

Transformation Of Islamic Criminal Law: Dynamics Of Reform In The Contemporary Muslim World

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Abstract

Islamic criminal law (fiqh jinayah) faces serious challenges in the modern era due to social change, technological advancement, and universal human rights demands. The tension between Islamic legal tradition and modernity raises fundamental questions regarding the conceptualization, urgency, and forms of legal reform, as well as the roles of society and government. This article aims to address these four issues through normative-juridical analysis and comparative legal studies of Muslim-majority states. The findings indicate four primary points. First, Islamic criminal law reform (tajdid) is not a total replacement but a contextual reconstruction grounded in maqashid al-syari'ah. Second, the urgency of this reform stems from historical-sociological, philosophical, and juridical dimensions to maintain legal relevance amidst changing times. Third, reform manifests through legal codification, contemporary ijihad, reinterpretation of hudud provisions, and the adoption of relevant international legal concepts. Fourth, successful reform requires strategic synergy between the government as the legislative authority and societal elements-including scholars, academics, NGOs, and media—as epistemic and advocacy actors. Overall, this article asserts that the future transformation of Islamic criminal law depends on balancing sacred principles with contemporary human needs. Through an integrative approach, Islamic criminal law can evolve into a dynamic, just, and responsive legal system within global civilization without losing its fundamental religious identity.

Keywords : Islamic Criminal Law Reform, Legal Tajdid, Maqashid Al-Shari'ah

INTRODUCTION

Criminal law in the Islamic tradition is designated by the term fiqh jinayah, which has historically constituted one of the foundational pillars of the legal system of Islamic civilization. Since the formative period of Islamic history, criminal law provisions have been systematically elaborated by jurists (fuqaha) on the basis of the primary sources of Islamic law, namely the Qur'an, Hadith, Ijma' (scholarly consensus), and Qiyas (analogical reasoning). Over the course of its development, however, Islamic criminal law has confronted

diverse challenges arising from social change, the advancement of knowledge and technology, and the universal demand for the fulfilment of human rights.

In the modern era, states with predominantly Muslim populations face a complex dilemma. On one hand, there exists an imperative to preserve Islamic identity within their legal systems; on the other, there is a pressing need to align with the trajectory of international law, which privileges principles of humanitarianism, justice, and democracy. It is precisely this tension between tradition and modernity that has given rise to the discourse on Islamic criminal law reform as an inescapable necessity.

The reform of Islamic criminal law does not signify the abolition or wholesale substitution of Islamic law with a secular system. Rather, the reform in question constitutes an endeavour to reinterpret, reconstruct, and reformulate Islamic criminal law so as to accord with contemporary exigencies, remain anchored in the fundamental values of the Shari'a, and effectively respond to the challenges confronting humanity. Various Muslim-majority states have pursued divergent paths: Turkey, Tunisia, and Morocco have opted for secularization; Saudi Arabia and Iran maintain a strict Shari'a-based system; while Indonesia, Malaysia, and Pakistan have adopted an intermediate approach, integrating Islamic values into more inclusive national legal frameworks.

This state of affairs underscores the complexity of criminal law reform in the Islamic world. No single universal formula is applicable, as each state possesses a distinct historical, social, cultural, and political context. It is this consideration that underlies the importance of an in-depth study of criminal law reform and legal politics in the Islamic world.

On the basis of the foregoing, this article formulates four principal research questions: (1) What is the concept of criminal law reform from the perspective of Islam? (2) What are the objectives and urgency of criminal law reform? (3) What modalities has criminal law reform assumed in the Islamic world? And (4) What roles do society and government play in the reform process? The aim of this article is to systematically and comprehensively analyse and describe the answers to each of these questions.

METHODS

This study employs a normative-juridical approach utilizing library research methodology, supported by a comparative law approach across Muslim-majority states. Primary data sources consist of the Qur'an, Hadith, and various criminal law legislation from Muslim-majority states, while secondary sources encompass literature in the fields of fiqh jinayah, criminology, and international law.

