

Reforming Indonesia's Correctional System: The Role of *Maqāṣid Al-Syārī'ah* in Ensuring Justice and Rehabilitation

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Abstract:

The correctional system in Indonesia faces significant challenges, including overcapacity, low effectiveness of rehabilitation, and a lack of integration of spiritual values. This research aims to explore the application of *maqāṣid al-syārī'ah* as a value foundation in the reform of the correctional system to enhance the effectiveness of rehabilitation and reintegration of inmates. This research employs a qualitative method with a normative-empirical approach, encompassing an analysis of regulatory frameworks, particularly Law Number 22 of 2022 concerning Corrections and observational techniques. The research results show that *maqāṣid al-syārī'ah*, with principles such as the protection of life (*hifz an-nafs*), intellect (*hifz al-aql*), spirituality (*hifz ad-din*), lineage (*hifz an-nasl*), and property (*hifz al-māl*) provide a holistic framework to support the rehabilitation of prisoners. Programs based on religious values and practical skills have proven capable of supporting individual moral and economic changes, while community involvement through community mentors strengthens social reintegration. However, challenges such as limited resources, cultural resistance to religious-based approaches, and the lack of oversight based on *maqāṣid al-syārī'ah* indicators hinder optimal implementation. Therefore, this research recommends a revision of more specific regulations, including the provision of religious-based facilities, officer training, and the strengthening of technology-based evaluations. This research includes formulating more humane and inclusive correctional policies in line with

Islamic values and universal human rights. By integrating *maqāṣid al-syarī‘ah*, the correctional system in Indonesia can transform into an instrument that is punitive and rehabilitative, creating sustainable social harmony.

Keywords: *maqāṣid al-syarī‘ah; prison system; rehabilitation of prisoners*

Introduction

The correctional system is an integral part of the legal system that functions not only as an instrument of law enforcement but also as a means of rehabilitation and social reintegration for individuals who have violated the law. From a global perspective, the correctional system plays an important role in ensuring that the punishments carried out are not only retributive but also corrective and preventive, in line with the legal goals of creating justice, order, and community protection.¹ This approach underscores the importance of rehabilitating prisoners to prepare them to become productive and responsible members of society. Therefore, the correctional system is not only a place for the execution of sentences but also reflects the overall quality of the legal system, considering its strategic role in balancing the need for retributive justice with rehabilitation and social reintegration goals.

Justice in Islam is not only oriented towards granting rights to those entitled but also encompasses the restoration of social and individual harmony. *Maqāṣid al-syarī‘ah*, as the core of the objectives of Islamic law, emphasises the protection of five fundamental elements of human life: religion (*hifz ad-din*), soul (*hifz an-nafs*), intellect (*hifz al-aql*), lineage (*hifz an-nasl*), and property (*hifz al-maal*).² These principles become a relevant framework of values in the reform of correctional policies, particularly in building a system that not only punishes but also rehabilitates individuals to return to normal life beneficial to society. In the context of corrections, *maqāṣid al-syarī‘ah* provides guidance to ensure that every intervention against offenders aligns with the goals of protection and welfare. The principle of *hifz an-nafs*, for example, emphasises the need for rehabilitation to protect the individual's life while also reducing the risk of reoffending. Meanwhile, *hifz al-aql* and *hifz an-nasl* support the intellectual and moral development of inmates, allowing them to improve themselves and contribute positively to society after serving their sentences.³

Reform of correctional policies based on *maqāṣid al-syarī‘ah* also demands a restorative approach, where perpetrators, victims, and the community work together to create sustainable harmony and social justice.⁴ With the foundation of *maqāṣid al-syarī‘ah*, the correctional system can move beyond the retributive paradigm towards

¹ Yenny Febrianty et al., 'The Limitations of Living Law in Indonesian Criminal Law Reform: An Effort to Realize Justice', *Jurnal IUS Kajian Hukum Dan Keadilan* 11, no. 2 (28 July 2023): 192–208, <https://doi.org/10.29303/ius.v11i2.1232>.

