

## ***ISLAMIC LAW AND LOCAL WISDOM: EXPLORING LEGAL SCIENTIFIC POTENTIAL IN INTEGRATING LOCAL CULTURAL VALUES***

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Submitted: 03/07/2023; Accepted: 10/09/2023; Revision: 14/04/2024;

Approved: 22/04/2024

DOI: <https://doi.org/10.24815/kanun.v00i0.00000>

### **ABSTRACT**

This study provides a richer and more holistic view of how Islamic law and local cultural values can be integrated effectively and harmoniously in regulating the lives of heterogeneous Muslim communities. The research method adopted in this study is library research with an integrative and comprehensive literature analysis approach to identify concepts, theories, techniques, and findings that have been put forward by previous researchers regarding the relationship between Islamic law and local wisdom by looking for patterns, similarities, differences, and trends that emerge from the analyzed literature. The results show that Islamic law, through its flexible conceptual framework, facilitates the integration of local cultural values into legal practice, maintaining its relevance in diverse social and cultural contexts. This integration process not only strengthens local cultural identity in the face of globalization but also supports social harmony by defusing cultural conflicts and strengthening community coherence. Furthermore, it creates an inclusive and fair legal system, recognizing and respecting individual diversity. This integration contributes to knowledge development by demonstrating how laws adaptive to cultural contexts can support sustainability and social justice in heterogeneous societies.

**Keyword:** Islamic Law; Local Wisdom; Integrating; Local Cultural Values.

### **INTRODUCTION**

Local cultural values play a crucial role in shaping the understanding, interpretation, and practice of Islamic law in the daily lives of Muslim communities. In many Muslim-majority countries, such as Indonesia, Malaysia, and Middle Eastern countries, Islamic

law is often regarded as the main foundation governing various aspects of social life, from marriage and inheritance to trade and social justice<sup>1</sup>. This law rests on theological principles enshrined in the Qur'an and Hadith and various other Islamic legal traditions that have developed throughout history.

However, implementing Islamic law cannot be separated from the local cultural context. Each society has unique local wisdom reflected in its traditions, customs, and norms serving as a communal identity pillar. This local wisdom includes deep knowledge and understanding from long experiences interacting with nature, social structures, and specific historical contexts. Therefore, the application of Islamic law needs to consider and integrate these cultural values to make them more relevant and resonant with the conditions and aspirations of local communities.

Local cultural values color people's views and practices in various ways, including in the interpretation of the law and the application of Islamic law<sup>2</sup>. However, challenges and conflicts can arise when integrating local cultural values into Islamic law. First, there is a potential conflict between Islamic law, which has a firm theological basis, and local cultural values that can vary from one community to another. This kind of conflict may arise regarding differences in the interpretation and application of Islamic law that may conflict with local practices. Secondly, the role of ulema as Muslim scholars in helping to integrate local cultural values is important in understanding how Islamic law and local wisdom can interact harmoniously. Ulema is responsible for understanding the local cultural context and ensuring that the interpretation and application of Islamic law remain relevant and in line with the local community's values<sup>3</sup>.

However, challenges arise when there are differences of opinion among scholars as to how best to integrate local cultural values into Islamic law. In addition, the influence of globalization and modernization can also affect the relationship between Islamic law

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<sup>1</sup> Suud Sarim Karimullah, "Pursuing Legal Harmony: Indonesianization of Islamic Law Concept and Its Impact on National Law," *Mazahib* 21, no. 2 (December 27, 2022): 213–44, <https://doi.org/10.21093/mj.v21i2.4800>; Adnan Trakic and Hanifah Haydar Ali Tajuddin, "Challenges in the Implementation of Islamic Law in Malaysia," in *Islamic Law in Malaysia* (Singapore: Springer Singapore, 2021), 1–7, [https://doi.org/10.1007/978-981-33-6187-4\\_1](https://doi.org/10.1007/978-981-33-6187-4_1).

<sup>2</sup> David Nelken, "Comparative Legal Research and Legal Culture: Facts, Approaches, and Values," *Annual Review of Law and Social Science* 12, no. 1 (October 27, 2016): 45–62, <https://doi.org/10.1146/annurev-lawsocsci-110615-084950>; Sherene H. Razack, "The 'Sharia Law Debate' in Ontario: The Modernity/Premodernity Distinction in Legal Efforts to Protect Women from Culture," *Feminist Legal Studies* 15, no. 1 (February 12, 2007): 3–32, <https://doi.org/10.1007/s10691-006-9050-x>.

<sup>3</sup> Corri Zoli, M. Cherif Bassiouni, and Hamid Khan, "Justice in Post-Conflict Settings: Islamic Law and Muslim Communities as Stakeholders in Transition," *Utrecht Journal of International and European Law* 33, no. 85 (August 31, 2017): 38–61, <https://doi.org/10.5334/ujiel.382>.

and local wisdom. Globalization brought significant social, economic, and cultural changes in Muslim societies. These changes can affect people's perceptions and practices of Islamic law and local cultural values. This raises the question of how local cultural values can be maintained and relevant in the face of strong globalization currents.

Islamic law and local wisdom are two important elements that strongly influence Muslim communities' social and spiritual lives. As a fundamental component of the Islamic religion, Islamic law provides guidelines and rules that govern various aspects of personal and communal life. In addition, Islamic law is equipped with instruments and concepts that facilitate the integration of local cultural values, enabling broader adaptation to specific societal contexts. One key concept in Islamic law supporting this integration is *maslahâh*, or public good. This concept refers to the principle of seeking benefit and avoiding harm, allowing policymakers and legal scholars to adjust regulations to bring the greatest benefit to society. By prioritizing *maslahâh*, Islamic law can be formulated to support religious principles and local values that support communal harmony and well-being.