RESULT AND DISCUSSION

RESULT

The Concept And Theological Foundations Of Criminal Law Reform From The Perspective Of Islam

The term "law reform" is commonly rendered in Islamic jurisprudence as *tajdid*, denoting purification, enhancement, development, modernization of the law, or cognate concepts. Legal reform constitutes an endeavour whether undertaken individually or collectively within a given period to effect change in prevailing perceptions and established

Islamic practices toward a new understanding and practice more consonant with the substantive requirements of the law.

Such reform is conducted through a specific process requiring sustained scholarly effort (*ijtihad*), undertaken exclusively by those who possess the requisite competence and authority in the development of Islamic law pursuant to its specific jurisprudential canons, with the aim of ensuring that Islamic law continuously presents it self as current, modern, and capable of addressing every development of the age. The reform of Islamic law is necessary for its actualization, so that it does not become anachronistic and is capable of responding to the continuously evolving demands of society. Nevertheless, the reform of Islamic law as a significant task may only be undertaken by those possessing the authority of a renewer (*mujtahid*), as this process requires a methodology that is neither simple nor unsystematic.

As regards the definition of criminal law itself, the word “criminal” in Arabic is rendered as *jarimah*, which etymologically signifies sin, fault, or wrongdoing. According to al-Mawardi, the technical definition of *jarimah* is a legally prohibited act threatened by God with *hadd* or *ta’zir* punishment. A legal prohibition may take the form of either performing a prohibited act or omitting a commanded act. Accordingly, one who performs a prohibited act and one who omits a commanded act shall each be subject to punishment commensurate with what was committed or omitted.

Criminal law reform (criminal law reform) is thus broadly understood as a systematic and planned series of efforts to reconstruct, revise, and reorganize extant criminal law provisions so as to render them more consonant with contemporary developments, universal values of justice, and societal needs. In the context of Islamic law, criminal law reform is known by several designations, including *tajdid* (renewal), *islah* (rectification), and contemporary *ijtihad*.

In Indonesia, the definition of Islamic criminal law reform cannot be divorced from the context of legal pluralism prevailing within the national legal system. Topo Santoso explains that grounding Islamic criminal law in Indonesia entails identifying the point of convergence between the universal values of the *Shari’a* and the principles of the Pancasila law-state and the 1945 Constitution. In consonance with this view, Fazlur Rahman affirms that reform in Islam is not merely an exercise in modernization that erodes traditional values, but rather a dynamic process of re-reading the scriptural texts (the *Qur’an* and *Sunnah*) within a new historical context, while preserving the essence and spirit of the *Shari’a*.

The reform of Islamic criminal law is grounded upon robust theological foundations. Several scriptural proofs and principles frequently invoked as justification for reform include the following.

First, the principle of welfare (*maslahah*). One of the fundamental principles of *usul al-fiqh* is that Islamic law was revealed to actualize human welfare (*jalb al-mashalih*) and to repel harm (*dar’ al-mafasid*). Imam al-Ghazali formulated *al-mashalih al-khamsah* (five essential protections) constituting the objectives of the *Shari’a*, namely the protection of religion, life, reason, lineage, and property. Ridwan Jamal affirms the contemporary relevance of *maqashid al-Shari’a* as the evaluative framework for every reform of Islamic criminal law. On the basis of this principle, criminal law reform aimed at more effectively safeguarding these five essential interests obtains strong theological legitimacy.

Second, the principle of justice ('adale). The Qur'an repeatedly affirms that justice constitutes one of the fundamental values of Islam. Surah al-Nisa' verse 135 commands Muslims to be steadfast upholders of justice. Zainuddin Ali affirms that justice in Islamic criminal law is not solely vertical in dimension (accountability to God), but also horizontal (protection of the rights of fellow human beings). In the context of criminal law reform, the principle of justice demands that the criminal law system be just not only substantively, but also procedurally.

