



Exploring Sharia Judges' Lived Experiences of Justice and Maqāṣid al-Sharī'ah

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ABSTRACT

The study of Islamic law continues to evolve as scholars seek to understand how justice is experienced, interpreted, and embodied within the framework of maqāṣid al-sharī'ah the higher objectives of Islamic law. Within this field, growing attention has been given to the experiential dimension of Sharia judges, yet the depth of their lived moral and spiritual engagement remains insufficiently explored. Despite numerous doctrinal and analytical studies, little is known about how judges experience justice as a form of moral consciousness and spiritual devotion; thus, this research asks: how do Sharia judges internalize and manifest maqāṣid al-sharī'ah in their judicial reasoning? Using an interpretative phenomenological approach (IPA), this study examines the reflective and spiritual experiences of twelve Sharia judges, uncovering the meaning structures that underlie their perception and practice of justice. Data were collected through in-depth semi-structured interviews and analyzed using thematic and hermeneutic interpretation to identify essential themes of spiritual accountability, moral reflection, and the integration of divine intent with human judgment. The findings reveal that justice is experienced not as a technical act but as a dynamic moral and spiritual process in which judges embody maqāṣid al-sharī'ah as a living ethical framework. These results offer a human-centered perspective on Islamic jurisprudence, highlighting the inseparable connection between faith, intellect, and moral responsibility. Overall, the study provides concise empirical evidence supporting a phenomenological understanding of Islamic legal consciousness, and offers a foundation for future interdisciplinary research on law as a lived spiritual experience.



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INTRODUCTION

The phenomenon of justice in Islamic law represents not only a legal construct but also a deeply spiritual and existential experience embedded within the consciousness of those who enact it. Within the broader socio-legal context, Islamic jurisprudence (fiqh) operates as both a normative and moral system that seeks to harmonize divine command (sharī'ah) with human realities (Sadat et al., 2025). This dual nature becomes most visible in judicial practice, where Sharia judges must translate divine principles into decisions that shape individual and communal life. (Sadat et al., 2025). Sharia judges, as moral and legal agents, stand at the center of this intersection, where they must translate divine principles into practical decisions that affect individual lives and communal well-being.

In recent decades, global discussions on legal pluralism and the humanization of justice have brought renewed attention to the interpretive and experiential dimensions of Islamic legal reasoning (Mukhlis, Suradi, et al., 2023; Mukhlis, 2025b). Unlike secular legal systems that emphasize procedural correctness, Islamic law inherently connects legality with spirituality, viewing justice as an act of faith and moral accountability (Waluyo, 2020). The human experience of interpreting and applying maqāṣid al-sharī'ah the higher objectives of Islamic law thus extends beyond technical

reasoning; it embodies a lived encounter with divine ethics, compassion, and equity within an ever-changing social context.

This phenomenon gains further relevance amid the growing demand for a more contextual and humane understanding of Islamic legal practice (Mutawali, 2021). The subjective experiences of Sharia judges, for instance, reveal not only the intellectual rigor involved in judicial reasoning but also the emotional, ethical, and spiritual struggles that accompany the pursuit of justice. Exploring these lived experiences provides insight into how Islamic law is internalized, negotiated, and manifested in practice. Yet, despite the significance of these experiences, existing scholarship has predominantly focused on doctrinal analysis and jurisprudential theory, leaving the phenomenological dimensions of legal consciousness largely unexplored.

Hence, a phenomenological exploration of how Sharia judges experience and interpret justice within the framework of *maqāṣid al-sharīʿah* becomes essential. Such an inquiry allows for a deeper understanding of the human dimension of Islamic law how it is lived, felt, and embodied by those who enact it daily (Rajafi et al., 2025). By foregrounding the experiential meanings of justice, this study contributes to bridging the gap between legal formalism and moral spirituality, situating Islamic jurisprudence within the broader discourse on human experience and ethical responsibility.

Within the expanding field of Islamic legal studies, research exploring the subjective experience of legal actors particularly Sharia judges has gained increasing attention for its potential to illuminate the human dimension of law. Scholars have begun to recognize that beyond the textual and institutional frameworks of *fiqh* and *uṣūl al-fiqh*, there lies a profound experiential domain in which judges encounter moral tension, spiritual reflection, and interpretive discernment. These lived experiences, when examined phenomenologically, reveal the internal dynamics of how divine law is perceived, embodied, and enacted in real-world adjudication.