² Muhammad Ngizzul Muttaqin and Iffatin Nur, 'Menelusuri Jejak Maqashid Syari'ah Dalam Istimbath Hukum Imam Hambali', *Ahkam: Jurnal Hukum Islam* 7, no. 1 (1 July 2019): 143–168–168, <https://doi.org/10.21274/ahkam.2019.7.1.143-168>.

³ Adi Syahputra Sirait, Mhd Syahnar, and Budi Sastra Panjaitan, 'Community Service Order Punishment: Alternatives in The Criminal Law System From Maqāṣid al-Shari'ah Perspective', *Nurani: Jurnal Kajian Syari'ah Dan Masyarakat* 24, no. 2 (10 October 2024): 273–96, <https://doi.org/10.19109/nurani.v24i2.24276>.

⁴ Arsim Thaçi, 'Restoration of Relations Between the Victim and The Perpetrator, A Reality or Utopia', *PRIZREN SOCIAL SCIENCE JOURNAL* 6, no. 1 (29 April 2022): 73–83, <https://doi.org/10.32936/pssj.v6i1.278>.



transformational justice in harmony with universal and local values. The correctional system in Indonesia is currently facing various complex challenges that hinder the achievement of social reintegration and rehabilitation goals for inmates. One of the main issues is the overcapacity of correctional facilities, where the number of inmates far exceeds the available capacity, leading to inhumane living conditions and difficulties in implementing effective rehabilitation programs.⁵ Moreover, the existing rehabilitation approach is often ineffective due to limited resources, including infrastructure, professional staff, and targeted skills training programs. Furthermore, the lack of integration of religious values in the policies and implementation of inmate rehabilitation poses another challenge that needs to be addressed promptly, especially considering Indonesia's context as a country with a majority Muslim population, which desires a correctional system aligning with religious values such as justice, compassion, and restoration.⁶

Islamic law has significant relevance in the context of Indonesia as a country with a Muslim majority, where its religious values often serve as the foundation for building social and legal systems. As a legal system oriented towards justice, welfare, and respect for human dignity, Islamic law offers a framework of values that can be integrated into state policies, including corrections.⁷ In the *maqashid al-shariah*, for example, the objectives of protecting life, intellect, lineage, property, and religion align with the principles outlined in the correctional system, such as guardianship, humanity, and proportionality.⁸ This integration is relevant in providing a moral foundation for legal policies and enhancing the social legitimacy of the correctional

⁵ Anis Widyawati et al., 'The Urgency of Supervision Institutions in Implementing Prisoners' Rights as an Effort to Restructure Criminal Execution Laws', *Jambura Law Review* 7, no. 1 (5 January 2025): 127–51, <https://doi.org/10.33756/jlr.v7i1.27595>.

⁶ Hari Purwadi et al., 'Inadequate Criminal Policies as Threats to the Best Interests of Children Residing in Prisons with Their Mothers: Cases in Indonesia', *International Journal of Children's Rights* 31, no. 2 (2023): 378–402, <https://doi.org/10.1163/15718182-31020002>.

⁷ Ahmad Mathar et al., 'Islamic Legal Thought Implementation in Indonesia', *Journal of Social Science* 3, no. 4 (30 July 2022): 898–905, <https://doi.org/10.46799/jss.v3i4.386>.

