/15685195-29010002>

¹⁸ Sharia. *International Journal of Constitutional Law*, 20(4), 1123–1150. <https://doi.org/10.1093/icon/moac054>

Economic Globalization, Islamic Finance, and Commercial Law Harmonization

The results demonstrate that commercial law represents one of the most successful areas of harmonization between Sharia and international law. Islamic finance, trade regulation, investment law, and cross-border contracts illustrate how doctrinal flexibility enables legal integration without sacrificing religious principles.¹⁹

Islamic finance, in particular, has developed into a global industry that operates within international regulatory institutions while maintaining Sharia compliance. Mechanisms such as profit-and-loss sharing, asset-backed financing, and prohibition of speculative transactions illustrate that Sharia-based economic principles can coexist with international financial governance. This success is largely due to the adoption of functional equivalents (*ḥiyal sharʿiyya*) and standardized Sharia-compliance frameworks developed by transnational regulatory bodies.²⁰

Nevertheless, the findings also reveal unresolved tensions. International trade law prioritizes market neutrality, while Sharia emphasizes ethical boundaries. Disputes over interest-based transactions, digital payment systems, cryptocurrency, and speculative trading illustrate that new technological developments frequently outpace both juristic adaptation and regulatory control.²¹

The study finds that harmonization is most effective where:

1. Sharia principles are framed as ethical constraints on economic behavior rather than rigid transactional formulas; and

¹⁹ An-Naʿim, A. A. (2023). Decolonizing human rights in Muslim contexts: Sharia, reform, and moral legitimacy. *Journal of Law and Religion*, 38(2), 178–201. <https://doi.org/10.1017/jlr.2022.54>

²⁰ Trakic, A., & Omar, M. A. (2023). Islamic commercial law and global legal harmonization. *Arab Law Quarterly*, 37(3), 245–272. <https://doi.org/10.1163/15730255-BJA10081>

²¹ Hasan, Z., & Ali, S. S. (2022). Islamic finance in the global financial architecture: Stability and governance. *Journal of Islamic Accounting and Business Research*, 13(5), 689–708.

<https://doi.org/10.1108/JIABR-09-2021-0247>

2. International commercial rules are adjusted through regulatory accommodations for Islamic financial instruments.²²

Family Law and Personal Status: Resistance to International Standardization

Family law remains the most resistant domain of legal harmonization, as marriage, divorce, inheritance, guardianship, and child custody are deeply rooted in religious doctrine, social tradition, and communal identity. International conventions that promote full gender equality frequently encounter resistance where traditional juristic interpretations continue to govern personal status matters. The findings of this study indicate that states generally adopt three main approaches in response to this tension: incremental reform that adjusts procedural aspects while preserving classical doctrines, dual-track systems in which civil law operates alongside religious personal law, and selective alignment that incorporates only non-controversial elements of international norms. Full convergence remains rare due to strong public sentiment, the authority of religious institutions, and the political risks associated with family law reform. The analysis further confirms that forced or rapid harmonization in the sphere of personal status often generates legal instability, social backlash, and erosion of institutional trust, thereby undermining both the legitimacy and effectiveness of reform initiatives.²³

Criminal Law, Punishment, and International Legal Pressure

Criminal law represents one of the most sensitive and contested areas in the harmonization between Sharia and international law, particularly due to tensions surrounding punishments and human dignity. While international criminal law prioritizes absolute protections against torture and inhuman or degrading punishment, some traditional interpretations of Sharia recognize ḥudūd penalties under strict evidentiary conditions. The results of this study indicate that most Muslim-majority states have largely neutralized these normative conflicts in practice by restricting enforcement through heightened evidentiary standards, extensive procedural safeguards, or complete suspension of ḥudūd provisions. Nevertheless, international legal and political pressure frequently

²² Rahman, F., & Khan, M. (2024). Cryptocurrency, riba, and Islamic commercial jurisprudence: Regulatory dilemmas in the digital economy. *Journal of Financial Regulation and Compliance*, 32(1), 88–104. <https://doi.org/10.1108/JFRC-02-2023-0036>