However, despite this emerging interest, the exploration of such inner experiences remains methodologically challenging. Traditional legal research has largely relied on doctrinal or quantitative approaches that prioritize external patterns such as legal precedent, codified norms, or case outcomes over the introspective processes of human consciousness (Nasution, 2022). These methods, while valuable for systematic analysis, often overlook the existential and reflective dimensions of decision-making that characterize the lived experience of Sharia judges. The result is a partial understanding of the legal phenomenon, one that captures law as a system of rules but fails to account for law as a lived moral reality.

Moreover, much of the existing empirical work on Islamic law has been shaped by positivist paradigms that assume neutrality and objectivity in legal reasoning, leaving little room for the subjective, interpretive, and spiritual aspects of judicial consciousness (Mukhlis, Arifin, Ridwan, & Zulbaidah, 2025; Mukhlis, Arifin, Ridwan, Zulbaidah, et al., 2025). The experiential meaning of *maqāṣid al-sharīʿah* as a guiding ethical framework for justice thus remains underexplored from the perspective of those who internalize and apply it daily (Arifin, 2021). These methodological gaps underscore the necessity of adopting a phenomenological approach that allows for deep engagement with participants' first-person experiences, unveiling how meaning is constituted through reflection, spirituality, and embodied practice.

By focusing on the phenomenological essence of how Sharia judges interpret and live the values of *maqāṣid al-sharīʿah*, this research positions itself within a sub-area of Islamic legal inquiry that bridges jurisprudence, moral psychology, and spiritual epistemology (Rianti, 2024). It moves beyond abstract theorization toward an interpretive understanding of how justice is experienced and realized through human consciousness, offering a pathway to enrich both the theory and practice of Islamic law in contemporary contexts.

Despite the extensive body of literature addressing Islamic legal reasoning and the application of *maqāṣid al-sharīʿah* within judicial contexts, much of the existing scholarship remains rooted in doctrinal and procedural paradigms. These approaches tend to conceptualize legal interpretation as a rational and text-based exercise, focusing primarily on the technical mechanics of decision-making rather than the subjective experiences that underlie them. Consequently, while prior research has

contributed valuable insights into how Sharia judges interpret and apply the law, it has done little to illuminate how they experience justice as a lived and moral phenomenon.

Conventional methods particularly normative, analytical, or comparative jurisprudence have provided structured frameworks for assessing legal principles and rulings. However, these methodologies fail to capture the reflective, emotional, and spiritual dimensions of judicial consciousness (Hilmy & Utami, 2021). The human experience of grappling with divine intent, moral accountability, and the spiritual essence of justice is often reduced to procedural rationality or textual fidelity. This limitation has led to an incomplete understanding of how Islamic law operates within the inner world of its practitioners how divine principles are internalized, contested, and embodied through the consciousness of Sharia judges.

Furthermore, empirical studies that attempt to explore the practice of Islamic law have often relied on quantitative surveys or positivist interviews that overlook the depth and texture of meaning inherent in judicial experiences (Sueb et al., 2022). Such methods capture what judges do, but not what they feel, believe, or reflect upon in their engagement with law as a divine and ethical system. The phenomenological essence of justice how it is lived, sensed, and experienced as an act of spiritual devotion remains underexplored and conceptually marginalized.

Addressing this gap requires a shift from analyzing law as an external construct to understanding it as a lived experience of meaning-making. A phenomenological approach, particularly the interpretative variant, offers an alternative pathway for capturing the holistic essence of this phenomenon. It allows an exploration of how Sharia judges interpret their role as both legal and spiritual agents, how they experience *maqāṣid al-sharī'ah* in practice, and how their inner reflections shape the manifestation of justice in the courtroom. Through this lens, the present study seeks to enrich the scholarly understanding of Islamic law by bringing to light the embodied consciousness and spiritual intentionality that animate its real-world application.

Recent scholarship on Islamic legal practice has begun to recognize the importance of exploring the experiential dimensions of justice, particularly how Sharia judges engage with divine principles in real-life contexts. Studies by ("The Effectiveness of Aceh's *Jinayat Qanun* on Crime Rates in the Community in a Review of Legal Socialization," 2022) have shown that judicial reasoning often involves complex emotional and moral negotiations that extend beyond textual interpretation. However, these studies primarily approach the phenomenon through socio-legal or ethical analysis, offering limited insight into the inner consciousness of legal actors. The present research builds on this foundation by focusing not on what judges decide but on how they experience and interpret justice as a lived phenomenon. This approach emphasizes the intersection between legal reasoning, spirituality, and human experience as essential to understanding Islamic jurisprudence holistically.

