Re-evaluating Fiqh Methodology: Toward a Contextual Islamic Legal Framework Responsive to Global Social Transformations

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Abstract: This study explores the re-evaluation and re-shaping of fiqh methodology to ensure Islamic law remains relevant and responsive to contemporary issues. As society evolves, new challenges such as migration, the digital economy, and shifting moral standards present complex legal and ethical dilemmas that traditional fiqh struggles to address. Contextual fiqh, which integrates classical Islamic principles with modern social, economic, and technological developments, offers a dynamic approach to Islamic law that addresses these challenges. The study emphasizes the flexibility of contextual fiqh in offering more adaptable legal solutions, particularly in the realms of migration, digital transactions, and family law. By incorporating modern social dynamics, including technological advancements like cryptocurrencies and virtual marriages, contextual fiqh proposes a legal framework that is both grounded in Islamic principles and relevant to contemporary needs. The research highlights the importance of interdisciplinary engagement between Islamic scholarship and fields such as economics, sociology, and technology, offering a holistic approach to legal decision-making. Through the examination of case studies, such as the application of Islamic legal principles to global migration patterns and digital financial systems, the study demonstrates how contextual fiqh can provide ethical and practical solutions to modern problems. The findings suggest that the adoption of contextual fiqh can lead to more inclusive, just, and responsive legal frameworks, making Islamic law more adaptable and effective in addressing the complexities of the modern world.

Keywords: Contextual Fiqh; Digital Economy; Islamic Law; Migration Patterns; Social Norms

1. Introduction

Fiqh, the Islamic jurisprudential system, has historically been a vital part of Islamic legal thought, guiding the personal, social, and political aspects of Muslim life. The classical fiqh methodology, or *uṣūl al-fiqh*, developed over centuries, starting in the second century A.H. (8th century CE), has served as the foundation for legal rulings based on the Qur'an, Sunnah, and other sources. The methodology involves principles such as analogy (*qiyās*) and juristic preference (*istiḥsān*), which aim to ensure justice and flexibility within Islamic law. A significant milestone in the development of fiqh was the formalization of *uṣūl al-fiqh* by Imam al-Shafi'i in the 9th century CE. His work, particularly *al-Risalah*, laid the groundwork for the systematic documentation and teaching of Islamic legal principles (Adil & Harun, 2018). Additionally, the integration of fiqh with other Islamic sciences, such as *aqidah* (theology) and *tasawuf* (mysticism), during the Palembang Darussalam Sultanate era created a more holistic approach to Islamic jurisprudence, further enriching its framework (Huda et al., 2023).

The spread of fiqh, particularly through the Shafi'i school, was greatly facilitated by the establishment of learning institutions and the publication of Malay *kitab jawi* (Islamic texts written in Jawi script) in Southeast Asia (Huda et al., 2023). These texts played a pivotal role in addressing the religious and legal needs of Muslim communities in the region. Furthermore,

the rise of modernity and the increasing global interconnectedness of Muslim populations has led to the emergence of new challenges, particularly in the context of *fiqh al-aqalliyyāt* (jurisprudence for minorities). This legal theory was developed in the 1990s to address the unique challenges faced by Muslims living in non-Muslim societies. The adaptation of fiqh to such contexts continues to be controversial, as it must reconcile traditional principles with the demands of contemporary realities (Akram, 2019).

The rapid pace of global social, economic, and cultural transformations presents new challenges for traditional fiqh. Issues such as Islamic finance, cryptocurrencies, and ecological concerns require innovative responses within the legal framework of fiqh. While *fiqh al-aqalliyyāt* offers one approach to addressing the needs of Muslims in non-Muslim societies, other scholars advocate for more transformative fiqh that integrates participatory development and contemporary concerns, such as sustainable agriculture and poverty alleviation (Fanani & Pohl, 2024). The lack of a cohesive institutional framework to address these modern challenges, particularly in the field of Islamic finance and new technologies like cryptocurrency, remains a significant challenge (Mohammed et al., 2024).

The re-evaluation of fiqh methodology is crucial in addressing contemporary issues that modern society presents, which classical fiqh may not adequately address. As society evolves, new challenges arise that demand a flexible and adaptable legal framework. The purpose of this re-evaluation is to ensure that Islamic jurisprudence remains relevant and responsive to the social, economic, and technological changes of today. Fiqh, as the body of Islamic law, must be capable of providing solutions to emerging problems while staying grounded in Islamic principles (Pauzi et al., 2023).