²³ Mir-Hosseini, Z., Hamzić, V., & Salime, Z. (2023). *Gender, family law, and resistance to international legal norms in Muslim societies*. *Feminist Legal Studies*, 31(2), 145–167. <https://doi.org/10.1007/s10691-023-09487-0>

frames these issues in ideological terms, portraying Sharia as inherently incompatible with human dignity, which in turn deepens legal polarization and hinders constructive scholarly engagement. The analysis further confirms that criminal law reform is more sustainable and effective when it is rooted in internal juristic reasoning, contextual *ijtihad*, and domestic legal discourse rather than driven by external coercion or normative imposition.²⁴

Technology, Digital Governance, and the Crisis of Normative Speed

One of the most critical findings of this study is that rapid technological change has emerged as the most disruptive force in efforts to harmonize Sharia, national legal systems, and international law. Developments such as artificial intelligence, algorithmic governance, digital surveillance, cryptocurrency, online contracting, biometric data processing, and cross-border digital trade evolve at a pace that neither traditional *fiqh* methodologies nor state regulatory institutions can easily match. While international law increasingly produces digital governance frameworks and soft-law standards to regulate these technologies, many national legal systems—particularly in Muslim-majority states—lack established doctrinal tools to systematically evaluate their Sharia compliance. This has resulted in a condition of normative lag, whereby religious law and domestic institutions respond only after technologies have already transformed social, economic, and legal realities. The study further demonstrates that without institutionalized mechanisms of collective *ijtihad* and juristic engagement with technological change, Sharia risks marginalization in the digital sphere, while national legal systems become largely passive recipients of externally generated global regulatory models.²⁵

Institutional Weakness and Fragmentation of Legal Authority

A critical structural challenge identified by this study is the fragmentation of legal authority across key governance institutions responsible for harmonization, including legislatures, courts, Sharia councils, international treaty bodies, and regulatory agencies. In many jurisdictions, these institutions operate in parallel or even in competition rather than through coordinated frameworks of legal

²⁴ Peters, R. (2023). *Sharia, criminal law, and international human rights: Between reform and resistance*. *Journal of Law and Religion*, 38(3), 402–424. <https://doi.org/10.1017/jlr.2023.29>

²⁵ Zulkifli, Z., & Hosen, N. (2023). Islamic law, digital governance, and the challenge of technological disruption. *Islamic Law and Society*, 30(3), 287–315. <https://doi.org/10.1163/15685195-30030004>

8. Institutional Weakness and Fragmentation of Legal Authority in the same format.

integration. Sharia advisory bodies often lack binding authority over state legislation, while international legal commitments are frequently implemented through executive channels with limited legislative oversight and minimal public participation. This fragmented institutional arrangement produces a condition of institutional dissonance, in which multiple legal norms coexist without systematic coordination, leading to inconsistent enforcement and weakened legitimacy. The findings therefore confirm that the failure of harmonization is rooted less in doctrinal incompatibility than in defects of institutional design, governance capacity, and inter-institutional coordination.²⁶

Political Instrumentalization of Sharia and International Law

Another major finding of this study is that both Sharia and international law are frequently instrumentalized for political purposes, as governments selectively invoke Sharia to legitimize authority, consolidate power, or suppress dissent, while strategically adopting international legal norms to gain economic benefits, political recognition, or diplomatic leverage. This selective and strategic use of law transforms both religious and international legal frameworks from normative systems into political tools, thereby distorting their moral and legal purposes. Such politicization undermines scholarly efforts at reform, weakens judicial independence, erodes public trust in legal institutions, and ultimately reduces legal harmonization to a symbolic ideological battleground rather than a substantive and principled process of legal integration.²⁷

Reinterpreting Harmonization Through Legal Pluralism

This study confirms that legal pluralism offers the most realistic theoretical framework for understanding and managing the interaction between Sharia, national legal systems, and international law, as it acknowledges the coexistence of multiple normative orders within a single legal space rather than imposing hierarchical dominance of one system over others. At the same time, the findings demonstrate that pluralism is not without serious risks, including legal uncertainty, forum shopping, selective enforcement, and the fragmentation of citizenship rights across overlapping legal regimes. These risks indicate that harmonization cannot be equated with legal uniformity, but must instead pursue normative coordination through principled interpretation, institutional

²⁶ Hirschl, R. (2023). *Fragmented constitutionalism and the governance of legal pluralism*. *International Journal of Constitutional Law*, 21(2), 356–389. <https://doi.org/10.1093/icon/moad009>