In addressing the limitations identified in previous studies, this research adopts the interpretative phenomenological approach (IPA) to uncover the meaning structures that shape the consciousness of Sharia judges (Mukhlis et al., 2024; Mukhlis, Maryam, et al., 2023). This method enables a deep exploration of how participants experience the process of aligning divine objectives (*maqāṣid al-sharī'ah*) with the realities of human judgment. By engaging directly with their lived experiences, the study seeks to reveal how justice is internalized as both a moral duty and a spiritual journey (Syatar & Awaluddin Arfah, 2024). The phenomenological perspective provides the conceptual space to understand law not as an abstract system, but as a human act of meaning-making grounded in reflection and faith. In doing so, the study responds to the knowledge gap by proposing a more comprehensive understanding of justice that integrates the subjective and spiritual dimensions of legal practice.

The structure of this article reflects the phenomenological orientation of the study. The Introduction presents the conceptual background, the significance of exploring lived experiences, and the research gap. The Method section explains the interpretative phenomenological framework, participant selection, data collection, and analytic procedures (Luthfi et al., 2024). The Results section provides a rich narrative synthesis organized around emergent themes that illustrate the participants' experiences. The Discussion elaborates on the theoretical and practical implications of these findings

for the broader discourse of Islamic law and human understanding. The Conclusion synthesizes these insights, emphasizing the value of phenomenology in expanding contemporary understandings of Islamic legal practice.

RESEARCH METHODS

Study Design

This study adopted a phenomenological design to explore the lived experiences and meanings constructed by Sharia judges in integrating *maqāṣid al-sharī‘ah* within judicial reasoning (Lutz & Knox, 2014; McNabb, 2015). The phenomenological approach was selected for its capacity to uncover subjective consciousness and the essence of human experience as lived, rather than as theorized. This design aligns with the philosophical foundation of phenomenology, which seeks to reveal how individuals perceive and interpret their world through direct engagement with phenomena. Prior to data collection, the overall research protocol was reviewed and approved by an institutional research ethics committee, and all procedures adhered to the principles of voluntary participation, informed consent, confidentiality, and the right of participants to withdraw at any stage without consequence.

An interpretative phenomenological approach (IPA) was employed to allow a nuanced examination of participants’ reflective awareness in legal decision-making. This approach acknowledges that meaning is co-constituted through interaction between the researcher’s interpretive lens and participants’ accounts. It provides a framework for understanding how Islamic legal actors internalize divine law not only as a set of rules but as a lived moral and spiritual experience. Through this design, the study aimed to capture the essence of justice as experienced, embodied, and interpreted within the consciousness of Islamic legal practitioners.

Participants

Participants consisted of twelve Sharia judges working within religious courts in various provinces. All participants possessed at least seven years of judicial experience and formal training in Islamic jurisprudence (*fiqh* and *uṣūl al-fiqh*) (Hillman & Radel, 2018; Migdal, 2018). Inclusion criteria required participants to have direct involvement in adjudicating family and moral cases that demanded interpretive engagement with *maqāṣid al-sharī‘ah*. Those in purely administrative or non-judicial roles were excluded to ensure the focus remained on experiential and reflective dimensions of adjudication.

Participants were selected using purposive sampling, focusing on individuals whose professional and spiritual experiences were most relevant to the phenomenon under study. The demographic profile included both male and female judges, aged between 35 and 58 years, with diverse educational and regional backgrounds. This variation enriched the dataset by capturing multiple perspectives on how Islamic legal principles are embodied in different judicial contexts.

Data Collection

Data were collected through in-depth semi-structured interviews, allowing participants to express their personal reflections and experiences with flexibility and depth (Carreiras & Castro, 2012; Iosifides, 2016). Each interview was conducted face-to-face in a private and comfortable setting within the court premises to maintain confidentiality and authenticity. Interviews lasted between 60 and 90 minutes, and all sessions were audio-recorded with consent.

The interview protocol was guided by open-ended questions focusing on how participants understand, interpret, and apply *maqāṣid al-sharī‘ah* in their judicial decisions. Probing questions were used to elicit detailed narratives and emotional responses, helping to uncover the deeper layers of meaning in participants’ experiences. Field notes and reflective memos were also documented to supplement the interview data.