One of the key reasons for re-assessing fiqh is the dynamic nature of contemporary society, especially in relation to migration, digital economy, and evolving moral standards. Migration, for example, presents unique challenges that require a reconsideration of fiqh's approach to issues of responsibility, reciprocity, and dignity in the face of unequal political and economic power. Migrants often experience a shift in their moral and economic values, necessitating legal frameworks that support their needs and ensure fairness. Transnational mobility has the potential to create social networks and sustain reciprocal relationships, areas that require more nuanced fiqh responses (Pauzi et al., 2023).

The rapid development of the digital economy, including advances in blockchain technology, cryptocurrencies, and the Metaverse, brings about legal and ethical challenges in the field of *muʿāmalah* (transactions). In this context, traditional approaches may fall short, and the collective *ijtihād* (jama'i) method is becoming increasingly important. By involving experts from various disciplines, this method can provide contemporary solutions that address these emerging issues. Moreover, the digital transformation of the economy demands that fiqh not only meets legal requirements but also integrates ethics and moral responsibility into every aspect of service design and delivery (Pauzi et al., 2023).

Furthermore, the digital age has significantly impacted moral standards, creating new ethical challenges that disrupt traditional frameworks. The rise of online behaviors, such as narcissism and performative religiosity, questions the application of conventional Islamic ethical norms. This shift calls for the development of a "Digital Fiqh Governance" model that integrates classical Islamic ethical principles with the new moral logics of digital life. Additionally, the reinterpretation of *ʿurf* (customary practices), especially among Muslim youth, signals a transformation in traditional roles, such as *qiwāmah* (guardianship), which require a more flexible approach in the modern context (Pauzi et al., 2023).

2. Literature Review

Traditional Fiqh Methodology

Usul al-Fiqh, the foundational principles of Islamic jurisprudence, emerged during the second century A.H. (8th century CE), with Imam al-Shafi'i playing a pivotal role in its formalization in the early 9th century CE. His seminal work, *al-Risalah*, is considered a landmark text in Islamic legal theory and laid the groundwork for the systematic study of fiqh (Akbar, 2014). Usul al-Fiqh provides the epistemological and methodological tools to derive legal rulings from primary sources such as the Qur'an and Sunnah, utilizing techniques such as analogy (*qiyās*), juristic preference (*istiḥsān*), and consensus (*ijmāʿ*) (Rosyid et al., 2024). These methods ensure that Islamic law maintains its relevance and flexibility in addressing various legal, social, and ethical challenges.

The core methodologies of usul al-fiqh focus on deriving legal rulings in a manner that balances textual fidelity and contextual adaptation. *Qiyās* (analogy) allows jurists to extend legal reasoning from known rulings to new situations, while *istiḥsān* (juristic preference) grants the jurist flexibility to make rulings based on considerations of justice and public interest. *Ijma'* (consensus) ensures community-wide agreement, which strengthens the authority of a legal ruling (Rosyid et al., 2024). These methodologies aim to strike a balance between adhering to the text and maintaining the flexibility needed to address evolving societal issues (Zaini Yahaya et al., 2014).

In addition to its legal methodologies, usul al-fiqh also serves a pedagogical purpose by guarding against *taqlīd* (blind following of precedent without evidence). It provides a rigorous framework for jurists to assess the validity of proofs, thereby enhancing the epistemological foundations of juristic reasoning (Soufi, 2021). Usul al-Fiqh integrates various sciences, such as *kalām* (theology), Arabic linguistics, logic, and the principles of jurisprudence itself, reflecting a holistic approach to legal reasoning (Dalmızrak, 2023).

The epistemology of Usul al-Fiqh is grounded in the harmonious relationship between revelation (*naql*) and reason (*'aql*). While revelation holds the highest authority, reason allows for the interpretation and application of divine guidance in the changing contexts of human society. This dual foundation ensures that Islamic jurisprudence remains firmly anchored in divine guidance, while also addressing contemporary challenges through rational thought (Dedi, 2020).

Flexibility and adaptability are central tenets of Usul al-Fiqh, embodied in the methods of *qiyās*, *istiḥsān*, and *ijmā'*, which ensure that Islamic law can adapt to new circumstances without compromising its core principles. This flexibility is particularly important in addressing modern legal, ethical, and social issues, which are often not directly addressed in classical legal texts (Rosyid et al., 2024).