The concept of *istihşân*, or justice-based analysis of legal decisions, also plays an important role. *Istihşân* allows for disregarding strict laws when necessary to achieve justice in specific cases. In the context of local wisdom integration, *istihşân* can be used to consider local norms and customs that do not contradict the basic principles of Islam but require adjustments in implementing the law. Meanwhile, '*urf*' (community tradition or custom) strengthens the link between Islamic law and local social practices. '*Urf*' recognizes prevalent and accepted customs in society as factors that can influence legal decisions as long as they do not contradict the Shari'ah. Through '*urf*', local practices with a strong moral and social basis can be integrated into Islamic law, allowing the law to be more relevant and accepted in that society.

Amidst the challenges of globalization, conflicts often arise between local values and modern legal systems sourced from outside. Integrating local values into Islamic law can reduce these tensions and strengthen Islamic identity, maintain important cultural values, and preserve traditions and cultural heritage. This process demonstrates how Islamic law can be dynamic and adaptive, accommodating diversity and change while maintaining its integrity and fundamental principles. As such, Islamic law has the

potential to be a powerful tool for promoting understanding and harmonization in Muslim societies in the modern era.

In addition to the challenges and conflicts mentioned earlier, several other aspects complicate the integration of Islamic law and local wisdom. First, the rapid development of information and communication technology has opened up greater accessibility of information and views for Muslim communities. This can affect how people understand, interpret, and apply Islamic law and local cultural values. The influence of social media and online platforms can provide alternative narratives and different perspectives related to Islamic law and local wisdom. Therefore, it is necessary to understand how the influence of these technologies can contribute to the formation of Islamic legal identity and local knowledge and how the government and religious institutions can respond to these dynamics to promote a correct and balanced understanding. Second, in cultural and religious pluralism, Muslim communities often live with other ethnic and religious groups. This raises the question of how Islamic law and local wisdom can accommodate and interact with cultural and religious diversity within an inclusive framework. The dynamics of politics and power also play an important role in establishing harmonious relationships in integrating Islamic law and local wisdom. How do politics and power contribute to harmonizing Islamic law and local wisdom?

Considering aspects of social and economic development in integrating Islamic law and local wisdom is a crucial factor that cannot be ignored. The contribution of Islamic law and local wisdom to social and economic development has significant implications for community progress. Through in-depth understanding, it can be seen how both provide meaningful added value in social and economic development. Islamic law, with its social, economic, and moral principles, can be a strong foundation for building a just and equitable society. Principles such as *zakāt*, *infāq*, and *shadaqāh*, besides serving as acts of worship, also act as instruments of economic redistribution that can reduce social and economic disparities<sup>4</sup>. In addition, Islamic law values such as honesty, responsibility, and compassion can form a strong character in society, improving social welfare. Local wisdom also plays an important role in social and economic development. Local values,

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<sup>4</sup> Mu'adil Faizin et al., "Development Of Zakat Distribution In The Disturbance Era," Jurnal Ilmiah Mizani: Wacana Hukum, Ekonomi, Dan Keagamaan 10, no. 2 (2023): 186–97, [https://www.researchgate.net/publication/374675116\\_Development\\_Of\\_Zakat\\_Distribution\\_In\\_The\\_Disturbance\\_Era](https://www.researchgate.net/publication/374675116_Development_Of_Zakat_Distribution_In_The_Disturbance_Era).

traditions and wisdom developed in the community can be a source of inspiration for developing development programs appropriate to the local context. Sustainable management of natural resources, utilization of local potential for economic development, and preservation of local culture can contribute to local wisdom in social and economic development.

The influence of globalization and migration also needs to be considered in this context. globalization brings complex impacts to the practice of Islamic law and local wisdom. While it opens up opportunities for the widespread dissemination of Islamic values and the adoption of new practices that fit the times, globalization can also threaten the sustainability of local culture and identity by introducing foreign values that conflict with local values. In the face of increasingly complex globalization, communities must deeply understand these dynamics to maintain the continuity and diversity of culture and religion in Muslim societies. Efforts to explore local potentials, strengthen cultural identity, and integrate global values that are by local values can be effective steps in maintaining the diversity and sustainability of society in the face of increasingly complex globalization<sup>5</sup>.

This research has the potential to provide a deeper understanding of the integration of Islamic law and local cultural values in a heterogeneous Muslim society. With a holistic approach, this research is expected to provide a rich and comprehensive view of how Islamic law and local wisdom can be integrated effectively and harmoniously in regulating community life. This research's practical implications are significant in developing more effective policies and strategies for integrating Islamic law and local wisdom. With a better understanding of the challenges, opportunities and potential of legal scholarship in this integration, a more holistic and sustainable approach can be developed in building harmony between Islamic law and local wisdom. This will guide Muslim communities in understanding and applying Islamic law by considering local cultural values so that communities can maintain their Islamic identity while still upholding valuable local cultural heritage and traditions. In addition, this research can be a useful reference for policymakers in developing programs that accommodate the needs

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<sup>5</sup> Amir Rosenmann, Gerhard Reese, and James E. Cameron, "Social Identities in a Globalized World," *Perspectives on Psychological Science* 11, no. 2 (March 17, 2016): 202–21, <https://doi.org/10.1177/1745691615621272>; Paul Shrivastava et al., "Transforming Sustainability Science to Generate Positive Social and Environmental Change Globally," *One Earth* 2, no. 4 (April 2020): 329–40, <https://doi.org/10.1016/j.oneear.2020.04.010>.

and aspirations of diverse Muslim communities. Thus, this research has the potential to provide deep academic insights and has a positive practical impact on strengthening cultural unity and diversity in Muslim societies.