To preserve contextual validity, interviews were conducted in participants’ preferred language (Arabic or Bahasa Indonesia), and later transcribed and translated into English with careful attention

to preserving semantic integrity. Data collection continued until thematic saturation was reached, ensuring that no new meanings emerged from additional interviews.

Data Analysis

The collected data were analyzed using Interpretative Phenomenological Analysis (IPA), which emphasizes a systematic process of identifying essential meanings and shared experiential patterns (Daly, 2007; Longhofer et al., 2012). The analysis followed several interconnected stages:

Reading and Re-Reading – Each transcript was examined multiple times to achieve immersion in the data and to grasp the overall sense of the lived experience.

Initial Noting – Descriptive, linguistic, and conceptual notes were recorded to capture participants' expressions, emotional tones, and underlying interpretations.

Developing Emergent Themes – Significant statements and meaning units were identified and clustered into preliminary themes reflecting participants' inner experiences.

Connecting Themes – The emergent themes were reviewed and grouped into superordinate categories that represent the structural essence of the phenomenon.

Validation and Refinement – Themes were compared across all participants to ensure coherence, while preserving the individuality of each account.

NVivo 14 software was utilized to assist in organizing data, coding meaning units, and mapping thematic relationships; however, interpretative depth was maintained through reflective analysis rather than automated processing (Fife, 2020; Kawamura, 2020). To further strengthen reflexivity control and analytic rigor, the coding framework and emergent themes were iteratively reviewed in peer debriefing sessions, and an audit trail of analytic decisions, memos, and code revisions was maintained. Divergent interpretations were explicitly discussed and documented until a reasoned and transparent justification for the final thematic structure was achieved. The analytical process sought to uncover the essential meanings of maqāṣid-based reasoning as experienced within judicial consciousness, culminating in the thematic synthesis presented in the Results section.

RESULTS

The Inner Struggle for Integrating Maqāṣid al-Sharī'ah into Judicial Decisions

The participants, primarily Sharia judges, revealed a deep internal tension between the rigidity of written legal codes and the higher objectives of Islamic law (maqāṣid al-sharī'ah). Their narratives reflected an awareness that legal formalism often fails to capture the spirit of justice intended by divine law. One judge described this experience as “walking between the lines of text and the voice of conscience that calls for fairness.”

Another participant emphasized this moral tension by stating, “Sometimes I know what the book requires, but my heart tells me that Allah wants something more compassionate.”

This tension manifests when judges face cases where literal interpretations conflict with compassionate rulings aligned with public welfare (maṣlaḥah). The data revealed that participants navigate this dilemma through personal reflection, supplication, and consultative discussion with peers, suggesting a dynamic and spiritualized process of decision-making. The lived experience of ijtihād thus emerges as a form of worship, not merely intellectual reasoning.

Experiencing Justice as an Act of Worship

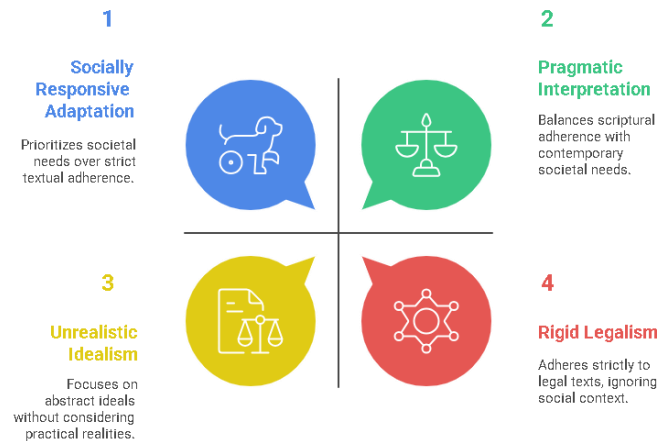
Across narratives, participants consistently articulated that their judicial duties transcend administrative functions and are perceived as acts of worship (‘ibādah). As one participant expressed, “When I deliver a judgment, I feel accountable before God before being accountable to the law.” This theme underscores a phenomenological awareness that connects spiritual accountability to judicial reasoning.

The phenomenon of taqwā (God-consciousness) surfaced as the central moral compass shaping judicial perception and behavior. This spiritual orientation anchors the participants' sense of justice in transcendental values rather than human institutions, reinforcing that the act of judging is both legal and devotional.