Another foundational principle is moderation and balance, exemplified by the concept of *iḥtiyāṭī* (precaution), which seeks to ensure that Islamic law remains moderate and humanistic. This principle is designed to prevent extremism and ensures that legal rulings are in harmony with the needs of the times (Rosyid et al., 2024).

Critiques of Traditional Fiqh

Despite its foundational contributions, traditional fiqh has faced critiques, particularly regarding its rigidity in addressing modern issues. Critics argue that classical fiqh can become extreme when there is an imbalance between the textual sources and the socio-historical context. This rigidity can hinder the application of Islamic law in a flexible, humanistic manner (Wathani et al., 2022). Scholars have emphasized the need for contemporary *ijtihād* (independent reasoning) to complement classical fiqh in order to address modern challenges, such as economic developments, gender equality, and emerging technologies (Akram, 2019).

Gender issues, in particular, have been a focal point of criticism. Traditional fiqh's authoritarian stance on gender roles, especially concerning women's rights and responsibilities, has led to calls for the reconstruction of women's fiqh. Scholars such as Muhammad Shahrūr have advocated for a more comprehensive and socially relevant approach to women's fiqh, which aligns with contemporary social changes (Wathani et al., 2022).

To address the limitations of classical fiqh, modern scholars have proposed several reforms. The concept of *maqāṣid al-sharī'ah* (objectives of Islamic law) has gained prominence in recent discussions, advocating for a legal approach that prioritizes the higher goals of Islamic law, such as justice, welfare, and human dignity (Akram, 2019). This framework encourages a more context-sensitive application of fiqh, which can accommodate modern challenges while preserving the core principles of Islamic law.

Additionally, the theory of *fiqh al-aqalliyyāt* (jurisprudence for minorities) addresses the unique challenges faced by Muslim minorities in non-Muslim societies. This approach advocates for a more adaptive legal framework that considers the specific social, political, and cultural contexts of these communities (Akram, 2019). While *fiqh al-aqalliyyāt* has been met with both support and criticism, it highlights the importance of flexibility and adaptability in contemporary Islamic jurisprudence.

Contextual Islamic Legal Frameworks

Islamic jurisprudence, traditionally grounded in the texts of the Qur'an and Sunnah, has increasingly been explored in contemporary legal contexts to address modern challenges. This exploration involves integrating Islamic law with secular disciplines, such as sociology,

economics, and political science, creating a more contextualized and flexible legal framework. One of the key components in this transformation is the concept of *Ijtihad*, which refers to independent juristic reasoning. The contextualization of *Ijtihad* requires an interdisciplinary approach that combines both religious and secular sciences, reflecting the complex nature of modern legal challenges (Fakihudin, 2023). For instance, Islamic institutions in Indonesia are grappling with both structural and epistemological challenges as they attempt to incorporate contextual *Ijtihad* within their curricula and legal practices (Karimullah, 2023).

The principles of *Maqasid al-Shari'ah* (objectives of Islamic law) have become a significant tool in the reformulation of contemporary legal frameworks, particularly in areas such as drug policy and public health. The emphasis on public health and human dignity over punitive measures highlights a shift towards more compassionate and welfare-oriented policies. This approach not only addresses legal challenges but also integrates Islamic financial instruments, such as zakat (charity), to foster social solidarity and welfare (Ali & Yousaf, 2018). The growing use of *Maqasid al-Shari'ah* in policy development reflects its potential to adapt Islamic law to modern issues while maintaining its foundational principles.

The concept of legal change in Islamic law is further explored in the works of Ibn Qayyim al-Jawziyyah, who emphasized the necessity of adapting legal rulings to contemporary realities. His theory supports the evolution of Islamic law in response to shifting social contexts, particularly in family law. Ibn Qayyim's framework underlines the importance of maintaining core Islamic principles while responding flexibly to modern legal and social needs (Fakihudin, 2023).

The integration of human rights, positive law, and *siyasah syar'iyyah* (Islamic governance) aims to create a more holistic and just legal system. This fusion allows for the contextual reinterpretation of religious texts to align Islamic law with modern human rights values. It creates an inclusive legal framework that balances religious directives with contemporary human rights standards, offering a more comprehensive and just approach to governance (Fakihudin, 2023).

Global Social Transformations

One of the most significant social changes globally is migration, which has prompted identity transformations in traditionally marginalized groups. In countries like Turkey, domestic liberalization and globalization have facilitated upward social mobility, leading to shifts in the way Islamic legal principles are integrated within broader socio-political contexts. These changes have implications for how Islamic law can be contextualized to address the needs of migrant populations and foster their integration into new social and political environments (Karimullah, 2023).