## **RESEARCH METHOD**

The research method chosen for this study is library research with an integrative and comprehensive literature analysis approach. This methodology systematically collects and analyzes data from readily available literature sources relevant to the research theme. These sources include books, scholarly articles, journals, conference papers, and other documents relating to the relationship between Islamic law and local wisdom. The process began with identifying and collecting literature specific to the topic, using physical and digital libraries, academic databases, and digital repositories to ensure that all essential literature was collected. The next stage involved systematically reading, reviewing, and analyzing the content of these sources, focusing on identifying key concepts, theories, methodological approaches, and important findings that previous researchers had expressed.

During the analysis process, the researcher seeks to identify patterns, similarities, differences, and trends that emerge from the analyzed data. The main focus was exploring the conflicts, challenges, and obstacles in integrating Islamic law with local wild and evaluating the approaches and practices implemented to address these issues. The research also includes a search for empirical evidence that supports or illustrates the impact of this integration in the social, political, economic, and cultural contexts of Muslim communities. This was done by analyzing case studies, empirical research, and practical reports from researchers and practitioners. By utilizing existing literature, this research aims to provide a comprehensive understanding of the background, challenges, potentials, and existing solutions in integrating local cultural values into the Islamic legal framework, providing deep insights into effective ways to synchronize Islamic legal norms with local wisdom principles, ensuring harmonious and relevant adaptation to the needs of contemporary Muslim communities.

## **RESEARCH OUTCOME AND DISCUSSION**

### **1) Dynamics of Politics and Power in the Integration of Islamic Law and Local Wisdom**

Politics and power are crucial in shaping policies and decision-making practices relating to Islamic law and integrating local wisdom values within the legal framework. Factors such as political ideology, the agenda of powerful groups, and the dynamics between political and religious groups determine how Islamic law and local values can be accommodated in the national legal system. These political power dynamics significantly impact determining the direction of legal policy and regulating how local cultural values are integrated into Islamic law in various countries, especially in countries where religious groups have significant influence.

For example, in countries such as Saudi Arabia and Iran, where the government has a strong religious ideological base, Islamic law is considered the main source of legal regulations and policies<sup>6</sup>. In these countries, cultural values that align with Islamic teachings tend to be prioritized in legal policy-making. Meanwhile, in countries like Indonesia and Malaysia, where there is a diversity of religions and ethnic groups, political dynamics influence how local cultural values are integrated into Islamic law, reflecting a more inclusive and diverse approach<sup>7</sup>. In these countries, local cultural values are integrated through the lens of adherence to religious norms and policies designed to accommodate cultural and religious plurality. The consequence of this approach is the establishment of more inclusive laws, which can facilitate social harmony and the maintenance of cultural identity in heterogeneous societies. Therefore, an in-depth understanding of political influences in law-making is essential to examine how policies are created and implemented, and their impact on social harmony and the maintenance of cultural identity in various country contexts.

On the other hand, in a country with a more pluralistic political system, there are challenges in accommodating local wisdom and cultural diversity in Islamic law. The

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<sup>6</sup> Zainah Almihtar, "Human Rights of Women and Children under the Islamic Law of Personal Status and Its Application in Saudi Arabia," *Muslim World Journal of Human Rights* 5, no. 1 (January 7, 2009): 1554–4419, <https://doi.org/10.2202/1554-4419.1158>; Aharon Layish, "Islamic Law in the Modern World," *Islamic Law and Society* 21, no. 3 (June 30, 2014): 276–307, <https://doi.org/10.1163/15685195-00213p04>; Ramin Moschtaghi, "The Relation between International Law, Islamic Law and Constitutional Law of the Islamic Republic of Iran – A Multilayer System of Conflict?," *Max Planck Yearbook of United Nations Law Online* 13, no. 1 (2009): 375–420, <https://doi.org/10.1163/18757413-90000044>; Mehran Tamadonfar, "Islam, Law, and Political Control in Contemporary Iran," *Journal for the Scientific Study of Religion* 40, no. 2 (June 17, 2001): 205–20, <https://doi.org/10.1111/0021-8294.00051>.

<sup>7</sup> Suud Sarim Karimullah, "From Tradition to Mainstream: Understanding the Integration of Islamic Law in Various Global Settings," *Justicia Islamica* 20, no. 2 (October 26, 2023): 214–40, <https://doi.org/10.21154/justicia.v20i2.6478>; Patrick Ziegenhain, "Islam and Nation-Building in Indonesia and Malaysia," *Asien: The German Journal on Contemporary Asia*, 2018, 78–95, <https://doi.org/https://doi.org/10.11588/asien.2018.146.14497>.

political power of certain groups can influence the decision-making process related to this integration<sup>8</sup>. Political conflicts of interest, attempts at majority domination, or pressure from extreme groups can hinder inclusive integration. In addition, identity politics also plays an important role in the integration of Islamic law and local wisdom. Political identity, whether linked to religion, tribe, or cultural group, can determine how local wisdom is treated and integrated into Islamic law<sup>9</sup>. Political groups may exploit this identity to gain political power, influence legal policy, or strengthen their group's dominance.

In addition to political factors, power also plays a role in integrating Islamic law and local wisdom. In this case, power can refer to institutional power, such as government agencies or judicial institutions, which are responsible for drafting and applying laws. These institutions influence whether and how local wisdom is recognized in the context of Islamic law. However, power can also be social and cultural. Groups with a dominant economic, social, or cultural force in society can influence how Islamic law and local wisdom are integrated. They may have greater access to political and institutional resources, allowing them to influence decision-making processes and promote their agendas related to integrating Islamic law and local wisdom.