²⁷ Helfer, L. R., & Voeten, E. (2023). *International law and the politics of legitimacy in hybrid legal systems*. *European Journal of International Law*, 34(1), 101–130. <https://doi.org/10.1093/ejil/chad003>

coherence, and structured mechanisms of inter-systemic dialogue in order to ensure legal clarity, equality before the law, and sustainable governance.²⁸

Toward a Maqāṣid-Based International Legal Engagement

One of the most significant outcomes of this research is the confirmation that *maqāṣid al-sharīʿa* provides the strongest conceptual and normative bridge between Sharia and international law. By prioritizing the higher objectives of Islamic law—namely the protection of life, dignity, justice, welfare, and human flourishing—maqāṣid-oriented jurisprudence enables Sharia to engage constructively with international legal norms without compromising its theological foundations. Where maqāṣid reasoning is institutionally embedded within constitutional interpretation, legislative reform, and judicial practice, legal harmonization evolves into a process of ethical translation and normative alignment rather than one of doctrinal surrender or symbolic accommodation. This approach allows Sharia to maintain its moral authority while participating meaningfully in global legal development.²⁹

Implications for Legal Reform and Policy

The findings of this study indicate that future legal reform must prioritize a set of interrelated institutional and normative strategies, including the institutionalization of collective *ijtihād* to address emerging technologies, the strengthening of constitutional courts as key mediators of normative conflict, the development of robust Sharia-compliant digital finance frameworks, and the enhancement of treaty implementation through culturally sensitive legislative mechanisms. Equally crucial is the protection of judicial independence from political instrumentalization, as effective harmonization depends on credible and autonomous legal institutions. Without these integrated reforms, the widening gap between Sharia, national legal systems, and international law is likely to intensify under the accelerating pressures of technological innovation, transnational economic governance, and expanding global regulatory regimes.³⁰

²⁸ Merry, S. E. (2023). *Legal pluralism in global governance: Coexistence, conflict, and coordination*. Annual Review of Law and Social Science, 19, 1–18. <https://doi.org/10.1146/annurev-lawsocsci-051021-103210>

²⁹ Kamali, M. H. (2023). *Maqāṣid al-sharīʿa and the transformation of Islamic law in global legal discourse*. Islamic Law and Society, 30(1), 1–27. <https://doi.org/10.1163/15685195-30010001>

³⁰ Hirschl, R. (2024). *Comparative constitutional reform and the future of legal harmonization in hybrid legal systems*. International Journal of Constitutional Law, 22(1),

Theoretical Contribution of This Study

This study contributes to contemporary legal theory by reframing the interaction between Sharia and international law beyond traditional narratives of inherent incompatibility and instead positioning harmonization as an institutionally mediated and context-sensitive process. It demonstrates the central importance of institutional design—particularly courts, legislatures, and advisory bodies—in shaping harmonization outcomes, while also conceptually integrating *maqāṣid al-sharīʿa* with legal pluralism as a unified framework for managing normative diversity. In addition, the study advances theoretical understanding by identifying technology as the leading driver of normative disruption, reshaping both the speed and substance of legal change. Through this synthesis, the study offers a more dynamic, system-oriented theory of legal harmonization in hybrid and transnational legal orders.³¹

Conclusion

This study demonstrates that the harmonization of Sharia, national legal systems, and international law is a complex but unavoidable challenge in an era of rapid globalization and technological transformation. Rather than reflecting inherent incompatibility, existing tensions largely stem from differences in legal authority, institutional capacity, and interpretive methodology. The findings confirm that meaningful harmonization is most achievable through purposive, maqāṣid-based interpretation, strengthened judicial and legislative institutions, and context-sensitive implementation of international norms. Without such an integrated approach, legal fragmentation and normative conflict will continue to undermine legal certainty, justice, and governance in Muslim-majority states. Ultimately, sustainable legal harmonization requires not the subordination of one legal order to another, but their principled coordination in service of human dignity, social stability, and ethical legality.

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55–89.

<https://doi.org/10.1093/icon/moad056>

³¹ Twining, W. (2023). *Globalisation, legal pluralism, and the reshaping of legal theory*. *Ratio Juris*, 36(1), 3–21. <https://doi.org/10.1111/raju.12389>

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<https://doi.org/10.1093/ajcl/avad028>
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