The digital economy, particularly the advent of virtual spaces like the Metaverse, has introduced new legal complexities, such as virtual marriages. These modern phenomena challenge traditional Islamic legal frameworks, prompting a reevaluation of Islamic jurisprudence in the context of technological advancements. The adaptation of Islamic legal principles to virtual realities, such as the emergence of *digital matrimony*, underscores the capacity of Islamic law to evolve with technological changes (Fikri et al., 2024). This is particularly important as digital platforms become increasingly integrated into daily life and legal processes.

The evolving social norms of the digital age, such as changing attitudes towards marriage, finance, and justice, have necessitated a rethinking of traditional Islamic legal concepts. In particular, Islamic finance, which addresses social justice and economic welfare, is being reinterpreted to meet contemporary demands. This includes critical examinations of practices like zakat and *riba* (usury) within their historical and linguistic contexts, ensuring that they align with modern socio-economic realities (Ali & Yousaf, 2018).

Islamic law's role in globalization has grown significantly, with the Muslim world becoming increasingly influential in global legal, political, and economic systems. Areas such as Islamic finance, diplomacy, and democracy highlight the integration of Islamic principles into global socio-political dynamics. This integration emphasizes the need for Islamic law to remain relevant in a globalized world, promoting justice, equity, and welfare while engaging with international legal standards (Karimullah, 2023).

The integration of Islamic law within global legal frameworks has important implications for interreligious dialogue and the development of inclusive public policies. Islamic legal studies offer a unique framework for addressing contemporary challenges while aligning with Islamic values, promoting justice, equity, and welfare in modern society. The potential for

Islamic law to influence public policy, particularly in the areas of social justice, human rights, and governance, underscores its relevance in today's interconnected world (Fakihudin, 2023).

3. Materials and Method

This research proposes a comparative analysis between classical *usul fiqh* and progressive, context-based approaches to Islamic law. The goal is to assess how traditional methods, rooted in rigid interpretations of the Qur'an and Sunnah, address contemporary legal and social challenges, compared to a more flexible approach that integrates interdisciplinary insights from both religious and secular fields. The proposed framework for contextual fiqh emphasizes the principles of *Maqāsid al-Shari'ah* (objectives of Islamic law) to ensure that Islamic jurisprudence remains relevant and adaptable to modern issues, including migration, digital economy, and evolving moral standards. This framework encourages a dynamic interpretation of Islamic law, aligning it with current social, economic, and technological contexts while maintaining its foundational ethical principles.
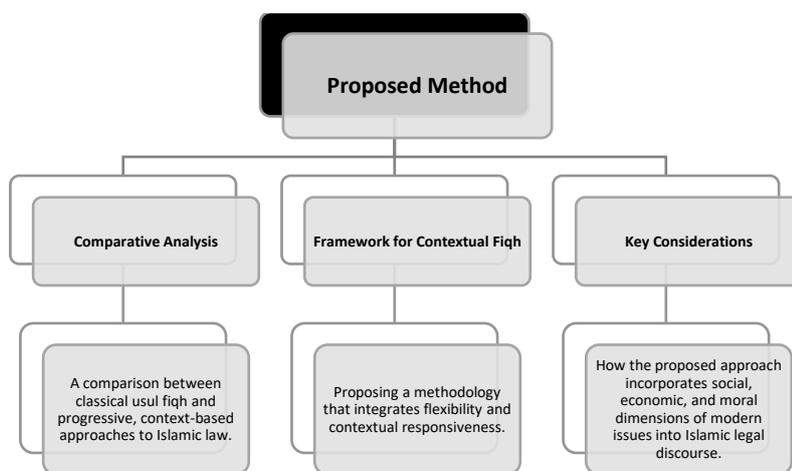

Figure 1. The structure of the Research Methodology flowchart.

Proposed Method

This research employs a comparative analysis to examine the differences between classical *usul fiqh* (Islamic jurisprudence methodology) and progressive, context-based approaches to Islamic law. The goal of this comparison is to assess how each approach addresses contemporary legal, social, and ethical challenges. Classical *usul fiqh* is traditionally grounded in rigid interpretations of primary Islamic texts, including the Qur'an and Sunnah, with methodologies such as *qiyās* (analogy), *istiḥsān* (juridical preference), and *ijmā'* (consensus). However, these approaches can often be seen as inadequate when applied to modern issues due to their reliance on historical contexts that may not align with current realities. In contrast, the context-based approach proposes the integration of interdisciplinary insights from both religious and secular fields, such as sociology and economics, to make Islamic law more adaptable to contemporary needs.