Third, *ijtihad* as a mechanism of reform. *Ijtihad* constitutes the primary instrument of Islamic legal reform. The Hadith of Mu'adh ibn Jabal, which refers to the use of *ra'y* when no answer is found in the Qur'an and Sunnah, provides the foundational legitimation for *ijtihad* as a mechanism of legal development. In the modern context, collective *ijtihad* (*ijtihad jama'i*) conducted through fatwa institutions and councils of scholars represents the most relevant form of criminal law reform.

It is essential to distinguish between the reform of Islamic criminal law and its replacement. Reform (*tajdid*) aims to strengthen, develop, and contextualize Islamic law, not to substitute it with an entirely different system. The foundational principles of Islamic criminal law derived from the Qur'an and Hadith are of a permanent character, yet the modalities of their application may be adapted to evolving societal legal needs. Genuine Islamic criminal law reform must satisfy two essential criteria: first, it must not contravene the conclusive scriptural proofs (*nash qath'i*) with respect to their meaning and application; and second, it must be capable of responding effectively, justly, and humanely to contemporary challenges.

Objectives And Urgency Of Criminal Law Reform

The principal objective of criminal law reform is not merely the substitution of existing provisions, but the comprehensive reconstruction of the foundational architecture of criminal law so as to render it more holistic and integrative. This encompasses the revision of legal principles, categories of criminal offences, sentencing systems, and judicial procedures. This reform endeavour aims to create a system of criminal law that functions not only as an instrument of retribution, but also as a preventive and rehabilitative mechanism oriented toward restorative justice.

Criminal law reform also aims to review and reassess the fundamental ideas and socio-philosophical, socio-political, and socio-cultural values that have hitherto underpinned criminal policy and criminal law enforcement. For this reason, criminal law reform must be formulated through a policy- and value-oriented approach.

Furthermore, criminal law reform in principle constitutes part of a rational policy effort to renew the substantive content of law in the interest of more effective law enforcement and crime prevention, for the protection of society and the resolution of social and humanitarian problems. This is aimed at creating social protection and welfare as enshrined in the Fifth Principle of Pancasila.

In addition, one of the objectives of criminal law reform is to explore the full potential of law inherent in Indonesia's pluralistic society and to replace the national legal system still oriented toward Western law. Criminal law reform in Indonesia may also be understood as the embodiment of four important imperatives: decolonization, democratization, consolidation, and adaptation or harmonization. Decolonization refers to reform away from

European values toward values befitting the Indonesian nation. Democratization is intended to incorporate criminal offences against human rights. Consolidation aims to systematize criminal legislation within a structured framework of principles. Adaptation and harmonization, meanwhile, are directed toward responsiveness to the values, standards, and norms recognized by civilized nations in the international community.

Criminal law reform is a necessity for the Indonesian nation, as many existing laws have become anachronistic and no longer accord with contemporary conditions. The criminal law currently in force largely a legacy of Dutch colonial law (WvS) is perceived as no longer consonant with the development of the times and the conditions of Indonesian society. As affirmed by Fajrin and Triwijaya, Indonesian criminal law in general constitutes a Dutch colonial inheritance that is culturally distinct from the Eastern cultural character of Indonesian society.

The reform of Indonesian criminal law is grounded upon several important considerations. First, the Criminal Code is regarded as no longer compatible with the dynamics of national criminal law development in Indonesia. Second, the development of criminal law outside the Criminal Code comprising both special criminal law and administrative criminal law has displaced the Criminal Code as the central system of criminal law, giving rise to more than one criminal law system operating concurrently. Third, in several respects, duplication of criminal law norms has occurred between the Criminal Code and extra-codal legislation.