Recognizing the influence of politics and power in integrating Islamic law and local wisdom is essential, given its significant impact on justice, inclusivity, and equality in the legal system. Political and power factors often determine how cultural values and Islamic legal principles are interpreted and integrated into legal practice. Therefore, a critical analysis of these factors is important to ensure that integration not only reflects just and democratic principles but also respects the cultural diversity that exists within Muslim societies.

An in-depth understanding of the political and power dynamics that influence the integration process is needed to achieve effective and equitable integration. This includes understanding how politically and religiously influential groups may utilize or adapt Islamic law and local wisdom to entrench their positions or advocate for particular

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<sup>8</sup> Leslie Vinjamuri and Jack Snyder, "Law and Politics in Transitional Justice," *Annual Review of Political Science* 18, no. 1 (May 11, 2015): 303–27, <https://doi.org/10.1146/annurev-polisci-122013-110512>.

<sup>9</sup> Danial Danial, Yoesrizal M. Yoesoef, and Nur Sari Dewi. M, "Sexual Violence in the Islamic Law Perspective: Aceh Islamic Law and Local Wisdom Approach," *Ulumuna* 27, no. 1 (September 12, 2023): 367–89, <https://doi.org/10.20414/ujis.v27i1.677>; Bherta Sri Eko and Hendar Putranto, "The Role of Intercultural Competence and Local Wisdom in Building Intercultural and Inter-Religious Tolerance," *Journal of Intercultural Communication Research* 48, no. 4 (July 4, 2019): 341–69, <https://doi.org/10.1080/17475759.2019.1639535>.

interests. Thus, the integration pursued must ensure that all segments of the Muslim community feel represented and valued and support the development of a legal system that is not only legally fair but also inclusive and sensitive to the community's different needs and cultural identities.

Political influence and power in the integration of Islamic law and local wisdom significantly impact the dynamics and outcome of the process. A good analysis of political and power factors can provide a deep insight into the dynamics of legal policy, the interests involved, and the consequences of decision-making related to this integration. First, political analysis can identify the interests in integrating Islamic law and local wisdom. Political groups, whether based on religious, ethnic, or cultural identity, can have their agendas and interests in decision-making. They may seek to gain greater political influence, maintain their group's dominance, or protect their economic and social interests. Understanding these interests can examine how these political influences affect the integration of Islamic law and local wisdom.

Second, power analysis helps to understand the institutional dynamics and power relations in the integration process. Government agencies, the judiciary, and other political institutions have an important role to play in formulating policies and implementing laws. Analyzing the power dynamics among these institutions will help identify how political and institutional power influences decision-making related to the integration of Islamic law and local wisdom. Also, an understanding of social and cultural forces in society can provide insight into how non-institutional powers also play a role in influencing this integration.

Third, political and power analysis can show the role of political narratives in integrating Islamic law and local wisdom. Political narratives encompass how political arguments and rhetoric influence public opinion, gain political support, or confront opposition to this integration<sup>10</sup>. Analysis of political narratives helps to understand how conflicts of interest and political visions drive discussion and decision-making in integrating Islamic law and local wisdom.

Fourth, political and power analysis can also highlight the potential for power inequality in integrating Islamic law and local wisdom. Power inequality can take many

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<sup>10</sup> Achim Hurrelmann, Anna Gora, and Andrea Wagner, "The Politicization of European Integration: More than an Elite Affair?," *Political Studies* 63, no. 1 (March 24, 2015): 43–59, <https://doi.org/10.1111/1467-9248.12090>.

forms, whether regarding access to political decisions, community participation, or the representation of minority groups<sup>11</sup>. In the context of integrating Islamic law and local wisdom, power inequality can affect how local wisdom is accommodated and empowered in the legal system. This analysis can help identify existing inequalities and seek ways to address them through participatory, inclusive, and equitable measures.

Fifth, political and power analysis can also help understand the implications of decision-making regarding integrating Islamic law and local wisdom. Political decisions in this regard can have a significant social, cultural, and economic impact on society. By analyzing the consequences of these decisions, it can be evaluated whether the integration succeeds in achieving the desired goals, such as strengthening Islamic identity, preserving local culture, and fulfilling justice for all parties involved. In making decisions related to integrating Islamic law and local wisdom, avoiding the abuse of politics and power for narrow interests is important. Such decisions must be based on principles of justice, equality, and diversity that respect Muslim societies' human rights and cultural plurality. Thus, a sound analysis of political influence and power in integrating Islamic law and local wisdom allows us to understand the process's dynamics, interests, inequalities, and implications. Ensuring that such integration runs by desired values respects cultural diversity, and promotes justice and equality for all parties involved is important.

Sixth, political and power analysis can uncover potential conflicts and challenges associated with integrating Islamic law and local wisdom. This integration can face resistance or opposition from political groups or forces, considering the change threatens their position or interests. Political conflicts can arise when there are differing views on how Islamic law and local wisdom should be integrated into the legal system. Careful analysis will enable better identification and understanding of the source of the conflict, as well as strategies to address and manage it effectively.