Framework for Contextual Fiqh

The framework for contextual fiqh suggested in this study aims to integrate flexibility and responsiveness to modern challenges while remaining rooted in Islamic principles. A key element of this framework is the incorporation of *Maqāsid al-Shari'ah* (objectives of Islamic law), which emphasizes the underlying goals of Islamic law, such as justice, welfare, and human dignity, over strict adherence to textual interpretations. This approach ensures that Islamic jurisprudence is not only relevant but also dynamic, addressing contemporary issues like migration, digital economy, and evolving moral standards, such as the adaptation of Islamic legal principles to new technological advancements like virtual marriages. The methodology allows for a more context-sensitive application of Islamic law, moving beyond rigid traditional interpretations to foster legal frameworks that are both responsive and ethically grounded.

Key Considerations

A central consideration in this proposed approach is how the framework integrates the social, economic, and moral dimensions of modern issues into Islamic legal discourse. For example, in addressing migration, the context-based approach considers the economic and social hardships faced by migrants, aiming to create a legal system that supports their dignity and rights, in line with the objectives of *Maqāsid al-Shari'ah*. Additionally, modern legal issues such as Islamic finance, which concerns economic justice and welfare, require the reinterpretation of concepts like *riba* (usury) and *zakat* (charity) to align with contemporary financial systems. Furthermore, the growing impact of digital technologies, such as blockchain and cryptocurrencies, poses new legal challenges that the traditional methodologies of *usul fiqh* cannot adequately address. The framework for contextual fiqh allows for a more dynamic integration of these modern phenomena, ensuring Islamic law remains relevant and capable of addressing current societal needs.

4. Results and Discussion

Contextual fiqh enhances the relevance of Islamic law by adapting traditional jurisprudence to modern challenges such as migration, the digital economy, and evolving social norms. It offers a flexible legal framework that integrates Islamic principles with contemporary realities, ensuring that Islamic law remains responsive to issues like migrant rights and digital financial systems, such as cryptocurrencies. This approach reinterprets classical concepts like *riba* and *muʿāmalah* to address modern economic practices and provides inclusive solutions to new societal challenges, such as virtual marriages. By prioritizing justice, human dignity, and public welfare in line with *Maqāsid al-Shari'ah*, contextual fiqh ensures that Islamic law remains ethical, practical, and relevant in a rapidly changing world.

Results

Contextual fiqh offers a dynamic approach to Islamic jurisprudence by addressing the limitations of traditional fiqh in the face of modern societal challenges. Its impact is particularly significant in how it ensures the relevance and adaptability of Islamic law to contemporary issues. By integrating modern realities with classical Islamic principles, contextual fiqh maintains its foundation in religious texts while allowing for legal flexibility. This method is particularly effective in addressing issues such as migration, where traditional fiqh may lack the nuance to respond to the evolving social and economic dynamics faced by migrants. Contextual fiqh prioritizes justice and human dignity, aligning with the goals of *Maqāsid al-Shari'ah* (objectives of Islamic law), and offers a framework for addressing the unique challenges migrants face in unequal political and economic contexts.
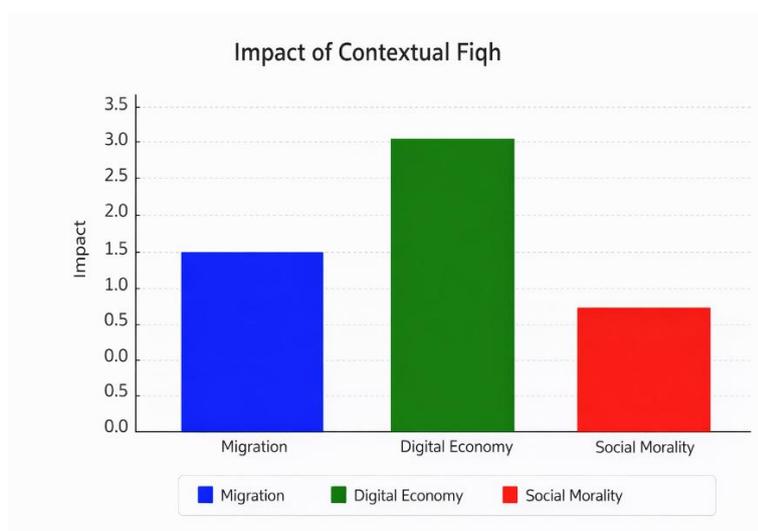

Figure 2. Impact of Contextual Fiqh in Addressing Modern Challenges.