The urgency for reform is also grounded upon political, practical, and sociological considerations. From a political standpoint, as a sovereign and independent state, Indonesia is fully justified in possessing a national Criminal Code representing the political identity of a nation free from the legacy of colonialism. From a practical standpoint, the dwindling number of legal scholars proficient in Dutch the official language of the operative Criminal Code creates a risk of misinterpretation of its provisions. From a sociological standpoint, the Criminal Code reflects the cultural values of its originating nation, and several of its current provisions are unable to accommodate the needs of the Indonesian nation in the enforcement of criminal law.

The urgency of this reform may be assessed from three dimensions. First, the “historical-sociological dimension”: the Criminal Code is a colonial legal product born of a profoundly different social context, in that the WvS was designed to preserve colonial power, and many of its provisions consequently fail to reflect Pancasila values and local culture. The rapid development of society including technological advancement, globalization, and the emergence of cybercrime and terrorism renders the old Criminal Code inadequate. Second, the “philosophical dimension”: the old Criminal Code emphasized a retributive conception, whereas the reformed Criminal Code shifts focus toward a restorative and educative conception that places the restoration of the offender-victim-society relationship as its primary objective. Third, the “juridical dimension”: from a juridical standpoint, criminal law reform is required to remedy the weaknesses and legal lacunae in the existing law, most notably through the integration of various special criminal offences into a more comprehensive codification.

Modalities Of Criminal Law Reform In The Islamic World

Criminal law reform in the Islamic world has assumed diverse modalities, contingent upon the political, social, and religious context of each state. Broadly speaking, these modalities may be classified into the following four categories.

First, reform through codification of law. One of the most significant modalities of Islamic criminal law reform has been codification. In the pre-modern period, Islamic criminal law was not codified in a single statute but was dispersed across the jurisprudential texts of various legal schools (madhabs). The process of codification aims to provide legal certainty, simplify the legal system, and facilitate law enforcement. The earliest notable example of legal codification in the Islamic world is the Majallah al-Ahkam al-Adliyyah, compiled by the Ottoman Empire in the nineteenth century. In the modern era, Sudan enacted criminal legislation in 1983 applying hudud provisions; Pakistan possesses the Zina and Blasphemy Laws as part of its Islamization of law; and Malaysia has enacted Syariah Criminal Offences Enactments in its various states.

Second, reform through contemporary *ijtihad*. This modality of reform constitutes the endeavour of contemporary ulama and Muslim scholars to reinterpret Islamic legal texts within a present-day context. Contemporary *ijtihad* assumes various methodological forms. (1) The *mashlahah mursalah* method, which permits the determination of law on the basis of considerations of public welfare, even in the absence of explicit scriptural authority. This method is particularly useful for establishing new criminal law provisions responsive to contemporary forms of criminal conduct. (2) The *sadd al-dzara'i* method, aimed at precluding pathways leading to criminal conduct or corruption. (3) The *takhayyur* and *talfiq* methods, which involve the selective adoption and synthesis of opinions from various legal schools to formulate more comprehensive legal provisions.

Third, reform through the reinterpretation of hudud provisions. The most contentious debate in Islamic criminal law reform concerns the provisions of hudud, namely the penal sanctions explicitly stipulated in the Qur'an and Hadith. Contemporary Muslim scholars such as Mohammed Arkoun and Nasr Hamid Abu Zayd have advanced hermeneutical approaches that distinguish the universal moral message of the Qur'an from the socio-historical context in which the hudud verses were revealed. Tariq Ramadan has proposed a moratorium (temporary suspension) on the application of hudud until the conditions stipulated in the Qur'an for its application are genuinely fulfilled, including the realization of a just and prosperous society. On the other hand, traditional scholars such as Yusuf al-Qaradawi maintain that hudud provisions cannot be altered, but that their application must satisfy exceedingly stringent conditions, including a conducive social environment and the assurance of high evidentiary standards.