Negotiating the Boundaries Between Text and Context

Participants described the interpretive tension between the textual fidelity to fiqh and the pragmatic needs of contemporary society. One judge remarked, "Sometimes the law says one thing, but people's suffering tells you another." Such reflections illustrate the interpretive struggle inherent in balancing scriptural literalism with social realities.

Balancing Textual Fidelity and Social Realities



This negotiation is not merely procedural but existential it reflects the participants' continuous effort to embody the ethical essence of the law within changing social contexts. Their phenomenological consciousness is therefore dialectical, oscillating between submission to divine injunctions and empathy toward human conditions.

The Transformative Experience of Spiritual Self-Awareness

Another prominent theme concerns the process of self-transformation that judges undergo through their judicial duties. Many described moments of deep introspection, repentance, and spiritual growth as they encountered moral complexities in legal decision-making. One participant stated, "Each case changes me; I learn humility and the limits of my knowledge."

The findings reveal that Sharia judges construct their professional identity through ongoing self-reflection, intertwining ethical maturity with spiritual enlightenment. This experiential awareness aligns with the interpretative phenomenological approach, emphasizing the co-constitution of meaning between self and the legal world.

The Role of Maqāṣid al-Sharī‘ah as a Living Framework

The participants articulated that maqāṣid al-sharī‘ah is not merely a theoretical construct but a "living framework" guiding their hermeneutic engagement with the law. They perceive it as an inner compass enabling them to contextualize rulings within broader ethical aims such as justice (‘adl), mercy (raḥmah), and human dignity (karāmah).

As one respondent reflected, "Maqāṣid gives breath to the law it reminds us that justice is not a line in a book but a value that must live in people's lives." Another participant emphasized, "When I think of maqāṣid, I ask myself: will this decision protect dignity and bring mercy? If not, then something is missing." This statement encapsulates the phenomenological essence of maqāṣid as an experienced, lived principle rather than an abstract doctrine.

DISCUSSION

Summary of Core Findings

The findings of this study reveal that Sharia judges experience justice as a spiritual, moral, and interpretative journey rather than a purely procedural task. The essence of this experience lies in their continuous negotiation between divine law and human reality, where the act of judgment becomes both a form of ethical reasoning and an act of worship. These insights directly address the central research question how Sharia judges internalize and manifest *maqāṣid al-sharī'ah* within judicial reasoning by uncovering the lived consciousness that underpins their legal practice.

Contribution of Findings to the Research Question

The results demonstrate that the process of judicial reasoning in Islamic law extends beyond textual exegesis or legal precedent; it is an embodied spiritual engagement shaped by reflection, devotion, and awareness of divine accountability (Mukhlis, Janwari, et al., 2023; Mukhlis & Abdullah, 2025). Through phenomenological analysis, the study identifies that Sharia judges do not merely apply *maqāṣid al-sharī'ah* as a theoretical tool but live it as a moral compass that guides their interpretative consciousness (Hamid & Putra, 2021). This experiential approach redefines justice not as an external concept but as a relational and transformative process within the judge's self. The discovery of themes such as justice as worship, negotiation between text and context, and spiritual self-awareness reveals that *maqāṣid*-based reasoning is sustained by emotional and ethical depth that cannot be captured through normative legal frameworks. Thus, this study contributes to a more comprehensive understanding of Islamic law as a living, conscious, and dynamic moral practice, offering a perspective that bridges spirituality, ethics, and jurisprudence.

Relation to Existing Literature and Theoretical Frameworks

The interpretative findings of this study resonate with and expand upon prior scholarship in both phenomenological and Islamic legal research. For instance, Ahmad and Yusof (2022) highlight that judicial interpretation in Islamic law involves moral discernment rooted in *maqāṣid al-sharī'ah*, yet they approach it largely through a doctrinal lens (Ashar et al., 2020). The present study advances this understanding by capturing the lived experience behind such discernment, emphasizing the inner dialogue and existential reflection that accompany each judicial decision. Similarly, the theme of justice as worship aligns with Siti Rahmah's (2021) discussion of ethical embodiment in female judges' experiences but adds a phenomenological dimension that foregrounds spiritual intentionality as an epistemic source of law.