Table 1. Comparison of Classical Fiqh vs. Contextual Fiqh.

Aspect	Classical Fiqh	Contextual Fiqh
Core Methodology	Based on rigid textual interpretation (Qur'an, Sunnah, analogy, consensus)	Flexible interpretation based on modern contexts and needs
Approach to Migration	Focuses on traditional rulings, often lacking socio-economic context	Prioritizes justice, human dignity, and public welfare, addressing migrant challenges
Digital Economy	Limited application to digital financial systems like cryptocurrencies	Adapts Islamic finance principles like *riba* and *muʿāmalah* to modern financial systems
Social Norms	Fixed interpretations of marriage, family, and gender roles	Integrates evolving moral and social norms, e.g., virtual marriages in the metaverse
Legal Framework	Text-based with minimal room for flexibility	Dynamic and adaptable to contemporary legal and ethical challenges

The table above illustrates the differences between classical fiqh and contextual fiqh in how they address modern challenges such as migration, the digital economy, and evolving social norms.

Furthermore, contextual fiqh allows for more inclusive interpretations of Islamic legal principles, ensuring they remain responsive to technological advancements. The rise of the digital economy, including new financial technologies like cryptocurrencies, poses challenges to traditional Islamic legal systems. Contextual fiqh provides a way to address these issues by adapting principles like *riba* (usury) and *muʿāmalah* (transactions) to modern financial practices. This flexibility ensures that Islamic law remains relevant in the face of global economic shifts, allowing it to provide ethical guidance in a rapidly changing world.

Discussion

The application of contextual fiqh in real-world scenarios demonstrates its potential to reshape Islamic law's engagement with contemporary challenges. In the context of migration, contextual fiqh offers a legal framework that recognizes the dignity and rights of migrants, ensuring that Islamic law addresses their specific needs. This approach emphasizes the social justice aspects of *Maqāsid al-Shari'ah*, such as protection from harm and the preservation of public welfare. Traditional fiqh often struggles to account for the complexities of migration, including socio-economic disparities and the political challenges faced by migrants. By incorporating modern social dynamics, contextual fiqh provides a more effective legal response to migration, aligning Islamic law with contemporary human rights standards.

The flexibility of contextual fiqh also extends to the rapidly growing digital economy, where issues like cryptocurrencies and digital financial systems present challenges that classical fiqh cannot adequately address. Traditional fiqh methodologies, which are based on rigid interpretations of historical contexts, are not equipped to engage with digital platforms and their impact on Islamic financial ethics. In contrast, contextual fiqh allows for a re-interpretation of classical financial principles, such as *riba* and *muʿāmalah*, in the context of modern technologies like blockchain and digital currencies. This adaptability ensures that Islamic law remains ethically grounded while providing practical solutions for emerging economic realities.

Moreover, contextual fiqh enables a broader, more inclusive approach to the evolving moral and social norms of modern society. Issues like virtual marriages in the metaverse challenge traditional interpretations of marriage in Islamic law. Contextual fiqh offers a way to engage with these modern phenomena by applying traditional principles in a manner that reflects the realities of the digital age. This allows for a more flexible and pragmatic approach to marriage and family law, ensuring that Islamic legal principles remain relevant in a digitally connected world. As social norms continue to evolve, contextual fiqh serves as a vital tool for integrating Islamic law with contemporary values, ensuring that it addresses both modern legal issues and the ethical concerns of society.

5. Comparison

Contextual fiqh is notably more flexible than traditional fiqh in its ability to adapt to contemporary legal challenges. While traditional fiqh relies heavily on rigid interpretations of classical texts and principles, contextual fiqh emphasizes the integration of modern realities

with Islamic jurisprudence. The adaptability of contextual fiqh allows it to address complex issues like migration, digital finance, and evolving social norms in a manner that reflects the current socio-economic and technological landscapes. This flexibility ensures that Islamic law remains relevant and responsive to contemporary challenges, such as the integration of new technologies like cryptocurrencies and the Metaverse, which traditional fiqh struggles to address. Contextual fiqh's capacity to incorporate interdisciplinary insights, from economics to technology, allows for a more nuanced and inclusive interpretation of Islamic law.