Fourth, reform through the adoption of international legal concepts. This modality of reform involves the adoption of international criminal law concepts deemed compatible with Islamic values. For instance, the concept of restorative justice, which emphasizes the restoration of the relationship between offender, victim, and community, is highly consonant with the *qisas* and *diyat* provisions of Islamic law, which permit pardon and compensation. Likewise, the principles of international humanitarian law prohibiting inhumane punishment share commonalities with Islamic legal principles prohibiting excessive *ta'zir* and

emphasizing that sanctions must be proportionate to the offence.

Indonesia, as the world's most populous Muslim-majority state, has chosen not to formally apply Islamic criminal law at the national level, while nonetheless providing space for certain regions most notably Aceh to enact Shari'a-based regional regulations, including in the criminal domain. Malaysia applies a dual criminal law system (civil and Shari'a), wherein Shari'a criminal law is applicable to Muslims in specified categories of cases. Iran, following the 1979 Islamic Revolution, has implemented a comprehensive criminal law system grounded in Shi'a fiqh, with modifications introduced incrementally through legislative processes. Morocco and Tunisia represent two contrasting poles among Arab states: Morocco progressively integrates Islamic values into its criminal law, while Tunisia under President Ben Ali pursued a more distinctly secularist trajectory.

The Roles Of Society And Government In Criminal Law Reform

The government, as the holder of legislative and executive authority, occupies a central role in the process of criminal law reform. This role may be identified across several important dimensions.

First, initiation and legislation. The government, through the legislative institution, possesses the authority to propose, deliberate, and enact criminal law legislation. In the context of Muslim-majority states, this legislative process should ideally involve consultation with Islamic scholars and legal experts to ensure that the resulting provisions are grounded in sound Shari'a principles while being responsive to the needs of contemporary society. A concrete example of this role is the establishment of the Pakistan Law Commission, charged with reviewing and reforming extant legal provisions to accord with Islamic principles. In Indonesia, the Draft Criminal Code (RKUHP) exemplifies governmental efforts to reform the national criminal law.

Second, building the capacity of judicial institutions. Criminal law reform will not be effective without adequate judicial institutional capacity. The government bears the responsibility for building and strengthening the institutional capacity of the justice system, including through improving the quality of education and training for judges, prosecutors, and advocates; developing judicial infrastructure; and implementing information technology in case management. In many Muslim-majority states, the weakness of the institutional capacity of the justice system, judicial corruption, insufficient trained human resources, and inadequate infrastructure constitutes the principal impediment to fair and effective criminal law enforcement.

Third, building supporting institutions. The government plays a role in establishing the supporting institutions necessary for the effectiveness of the criminal law system, such as correctional institutions, victim rehabilitation institutions, witness protection bodies, and forensic agencies. The development of these institutions reflects a holistic approach to crime prevention consonant with Islamic values concerning the protection of all members of society.

Fourth, formulating comprehensive criminal policy. The government's most strategic role lies in formulating a comprehensive and coherent criminal policy. Criminal policy encompasses the totality of state policies in the prevention and suppression of crime, encompassing the dimensions of substantive criminal law, criminal procedure, and

sentencing policy. In the context of Muslim-majority states, sound criminal policy must harmonize Islamic values with modern criminological approaches.

Society, in its various manifestations, also plays a role of no less significance in the process of criminal law reform. The role of society encompasses several dimensions.

First, the role of ulama and Muslim scholars. The ulama and Muslim scholars perform a fundamentally epistemic function in the reform of Islamic criminal law. They alone possess the authority to conduct *ijtihad*, issue fatwas, and develop Islamic legal thought that is responsive to the challenges of the age. Institutions such as the *Majma' al-Fiqh al-Islami* (Muslim World League), the Indonesian Ulama Council (MUI), and various national fatwa institutions in Muslim-majority states function as highly strategic forums for collective *ijtihad*. The principal challenge is how to bridge the rich tradition of Islamic scholarship with the developments of the contemporary social sciences and modern law.