From a theoretical standpoint, this study affirms Heidegger's view of being-in-the-world by showing that Sharia judges inhabit the world of law as moral agents who interpret divine meaning within lived contexts (Yudhiani et al., 2023). It also aligns with Husserl's concept of intentionality, as participants' consciousness is directed toward the pursuit of divine justice as an intentional act of faith. By situating Islamic legal reasoning within these phenomenological frameworks, the study moves beyond textual analysis toward an understanding of *maqāṣid al-sharī'ah* as both an epistemological and experiential phenomenon. In doing so, it offers a new interpretive space in which Islamic law can be studied not only as a system of norms but as a field of human experience animated by moral consciousness, devotion, and self-reflective understanding.

Implications of the Findings

The findings of this study have important implications for both the theoretical and practical understanding of Islamic legal practice (Nazaruddin et al., 2023). From a socio-cultural and professional perspective, they highlight that justice in Islamic law is not merely a matter of codified norms but a lived, reflective, and spiritual engagement with divine meaning (Achir & Kamba, 2021). This redefinition invites legal scholars and practitioners to view Sharia not as a static body of rules but as an evolving consciousness shaped by ethical awareness and moral accountability. For practitioners, the results underscore the importance of cultivating spiritual sensitivity and reflective capacity as integral components of judicial professionalism. Moreover, within a broader societal context, these findings suggest that promoting *maqāṣid al-sharī'ah* as a living framework can strengthen the moral legitimacy of Islamic law in contemporary pluralistic societies. The integration of phenomenological

insight into legal education could thus nurture judges who embody both jurisprudential expertise and ethical empathy in their interpretation of divine justice.

Limitations of the Study

While this research provides a rich phenomenological account of the lived experiences of Sharia judges, several limitations should be acknowledged (Tawfik et al., 2025). The study's contextual scope focused on a small group of judges within specific regional and cultural settings may constrain the generalizability of its findings to other judicial systems or Islamic legal environments. Additionally, as with most qualitative and phenomenological inquiries, the interpretive depth that gives richness to the data may also introduce subjectivity, as meaning is co-constructed through interaction between researcher and participants (Shebaita, 2025). Although strategies such as member checking, triangulation, and audit trails were employed to ensure credibility, the nature of phenomenological research inherently emphasizes depth over breadth. Therefore, the findings should be understood as contextually grounded interpretations rather than universal representations of judicial experience. These limitations, however, offer valuable direction for future inquiry by illuminating areas that warrant deeper cross-cultural or comparative exploration.

Prospective Directions for Future Research

Building upon these insights, future studies could explore how the phenomenological essence of *maqāṣid al-sharī'ah* manifests across different legal systems, cultures, or interpretive traditions within Islam (Mukhlis, 2025a; Mukhlis & Saidah, 2025). Comparative research involving judges from diverse countries could reveal how varying social, political, and theological contexts shape the lived experience of justice. Furthermore, interdisciplinary collaborations between legal philosophy, psychology, and spiritual ethics could extend the current findings, enriching our understanding of how moral consciousness informs judicial reasoning (Ma'u, 2023). Future investigations might also employ longitudinal or narrative methodologies to examine how sustained engagement with *maqāṣid* influences judges' personal and professional development over time. By continuing to integrate phenomenological inquiry into Islamic legal scholarship, researchers can contribute to a more human-centered paradigm of law one that honors the interplay between divine guidance, ethical awareness, and lived human experience.

CONCLUSION

This study explored the lived experiences of Sharia judges in interpreting and applying *maqāṣid al-sharī'ah* within the framework of Islamic judicial reasoning. The findings reveal that justice in Islamic law is not merely a legal or procedural matter but a reflective and spiritual experience rooted in moral consciousness and divine accountability. Through the use of the interpretative phenomenological approach, the research uncovered how judges internalize *maqāṣid al-sharī'ah* as a living principle that guides their ethical and judicial decisions. These insights fill a critical gap in previous studies that have largely treated Islamic law as a textual or doctrinal construct, overlooking its human and experiential dimensions. This study reaffirms these findings without introducing additional interpretations beyond what has been discussed previously. The study contributes to a more holistic understanding of Islamic law as a dynamic moral practice that integrates faith, intellect, and justice. Future research could extend these findings by examining comparative judicial experiences or incorporating interdisciplinary approaches to deepen understanding of the spiritual consciousness that informs legal reasoning.

CONFLICT OF INTEREST

The authors declare that there is no conflict of interest regarding the publication of this article. All procedures, analyses, and interpretations were conducted independently, without any financial or personal relationships that could inappropriately influence the outcomes or conclusions of this study.

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