Seventh, political and power analysis can provide insight into existing policy frameworks and introduce possible alternatives in the integration process. An assessment of existing policies will show the extent to which Islamic law and local wisdom have been accommodated within the existing legal framework. By understanding the existing policy framework, gaps or shortcomings can be identified that can be corrected to ensure better

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<sup>11</sup> Pascal Lupien, "Participatory Democracy and Ethnic Minorities: Opening Inclusive New Spaces or Reproducing Inequalities?," *Democratization* 25, no. 7 (October 3, 2018): 1251–69, <https://doi.org/10.1080/13510347.2018.1461841>.

integration. This analysis can also formulate policy alternatives that are more inclusive, fair, and by the demands of the Muslim community.

Political and power analysis in the integration of Islamic law and local wisdom is essential to understand the process's dynamics, interests, inequalities, conflicts, and implications. A careful analysis will provide a deep insight into the influence of politics and power on decision-making, the existing policy framework, and the challenges that may be faced in this integration. Thus, the analysis of politics and power becomes an important foundation for designing effective strategies and policies in integrating Islamic law and local wisdom and ensuring the results align with the values of justice, equality, and diversity in Muslim societies.

## **2) Contribution of Islamic Law and Local Wisdom to Social and Economic Development**

Social and economic development play a crucial role in the progress of modern societies. In this context, Islamic Law and local wisdom offer significant potential to contribute to an inclusive and sustainable development agenda. Islamic law, with its strong foundation of principles, includes extensive guidance for various aspects of life, including economic, social, and justice. Principles such as justice, sustainability, and social equity in Islamic Law offer an ideal framework for developing an economy that is both just and sustainable. For example, the Islamic concepts of *zakāt* and *infāq*, which require Muslims to give away some of their wealth to help the needy, can be a powerful funding instrument to support social development programs<sup>12</sup>. It aims to reduce social disparities and poverty by facilitating wealth redistribution and promoting economic equality.

On the other hand, local wisdom provides a deep understanding of each community's social and cultural context, which is crucial in formulating and implementing relevant and effective development strategies. Integrating local wisdom in development enables adopting approaches tailored specifically to the needs and uniqueness of the local community. For example, traditional sustainable agricultural practices or time-tested natural resource management systems can be integrated into

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<sup>12</sup> Akmal Bashori, Suud Sarim Karimullah, and Arif Sugitanata, "Dekonstruksi Pemaknaan Mualaf Sebagai Penerima Zakat Di Indonesia," *Diktum: Jurnal Syariah Dan Hukum* 22, no. 1 (2024): 11–23, <https://doi.org/https://doi.org/10.35905/diktum.v22i1.5027>.

development programs to ensure their sustainability and effectiveness. Furthermore, combining the principles of Islamic Law with local wisdom in planning and implementing development projects can help create holistic solutions that support economic growth, strengthen social cohesion, respect cultural values, and safeguard the environment. This integrated approach paves the way for truly inclusive and sustainable development, reflecting the richness and diversity of cultural and religious wisdom.

Local wisdom has rich cultural values, traditions, and wisdom in social and economic contexts. The values of local wisdom often reflect wisdom and experience that have been tested in the local community over the years. In the economic context, local wisdom values can encourage sustainability, the wise use of natural resources, and local economic independence. Integrating local wisdom values in development can encourage local communities' active participation and strengthen their cultural identity. The contribution of Islamic law and local wisdom in social and economic development can promote inclusiveness and justice. Islamic law has principles that encourage fair treatment and equality in society<sup>13</sup>. This can reduce social and economic disparities and strengthen wider community involvement in development. Meanwhile, local wisdom is often concerned with the needs and interests of smaller or marginalized communities. A more inclusive and sustainable social and economic environment can be created by strengthening the role and participation of local communities in development.

The contribution of Islamic law and local wisdom in social and economic development can also increase economic added value. A just and sustainable economic environment can be created by using Islamic economic principles, such as the Prohibition of usury and fair business practices. In addition, by utilizing local wisdom, such as traditional knowledge in the agricultural sector or local crafts, sustainable local economic potential can be developed and strengthened regional competitiveness. Good integration between Islamic law and local wisdom can also avoid conflicts and tensions arising due to religious and cultural differences. By building a deep understanding and respect for Complementary religious and cultural values, harmony can be created that strengthens social bonds and promotes diversity.

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<sup>13</sup> Husnul Fatarib et al., "Sultan's Law and Islamic Sharia in The Ottoman Empire Court: An Analysis of The Existence of Secular Law," *Al-Istinbath: Jurnal Hukum Islam* 8, no. 1 (May 16, 2023): 117–34, <https://doi.org/10.29240/jhi.v8i1.4908>.

The contribution of Islamic law and local wisdom in social and economic development can also strengthen the identity and pride of the community. Islamic law, as an integral part of the religious identity of Muslim communities, and local wisdom, as a reflection of local communities' cultural heritage and traditions, can be a source of pride and unifying in development efforts. Strengthening and valuing these values can create a sense of solidarity and unity that encourages active participation in development. Other contributions of Islamic law and local wisdom in social and economic development can also positively impact social and environmental ecosystems. Islamic law has environmental principles that encourage the maintenance and balance of nature, while local wisdom often has the knowledge and sustainable practices in utilizing natural resources. By utilizing these principles in development, ecological sustainability and responsible management of nature can be created, thus protecting Social and environmental ecosystems for future generations. By utilizing existing resources and values, communities can optimize their potential to achieve holistic development and positively impact all members of society.

To maximize the contribution of Islamic law and local wisdom in social and economic development, synergy and cooperation between various stakeholders are needed. Synergy and cooperation among various stakeholders are essential to maximizing the contribution of Islamic law and local wisdom in social and economic development. By engaging governments, civil society, religious institutions, and the private sector, different perspectives and resources can be combined to create policies and programs that positively impact society. Some concrete steps that various stakeholders can take.