Second, the role of civil society organizations. Civil society organizations including legal NGOs, human rights organizations, and advocacy groups play an important role in promoting criminal law reform from the bottom up. They contribute by documenting cases of injustice within the operative criminal law system, advocating for policy changes, educating the public about its legal rights, and providing legal assistance to those lacking means. In Indonesia, organizations such as the Legal Aid Institute (Lembaga Bantuan Hukum/LBH) and the Commission for the Disappeared and Victims of Violence (KontraS) have made significant contributions to advancing national criminal law reform. In Pakistan, the Human Rights Commission of Pakistan (HRCP) has actively advocated for the revision of the Blasphemy and Zina Laws, which are considered susceptible to misuse.

Third, the role of academics and institutions of higher education. Universities and academic communities perform a strategic role through research, education, and the dissemination of knowledge. Empirical studies on the effectiveness of criminal law, comparative analyses of criminal law systems across Muslim-majority states, and historical studies on the development of *fiqh jinayah* provide the scientific foundations necessary for evidence-based reform processes. The integration of *fiqh jinayah* with criminology, victimology, and international law into Islamic law curricula constitutes one important reform agenda.

Fourth, the role of the media and public opinion. The mass media and public opinion wield an increasingly powerful force in shaping the agenda for criminal law reform. The development of social media has fundamentally transformed the landscape of public discourse on Islamic criminal law. Issues such as capital punishment for theft, corporal punishment for adultery, or the criminalization of apostasy can now rapidly become global debates involving actors from across the world.

Successful and sustainable criminal law reform is achievable only through sound synergy between government and society. The experience of states that have successfully undertaken criminal law reform reveals several patterns of effective synergy.

First, the establishment of national consultative forums involving representatives from diverse social groups, including ulama, academics, legal practitioners, human rights activists, and representatives of vulnerable groups such as women and the economically disadvantaged. These forums function as inclusive dialogic spaces for formulating the

direction and substance of criminal law reform.

Second, the development of feedback mechanisms that enable society to evaluate and provide input on the implementation of extant criminal law provisions. Such mechanisms are essential for ensuring that criminal law reform constitutes not merely paper reform, but genuinely tangible benefits for society.

Third, public legal literacy programmes aimed at enhancing societal understanding of legal rights and the means of accessing them. A legally literate society will be better equipped to participate meaningfully in the criminal law reform process.

DISCUSSION

The findings of this study confirm that Islamic criminal law reform (tajdid) is neither a rejection of Islamic legal tradition nor a wholesale adoption of secular legal frameworks, but rather a contextual reconstruction grounded in the foundational objectives of the Shari'a (maqashid al-Shari'a). This understanding aligns with Fazlur Rahman's assertion that reform in Islam constitutes a dynamic process of re-reading scriptural texts within a new historical context while preserving the essence and spirit of the Shari'a. The theological legitimacy of such reform rests upon well-established principles of Islamic jurisprudence, particularly *maslahah* (welfare), *'adalah* (justice), and *ijtihad* as a mechanism of legal development. The principle of *maslahah*, as elaborated through Imam al-Ghazali's formulation of *al-mashalih al-khamsah*, provides the normative evaluative framework for every reform effort, ensuring that any reconstruction of Islamic criminal law remains anchored in the protection of religion, life, reason, lineage, and property. Reform that departs from these foundational principles would risk losing its Islamic character entirely, while rigid adherence without contextual adaptation would render Islamic criminal law anachronistic and incapable of addressing the demands of contemporary society.

The urgency of criminal law reform in Muslim-majority states, particularly Indonesia, derives from three interrelated dimensions: historical-sociological, philosophical, and juridical. From the historical-sociological dimension, the existing Criminal Code a colonial inheritance rooted in the Dutch *Wetboek van Strafrecht* (WvS) was designed to serve colonial interests and consequently fails to reflect Pancasila values and the local cultural character of Indonesian society. This colonial legacy creates a cultural and normative dissonance that has grown more acute with the rapid development of society, the advancement of technology, and the emergence of new forms of crime such as cybercrime and terrorism. From the philosophical dimension, the shift from a retributive to a restorative-educative conception of criminal justice represents a paradigmatic transformation consonant with both modern criminological theory and Islamic values regarding the rehabilitation of offenders and the restoration of social harmony. From the juridical dimension, the fragmentation of criminal law across the Criminal Code and numerous extra-codal statutes has produced normative duplication and systemic incoherence that undermines the effectiveness of criminal law enforcement, underscoring the necessity of comprehensive codification.