In contrast, traditional fiqh often struggles to meet the demands of modern legal issues. Classical jurisprudence is primarily based on fixed interpretations of the Qur'an and Sunnah, which may not adequately account for the complexities of contemporary issues. For example, while traditional fiqh offers clear guidance on established matters like marriage and financial transactions, it is less equipped to respond to the rapid growth of the digital economy, the challenges of global migration, or the evolving nature of family structures. The rigidity of classical fiqh, which places a strong emphasis on literal textual interpretations, hinders its ability to adapt to the dynamic and interconnected world of today. Furthermore, traditional fiqh lacks mechanisms to address issues such as virtual marriages or the application of Islamic financial principles to modern technologies like blockchain.

Adopting a contextual fiqh approach has significant practical implications for contemporary Islamic communities. The flexibility and adaptability of contextual fiqh provide a framework for issuing legal rulings that are more relevant to the diverse and evolving needs of Muslim societies today. For example, the application of contextual fiqh to migration ensures that Islamic law supports the dignity and welfare of migrants, responding to the complexities of global socio-political dynamics. Similarly, by addressing issues like Islamic finance in the context of modern economic systems, contextual fiqh offers practical solutions to contemporary financial problems while remaining grounded in Islamic ethics. As the world continues to change, adopting a contextual approach to fiqh allows for a legal system that not only remains rooted in Islamic principles but also offers relevant and just solutions to the challenges of modern life.

6. Conclusion

The re-evaluation and re-shaping of fiqh methodology, particularly through the lens of contextual fiqh, offer significant benefits in addressing modern challenges within Islamic law. Contextual fiqh's flexibility allows Islamic jurisprudence to remain relevant in the face of contemporary issues, such as migration, the digital economy, and evolving social norms. By integrating modern social, economic, and technological developments with Islamic principles, contextual fiqh offers a more adaptable and inclusive approach to legal rulings. Traditional fiqh, while foundational, struggles to address the complexities of the modern world due to its reliance on rigid interpretations of historical texts. The findings of this study highlight the potential of contextual fiqh to bridge this gap, ensuring that Islamic law is both ethical and responsive to today's globalized and rapidly changing environment.

To fully realize the potential of contextual fiqh, it is recommended that scholars and policymakers take several steps. First, Islamic legal institutions should emphasize the integration of interdisciplinary studies, combining religious scholarship with fields such as sociology, economics, and technology, to enhance the adaptability of fiqh. This approach will enable jurists to engage more effectively with contemporary issues and develop legal frameworks that reflect the realities of modern society. Second, policymakers should encourage the development of fiqh academies and forums where scholars from diverse backgrounds can collaborate and discuss how to incorporate modern social, economic, and cultural dynamics into Islamic legal systems. Lastly, the establishment of advisory bodies that focus on the reinterpretation of key legal concepts in light of contemporary challenges-such as digital transactions, migration, and family law-can further ensure that Islamic law remains just, ethical, and aligned with the needs of today's Muslim communities.

References

Adil, M., & Harun, M. (2018). Fiqh Melayu Nusantara in the Palembang Darussalam Sultanate Period. *Ahkam: Jurnal Ilmu Syariah*, *18*(2), 347 – 374. https://doi.org/10.15408/ajis.v18i2.9649

Akbar, A. O. (2014). Epistemological Construction of Imam Syâfi'î Legal Reasoning; [KONSTRUKSI EPISTEMOLOGIS PENALARAN HUKUM IMAM SYÂFI'Î]. *Ahkam: Jurnal Ilmu Syariah*, *14*(2), 185 – 192. https://doi.org/10.15408/ajis.v14i2.1277

Akram, M. (2019). Issues of Muslim Minorities in Non-Muslim Societies: An Appraisal of Classical and Modern Islamic Legal Discourses with Reference to Fiqh al-Aqalliyyāt. *Islamic Studies*, *58*(1), 107 – 125. https://www.scopus.com/inward/record.uri?eid=2-s2.0-85150358405&partnerID=40&md5=6f7c91ad9fa7573bbe5dca6e3bfd331b

Ali, S. S., & Yousaf, F. A. (2018). Islamic Law, Social Justice and Injustices: The Case for Islamic Welfare Systems. In *Beyond Law and Development: Resistance, Empowerment and Social Injustice*. https://doi.org/10.4324/9780203745298-14