First, the government must encourage establishing policies that support the recognition and protection of Islamic law and local wisdom. This includes establishing laws and regulations that respect Islamic law principles and providing space for local practices that are by traditional values and community culture. The government can also encourage the adoption of principles of social justice and sustainability in economic and development policies, taking into account aspects of local wisdom in the planning and implementing of such programs.

Second, civil society is important in advocating and promoting the integration of Islamic law and local wisdom in social and economic development. Civil society can take an educational and advocacy approach to increase public awareness of the values of

Islamic law and local wisdom, as well as encourage active participation in decision-making and implementation of programs involving local communities. Civil society organizations can also serve as a bridge between government and society, helping to convey the aspirations and needs of society to other stakeholders.

Third, religious institutions need to continue efforts to provide quality education and teaching on Islamic law and local wisdom. Religious institutions can develop a comprehensive and relevant curriculum, including material on applying Islamic law in social and economic contexts. In addition, religious institutions can also play an active role in providing guidance and counseling to the community on applying religious values in everyday life, including in economic practices.

Fourth, the private sector has a responsibility to encourage business practices that are sustainable, ethical, and by the values of Islamic law and local wisdom. Companies can adopt Sharia economic principles and conduct business practices based on fairness, transparency, and environmental sustainability. In conducting business, the private sector can also pay attention to the interests of the community and local communities and maintain a balance between economic and social goals.

Fifth, education and public awareness about Islamic law and local wisdom must be improved. Educational institutions, both formal and informal, must provide a curriculum that includes a deep understanding of Islamic values and local wisdom, as well as promoting inclusiveness, tolerance, and mutual respect between cultures. In addition, the mass media can also play an important role in disseminating information and educating the public about the contribution of Islamic law and local wisdom to social and economic development. With these measures, it is hoped that the contribution of Islamic law and local wisdom can provide greater benefits to the community and build a just, inclusive, and socially and economically sustainable society.

### **3) The influence of globalization and migration on the practice of Islamic law and local wisdom**

Globalization and migration have had a significant impact on the practice of Islamic law and local wisdom in various parts of the world. Globalization, with advances in information and communication technology, has connected societies globally and

increased cross-cultural interactions<sup>14</sup>. On the other hand, migration has led to peoples' displacement from one place to another, bringing their legal practices and local wisdom with them<sup>15</sup>. The influence of globalization on the practice of Islamic law can be seen in the wider dissemination of views and interpretations of Islamic law. Through easier access to information and more open discussion, individuals and groups can learn different approaches to Islamic law from different countries and cultures. This has resulted in a greater diversity of interpretations of Islamic law, with some groups being more conservative and others more progressive.

Globalization has also provided a greater platform for Scholars of Islamic law to share their thoughts, discuss, and influence the practice of Islamic law in various communities. However, on the other hand, the influence of globalization can also lead to homogenization and blurring the practice of Islamic law. In some cases, legal practices imported from other countries may affect traditional and local Islamic legal practices. For example, the influence of Western legal practices may alter some previously more conservative or local aspects of Islamic law. Globalization can also lead to communities being more exposed to different legal values and practices than previously, affecting their beliefs and practices.

In addition, migration also plays an important role in changing the practice of Islamic law and local wisdom. When people change places, they bring their legal practices and local wisdom. This creates a pluralism of Islamic law, with various groups living in one region with different Islamic legal practices. In some cases, migration may reinforce traditional Islamic legal practices and local wisdom, as newly arrived communities may better retain their cultural identity. However, migration can change legal practice and local wisdom in other situations due to the interaction between different groups. In addition, migration has also influenced the dynamics of Islamic law in the context of family law and marriage. When migrant individuals settle in another country, they are often faced with a different legal system, which can affect their marriage and divorce practices. In some cases, Islamic law is adapted and accommodated in the legal system of the destination country, while in others, migrants must maintain their practice of

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<sup>14</sup> Emily-Marie Pacheco, "Culture Learning Theory and Globalization: Reconceptualizing Culture Shock for Modern Cross-Cultural Sojourners," *New Ideas in Psychology* 58 (August 2020), <https://doi.org/10.1016/j.newideapsych.2020.100801>.

<sup>15</sup> Eko and Putranto, "The Role of Intercultural Competence and Local Wisdom in Building Intercultural and Inter-Religious Tolerance."

Islamic law through institutions such as religious courts<sup>16</sup>. It reflects challenges and changes in Islamic legal practices related to migration and multiculturalism.

It is also important to know that the influence of globalization and migration affects the practice of Islamic law and local wisdom<sup>17</sup>. Local wisdom includes traditions, customs, and cultural practices inherent in society<sup>18</sup>. In the era of globalization, local wisdom can be exposed to foreign cultural influences that can change or shift traditional values and practices. However, on the other hand, migration can also enrich local wisdom by adding new cultural elements from migrant groups. In the face of the challenges and opportunities posed by globalization and migration, it is important to maintain the right balance between preserving cultural identity and accommodating emerging changes so that the practice of Islamic law and local wisdom can remain relevant and beneficial to society in this modern era.