The diversity of reform modalities observed across Muslim-majority states ranging from codification and contemporary *ijtihad* to the reinterpretation of *hudud* provisions and the adoption of international legal concepts reflects the absence of a single universal formula applicable to all contexts, given that each state possesses a distinct historical, social,

cultural, and political configuration. The debate surrounding hudud reinterpretation remains the most contentious dimension of this reform discourse: while progressive scholars such as Tariq Ramadan have proposed a moratorium on hudud application pending the realization of genuinely just social conditions, traditionalist scholars such as Yusuf al-Qaradawi insist that hudud provisions are unalterable, though their application must satisfy exceedingly stringent evidentiary and social conditions. This tension reveals that successful reform is not solely a juridical or theological matter, but fundamentally a political and sociological one, requiring robust synergy between the government as the holder of legislative authority and society represented by ulama, academics, civil society organizations, and the media as epistemic, advocacy, and evaluative actors. The Indonesian experience, with its Acehese Qanun Jinayah and the ongoing deliberation of the Draft Criminal Code (RKUHP), illustrates both the possibilities and the limitations of this synergistic reform process within a pluralistic legal framework.

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CONCLUSION

On the basis of the foregoing discussion, several conclusions may be drawn. First, the reform of Islamic criminal law (*tajdid*) represents a historical necessity rooted in the internal dynamism of Islamic law itself. Such reform is not a wholesale replacement, but a contextual reconstruction anchored in the fundamental values of the *Shari'a* and *maqashid al-Shari'a*. *Ijtihad* whether individual or collective, constitutes the primary instrument that must be continuously revitalized to address contemporary legal challenges. Second, the objectives and urgency of criminal law reform are inseparable from the objectives of Islamic law itself, namely the actualization of human welfare. Its urgency derives from three dimensions: the historical-sociological, which demands that law reflect local cultural values and justice; the philosophical, which promotes a paradigmatic shift from retributive toward restorative-educative conceptions; and the juridical, which calls for a comprehensive codification of new categories of criminal offences. Third, the modalities of Islamic criminal law reform are highly diverse, encompassing codification of law, contemporary *ijtihad* employing various methods (*mashlahah mursalah*, *sadd al-dzara'i*, *takhayyur*, and *talfiq*), the reinterpretation of hudud provisions, and the adoption of international legal concepts compatible with Islamic values. In Indonesia, this reform is manifested, *inter alia*, through the Acehese Qanun Jinayah and the integration of Islamic values into the Draft Criminal Code (RKUHP). Fourth, the success of criminal law reform demands robust synergy between government and society. The government possesses the legislative and executive authority necessary to formalize reform, while society represented by ulama, academics, NGOs, and the media fulfils advocacy, epistemic, and evaluative roles of equal importance. Such synergy can only be realized through inclusive consultative mechanisms, sustained feedback processes, and programmes to enhance public legal literacy. As implications of this study, it

is recommended that Islamic law faculties integrate criminology and international law into their fiqh jinayah curricula; that national legislative bodies seriously consider the input of ulama and academics in the deliberation of the Draft Criminal Code; and that regional governments periodically evaluate the effectiveness of Shari'a-based regional regulations on an empirical and evidence-based basis. The conclusion provides the answers for the formulation of the problem or the research questions that are explicitly stated in the introduction and described in the content section. The conclusion must be clear, concrete and explicit. In the conclusion, it is suggested to include the relevance and the development of new ideas which are the essence of the research findings.

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