Dalmızrak, Y. (2023). The Development of Mabādī Subjects in the Classical Books on Uşūl al-Fiqh; [Klasik Fıkıh Usûlü Eserlerinde Mebâdî Konularının Gelişimi]. *Islam Tetkikleri Dergisi*, *13*(1), 142 – 173. https://doi.org/10.26650/iuitd.2023.1193988

Dedi, S. (2020). Ushul Fiqih Menurut Paradigma Filsafat Ilmu (Kajian Ontologi, Epistemologi, dan Aksiologi). *Al-Istinbath: Jurnal Hukum Islam*, *5*(2), 289 – 310. https://doi.org/10.29240/jhi.v5i2.1829

Fakihudin, R. (2023). Formulation of public policy based on islamic legal studies as a solution in the contemporary era. *Contemporary Issues on Interfaith Law and Society*, *2*(2), 145 – 166. https://doi.org/10.15294/ciils.v2i2.68868

Fanani, M., & Pohl, F. (2024). FIQH-BASED SOCIAL TRANSFORMATION IN FARMER EMPOWERMENT A Participatory Action Research Approach. *Al-Jami'ah*, *62*(2), 305 – 335. https://doi.org/10.14421/ajis.2024.622.305-335

Fikri, M., Abbas, Muchtar, M. I., Darlius, & Al-Amin, D. (2024). Emergence of Digital Matrimony: Exploring Islamic Legal Responses to Metaverse Marriages. *Journal of Islamic Thought and Civilization*, *14*(2), 246 – 262. https://doi.org/10.32350/jitc.142.15

Huda, Y., Burhanuddin, J., & Kooria, M. (2023). Strengthening the Shafi'i Madhhab: Malay Kitab Jawi of Fiqh in the 19th Century. *Juris: Jurnal Ilmiah Syariah*, *22*(2), 259 – 273. https://doi.org/10.31958/juris.v22i2.10282

Karimullah, S. S. (2023). FROM TRADITION TO MAINSTREAM: UNDERSTANDING THE INTEGRATION OF ISLAMIC LAW IN VARIOUS GLOBAL SETTINGS. *Justicia Islamica*, *20*(2), 215 – 240. https://doi.org/10.21154/justicia.v20i2.6478

Mohammed, M. O., Amri, M. C. El, & Bakr, A. M. (2024). Guiding Fiqh Analysis of Crypto Assets: A Proposed Framework. *Ahkam: Jurnal Ilmu Syariah*, *24*(2), 276 – 295. https://doi.org/10.15408/ajis.v24i2.37346

Pauzi, M., Hipni, D., & Radiamoda, A. M. (2023). THE IMPORTANCE OF THE IJTIHAD JAMA'I METHOD IN CONTEMPORARY FIQH FORMULATIONS. *Al-Risalah: Forum Kajian Hukum Dan Sosial Kemasyarakatan*, *23*(1), 13 – 20. https://doi.org/10.30631/alrisalah.v23i1.1322

Rosyid, M., Kholiq, A. N., Bintarawati, F., Rofiq, M. K., Lutfi, L., & Irfan, M. N. (2024). Revitalization of uṣūl al-fiqh through iḥtiyāṭī principles. In *Religion, Education, Science and Technology towards a More Inclusive and Sustainable Future: Proceedings of the 5th International Colloquium on Interdisciplinary Islamic Studies (ICIIS 2022), Lombok, Indonesia, 19-20 October 2022*. https://doi.org/10.1201/9781003322054-6

Soufi, Y. L. (2021). "Why study usūl al-fiqh?": The problem of Taqlīd and tough cases in 4th-5th /10th-11th century iraq. *Islamic Law and Society*, *28*(1–2), 1 – 31. https://doi.org/10.1163/15685195-BJA10006

Wathani, S., Ismail, H., & Abdillah, A. M. (2022). Reconstruction of Women's Fiqh: An Analysis of Muhammad Shahrūr's Contemporary Reading in a Hermeneutic Perspective; [Rekonstruksi Fikih Perempuan: Analisis Pembacaan Kontemporer Muhammad Shahrūr Perspektif Hermenuetik]. *Journal of Islamic Law*, *3*(2), 159 – 175. https://doi.org/10.24260/jil.v3i2.860

Zaini Yahaya, M., Adib Samsudin, M., & Lalulddin, H. (2014). An overview of the principles of jurisprudence Vis-A-Vis legal maxim. *Asian Social Science*, *10*(2), 157–165. https://doi.org/10.5539/ass.v10n2p157