In addition to the influences above, globalization and migration also impact the perspective and understanding of Islamic law among Muslim communities. Globalization brings more accessible information, faster communication, and wider cultural interaction. This has allowed for a more open discussion and exchange of ideas about Islamic law, especially through online platforms and social media. The positive impact is the emergence of a more inclusive discourse on Islamic law, where a wide range of voices and opinions can be heard and considered. This allows the Muslim community to develop a broader perspective on Islamic law, considering different social and cultural contexts. This open discussion also helps to overcome negative stereotypes about Islamic law so that non-Muslim communities can better understand the diversity and complexity of Islamic law. However, globalization also brings challenges and dilemmas. Given the wide access to information, the Muslim community can also be exposed to views not aligned with Islamic law's values and principles. There is a risk of secular cultural influences and

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<sup>16</sup> Vito Breda, "Shari'a Law in Catholic Italy: A Non-Agnostic Model of Accommodation," in *The Sociology of Shari'a: Case Studies from around the World*, 2015, 119–37, [https://doi.org/10.1007/978-3-319-09605-6\\_8](https://doi.org/10.1007/978-3-319-09605-6_8); Matthew Light, "Migration, 'Globalised' Islam and the Russian State: A Case Study of Muslim Communities in Belgorod and Adygeya Regions," *Europe-Asia Studies* 64, no. 2 (March 2012): 195–226, <https://doi.org/10.1080/09668136.2011.646497>.

<sup>17</sup> Lucky Zamzami et al., "The Local Wisdom In Marine Resource Conservation In Indonesia: A Case Study Of Newcomers In Pariaman West Sumatra," in *Proceedings of the 2nd International Conference on Social and Political Development (ICOSOP 2017)* (Paris, France: Atlantis Press, 2018), 391–400, <https://doi.org/10.2991/icosop-17.2018.61>.

<sup>18</sup> Amat Suroso et al., "Challenges and Opportunities towards Islamic Cultured Generation: Socio-Cultural Analysis," *Linguistics and Culture Review* 5, no. 1 (June 30, 2021): 180–94, <https://doi.org/10.21744/lingcure.v5n1.1203>.

consumerism that could undermine the integrity of Islamic law. Globalization also creates legal uncertainty, as there are differences in Islamic legal practices between different countries and Muslim communities. This can lead to conflict and confusion in determining the authoritative source of Islamic law.

Meanwhile, migration also significantly impacts the practice of Islamic law and local wisdom. When Muslims migrate to other countries, they often have to deal with different legal systems and strict immigration rules. This can affect the way they carry out their religious practices, including the practice of Islamic law. In some countries, Muslim migrants may face barriers to practicing Islamic law and worship, so they must find ways to maintain their religious identity. On the other hand, migration can also bring changes in the practice of Islamic law and local wisdom. Migrating Muslim societies often adapt to their destination country's culture and social norms, which can affect their religious practices. They may have combined new cultural elements with Islamic legal practices they brought from their home countries. This created a new dynamic in Islamic law and local wisdom, mixing new traditions and cultural influences.

In the context of globalization and migration, Muslim communities must maintain the integrity of Islamic law and their local wisdom while remaining open to the developments and advances produced by globalization. It is important to continue to encourage constructive dialogue and discussion and build an inclusive understanding of Islamic law that reflects diversity and different social contexts. In the case of migration, protection and recognition of human rights are necessary for Muslim communities to carry out their religious practices freely and without discrimination<sup>19</sup>. In the face of the challenges and opportunities posed by globalization and migration, it is important to consider maintaining the integrity of Islamic law and local wisdom while remaining open to positive change and development.

Globalization and migration can affect social structures and power dynamics within societies, which in turn affects the practice of Islamic law and local wisdom. In some cases, globalization can produce significant social changes, such as rapid urbanization,

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<sup>19</sup> Antje Ellermann, "Discrimination in Migration and Citizenship," *Journal of Ethnic and Migration Studies* 46, no. 12 (September 9, 2020): 2463–79, <https://doi.org/10.1080/1369183X.2018.1561053>; Petra Molnar, "Technology on the Margins: AI and Global Migration Management from a Human Rights Perspective," *Cambridge International Law Journal* 8, no. 2 (December 2019): 305–30, <https://doi.org/10.4337/cilj.2019.02.07>; Tazreena Sajjad, "What's in a Name? 'Refugees', 'Migrants' and the Politics of Labelling," *Race & Class* 60, no. 2 (October 30, 2018): 40–62, <https://doi.org/10.1177/0306396818793582>.

shifts in social values, and changes in patterns of family and gender relations. This can affect the practice of Islamic law, especially in the context of family law and marriage. For example, in a society increasingly affected by individualistic Western values, Islamic legal practices such as polygamy and inheritance can face challenges and criticism. On the other hand, migration can also create complex social and political dynamics.

When migrant Muslim communities settle in a destination country, they become part of a wider society with diverse cultures, religions, and values. Interaction with such communities may affect their understanding of Islamic law and local wisdom, and the country's political dynamics. In addition, migration can also trigger conflict or tension in society, especially when there are differences in values and practices between migrant Muslim communities and local communities. This can affect the practice of Islamic law and local wisdom, both positively and negatively. For example, in some cases, migration can increase awareness and religious identity among migrant Muslim communities, making them more persistent in their religious practices<sup>20</sup>.

However, on the other hand, interreligious conflicts or social tensions can hinder the practice of Islamic law and affect tolerant and inclusive local wisdom. In the face of these influences, developing a holistic and comprehensive approach is important. Governments and legal institutions need to consider how to adapt national legal systems to the realities of migration and religious pluralism. Protecting human rights, religious freedom, and social justice must take precedence so that migrant Muslim communities can practice their Islamic law freely and without discrimination<sup>21</sup>.