⁸ Muhammin Muhammin, Sirajul Munir, and Zahratur Rofiqah, 'Maqashid's Lens on Checks and Balances of Simultaneous Elections In Indonesia', *Justicia Islamica* 20, no. 2 (27 December 2023): 385–408, <https://doi.org/10.21154/justicia.v20i2.7377>; Abdurrohman Kasdi, 'Actualizations of Maqāṣid Al-Shariah In Modern Life; Maqāṣid Al-Shariah Theory As a Method of The Development of Islamic Laws and Shariah Economics', *Justicia Islamica* 16, no. 2 (19 November 2019): 247–68, <https://doi.org/10.21154/justicia.v16i2.1666>; Kutbuddin Aibak, 'Medical Assistance in Dying (MAiD): Human and Humanity in the Study of Fiqh Maqāṣid', *Justicia Islamica* 20, no. 1 (25 June 2023): 79–98, <https://doi.org/10.21154/justicia.v20i1.5756>; Bani Syarif Maula and Ilyya Muhsin, 'Interfaith Marriage and the Religion–State Relationship: Debates between Human Rights Basis and Religious Precepts', *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam* 8, no. 2 (11 May 2024): 791–820, <https://doi.org/10.22373/sjhk.v8i2.19479>; Asyharul Muala, 'Repositioning of Islamic Economics in the Era of Globalization from the Maqāṣid Syar'iah Perspective', *Journal of Islamic Law* 1, no. 1 (27 February 2020): 45–63, <https://doi.org/10.24260/jil.v1i1.17>; Abdi Wijaya et al., 'The Implementation of E-Commerce Consumer Option Rights (Khiyar) in Realizing Transaction Justice: A Study of Maqasid Al-Shariah', *Al-Manahij: Jurnal Kajian Hukum Islam* 17, no. 1 (4 May 2023): 69–82, <https://doi.org/10.24090/mnh.v17i1.7673>; Norcahyono Norcahyono and Muhammad Arni, 'Strategies of Career Women at Islamic Universities in Kalimantan in Carrying Out Household Obligations from the Perspective of Maqashid As-Syari'ah', *Syariah: Jurnal Hukum Dan Pemikiran* 21, no. 1 (9 June 2021): 88, <https://doi.org/10.18592/sjhp.v21i1.4143>.



system implemented in Indonesia.⁹ With many complex challenges in the correctional system in Indonesia, such as overcapacity, minimal effectiveness of rehabilitation, and the lack of approaches based on local and religious values, as explained above, it has highlighted the urgent need for correctional policy reform. In the context of a country with a majority Muslim population, Islamic law offers a framework of values through the principles of *maqāṣid al-syārī‘ah*, which emphasise justice, protection, and restoration, highly relevant for improving the correctional system in Indonesia today. However, the integration of these values into the correctional system is still limited, creating a gap between the ideal legal objectives and the prevailing practices.

This research aims to explore how the principles of *maqāṣid al-syārī‘ah* can be implemented as a conceptual framework in the reform of the correctional system in Indonesia. As an approach that emphasises the protection of human rights, individual rehabilitation, and social harmony, *maqāṣid al-syārī‘ah* offers comprehensive solutions to address challenges in the correctional system, including overcrowding, lack of rehabilitation effectiveness, and minimal integration of religious values. With a focus on the five main elements of *maqāṣid al-syārī‘ah*—protection of life, intellect, religion, lineage, and property—this research aims to identify elements that can be adapted into correctional policies. In addition, this research is expected to provide more effective value-based policy recommendations to support the social reintegration of prisoners and involve the community in creating a more inclusive, just, and humane correctional system. Thus, this research not only strengthens the academic discourse on the relevance of Islamic law in public policy reform but also provides practical contributions to improving the legal system in Indonesia.

In academic studies on the correctional system in Indonesia, there is a significant gap in the integration of religious values, particularly the principles of *maqāṣid al-syārī‘ah*, into correctional policies. Most existing research focuses on structural challenges, such as overcapacity and lack of infrastructure, as well as conventional approaches that are retributive. However, very little attention has been given to the development of policies based on moral and spiritual values that can strengthen rehabilitation and social reintegration efforts. Moreover, although the concept of restorative justice is beginning to be adopted in the Indonesian legal system, its implementation is still limited to certain aspects and has not yet fully utilized the *maqāṣid al-syārī‘ah* framework, which offers a holistic approach to justice. This gap indicates the need for in-depth research to connect the concept of *maqāṣid al-syārī‘ah* with prison policy reforms that are more relevant to the needs of Indonesian society. Thus, this research is expected to fill the gap in the literature by examining how *maqāṣid al-syārī‘ah* can provide a strong conceptual framework to create a more humane, just, and effective correctional system in supporting the social transformation of prisoners.

⁹ Riska Harnysah Harahap and Risalan Basri Harahap, 'Maqashid Ash-Sharia Principles In Child Protection', *Jurnal El-Thawalib* 3, no. 4 (31 August 2022): 691–701, <https://doi.org/10.24952/el-thawalib.v3i4.5945>.