Education and awareness are also important in overcoming negative stereotypes, prejudices, and fears that may arise due to globalization and migration. Communities need to be given a better understanding of the diversity and complexity of Islamic law, as well as the importance of preserving local wisdom rooted in their culture and traditions. In

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<sup>20</sup> Derya Güngör, Fenella Fleischmann, and Karen Phalet, "Religious Identification, Beliefs, and Practices Among Turkish Belgian and Moroccan Belgian Muslims," *Journal of Cross-Cultural Psychology* 42, no. 8 (November 8, 2011): 1356–74, <https://doi.org/10.1177/0022022111412342>; David Voas and Fenella Fleischmann, "Islam Moves West: Religious Change in the First and Second Generations," *Annual Review of Sociology* 38, no. 1 (August 11, 2012): 525–45, <https://doi.org/10.1146/annurev-soc-071811-145455>.

<sup>21</sup> Eefje De Kroon, "Islamic Law, Secular Law, and Societal Norms: The Recognition of Islamic Legal Practices in the Netherlands and the Protection of Muslim Women's Human Rights," *Journal of Muslim Minority Affairs* 36, no. 2 (April 2, 2016): 153–83, <https://doi.org/10.1080/13602004.2016.1180887>; David Miller, "Majorities and Minarets: Religious Freedom and Public Space," *British Journal of Political Science* 46, no. 2 (April 5, 2016): 437–56, <https://doi.org/10.1017/S0007123414000131>; Audrey Osler, "Human Rights Education, Postcolonial Scholarship, and Action for Social Justice," *Theory & Research in Social Education* 43, no. 2 (April 3, 2015): 244–74, <https://doi.org/10.1080/00933104.2015.1034393>.

conclusion, globalization and migration's influence on Islamic law and local wisdom is very complex and diverse. These influences include social, political, economic, and cultural aspects. In facing the challenges, there is a need for a holistic and inclusive approach involving governments, legal institutions, communities, and individuals. With better understanding, open dialogue, and protection of human rights, the influence of globalization and migration can be directed toward strengthening and enriching the practice of Islamic law and local wisdom while preserving religious identity and integrity.

Related to the discussion of the influence of globalization and migration on the practice of Islamic law and local wisdom, it is also important to pay attention to related economic aspects. Globalization has brought significant changes in the global economy and interconnections between countries. This also impacts economic practices in the context of Islamic law and local wisdom. Economic globalization has driven the growth of international trade and cross-border investment. This creates opportunities for the Muslim community to engage in broader business transactions and participate in global markets. For example, halal products, which correspond to Islamic law principles, are becoming increasingly popular and recognizable in the global market<sup>22</sup>.

Globalization also encourages the development of Islamic financial institutions that provide investment options by Islamic law principles. However, globalization can also bring challenges in implementing Islamic law principles in an increasingly connected economic context. For example, emphasizing international standards and compatibility can affect flexibility in applying Sharia principles. Some Islamic financial practices may be subject to misappropriation or adapted to conventional practices to meet the demands of global markets. Therefore, it is important to ensure adequate supervision and monitoring of Islamic financial practices to remain by Islamic law principles.

Migration is often related to the search for economic opportunities and improving well-being. When migrant Muslim communities settle in a new country, they bring their skills and knowledge to various sectors of the economy. This can help enrich the local economy and contribute to economic growth in the destination country. However, migrant Muslim communities often face challenges in accessing fair and equal economic opportunities. Discrimination in the labor market and restrictions on fulfilling their

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<sup>22</sup> Suud Sarim Karimullah and Rozi, "Rethinking Halal: Exploring the Complexity of Halal Certification and Its Socio-Economic Implications," *Al-Bayan: Jurnal Hukum Dan Ekonomi Islam* 3, no. 2 (2023): 102–21, <https://stainwsamawa.ac.id/jurnal/index.php/al-bayan/article/view/170>.

economic rights can affect their economic practices. Therefore, the protection of economic rights and equality of opportunity is essential in maintaining the integrity of Islamic law and local wisdom in the context of migration. In the face of the challenges and opportunities posed by globalization and migration in the economic aspect, it is important to ensure that the principles of the Islamic law that relate to the economy, such as justice, sustainability, and adherence to ethical principles, are respected and applied. The Islamic banking and financial system needs to be continuously developed and supervised to remain by the principles of Islamic law. In addition, inclusive economic development and policies that support fair and equal access for migrant Muslim communities must be upheld. Therefore, it is important to ensure that the principles of Islamic law relating to the economy are maintained and that the protection of economic rights and equality of opportunity are guaranteed in the face of the effects of globalization and migration

## CONCLUSION

With its strong and adaptive conceptual framework, Islamic law effectively integrates local cultural values in legal practices appropriate to diverse societies' social and cultural contexts. This integration supports the sustainability of cultural identity in societies facing the pressures of globalization and modernization. The integration process between Islamic law and local wisdom carries several important implications that can significantly change Muslim communities' social and cultural dynamics. First, this integration contributes to the strengthening of local cultural identity. It provides communities with a means to maintain and celebrate their local wisdom, enabling the preservation of traditional values while adapting legal practices to remain relevant to the needs and demands of the current times. Second, integrating local values into Islamic law is vital in promoting social harmony. By appreciating and incorporating local cultural values, the legal system can minimize conflicts and tensions that arise from cultural differences. Recognizing cultural diversity reduces social friction and strengthens social cohesion in a heterogeneous society. Third, this integration supports creating an inclusive and fair legal system where everyone can feel recognized and respected regardless of their cultural background. A legal system that considers the local cultural context and involves communities in its formation and implementation makes the law more relevant and

respected by those it serves. The integration between Islamic law and local wisdom enriches the legal system with unique cultural values through proper implementation of the conceptual framework and active involvement of local communities. It supports the formation of a more harmonious and diverse society. This demonstrates that law when applied considering cultural distinctiveness and local context, can be a highly effective tool to strengthen cultural identity and promote social and cultural sustainability.

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