Method

This research uses a qualitative method with a normative-empirical approach. The normative approach involves analysing Law No. 22 of 2022 concerning Correctional Affairs and conducting a literature review on *maqāṣid al-syarī‘ah*. The empirical approach involves gathering empirical data through observations of correctional programs. This combined approach aims to understand the implementation of correctional policies based on *maqāṣid al-syarī‘ah* in practical contexts. This research collected data using two primary techniques: library research and observation. Library research focused on analysing legal documents, scholarly articles, and relevant academic literature to comprehend the normative and theoretical framework of a correctional system rooted in *maqāṣid al-syarī‘ah*. Meanwhile, observation was conducted at correctional facilities to explore practical experiences, implementation challenges, and perspectives on the application of *maqāṣid al-syarī‘ah* values in inmate rehabilitation and reintegration programs.

This approach ensures that the data collected reflect not only the normative aspects but also a broader operational context, providing a holistic and in-depth perspective. The data were analysed using a qualitative-descriptive method. Normative analysis was employed to identify the alignment between correctional regulations and the principles of *maqāṣid al-syarī‘ah*, while empirical analysis focused on interpreting empirical data to understand policy implementation and the challenges encountered. Triangulation was applied to validate the findings by cross-referencing data from various sources, including legal documents, observations, and academic literature. Specifically, triangulation was conducted by comparing the normative data obtained from legal and policy documents with observational findings gathered in correctional facilities and theoretical insights from academic literature. This method helps identify discrepancies or alignments among the data sources, ensuring the reliability and comprehensiveness of the research findings.

Results and Discussion

The Application of *Maqāṣid Al-Syarī‘ah* in the Reform of the Correctional System in Indonesia

Maqāṣid al-syarī‘ah is a core concept in Islamic law aimed at protecting five fundamental human necessities (*al-darūriyyāt*): religion (*dīn*), life (*nafs*), intellect ('*aql*), lineage (*nasl*), and property (*māl*).¹⁰ In the context of law, this concept serves

¹⁰ Siti Aminah Chaniago Siti Aminah Chaniago dkk., "Implementation of Halal Supply Chain in the Cooperative of Islamic Boarding School: Maqashid Syariah Perspective," *Jurnal Hukum Islam* 22, no. 1 (7 Juni 2024): 57–88, https://doi.org/10.28918/jhi_v22i1_3; Achmad Fageh dan Anisa Solikhawati, "The Bjorka Hacking Phenomenon on Selling Personal Data as a Digital Asset from The Perspective of Maqashid Sharia," *Jurnal Hukum Islam* 20, no. 2 (15 Desember 2022): 279–354, <https://doi.org/10.28918/jhi.v20i2.6387>; Sholahuddin Al-Fatih dkk., "Academic Freedom of Expression in Indonesia: A Maqashid Sharia Notes," *El-Mashlahah* 13, no. 2 (31 Desember 2023): 203–24, <https://doi.org/10.23971/el-mashlahah.v13i2.7573>; Abbas justice Arfan dkk., "The Implementation of Maqashid Sharia: Heterogeneity of Scholars' Fatwas towards Islamic Banking Contracts," *Legality: Jurnal Ilmiah Hukum* 32, no. 1 (14 Maret 2024): 105–28, <https://doi.org/10.22219/ljih.v32i1.32170>; Noer Yasin, "The Authority Rationalization Philosophy of the Indonesia Competition Commission: The Due Process of Law and Maqashid Sharia Perspectives," *Jurisdictie: Jurnal Hukum Dan Syariah* 13, no. 1 (27 Juli 2022): 63–89, <https://doi.org/10.18860/j.v13i1.15873>.



as a normative guide to ensure that legal provisions are not merely applied textually but also achieve universal objectives such as justice, public welfare, and social balance.¹¹ Within this framework, the application of law, including the correctional system, can focus on rehabilitative values and the moral transformation of individuals as follows: First, *Hifz an-Nafs* (Protection of Life). Al-Ghazali and Asy-Syatibi, two key figures in the discourse of *maqāsid al-syarī‘ah*, emphasise that protecting the soul is the top priority in the formation of legal policies because life is the main asset that enables individuals to perform their social functions.¹² This principle emphasises the importance of protecting human life from physical and mental harm. In the correctional system, this means ensuring that prisoners live in humane conditions, are not subjected to torture, and have access to adequate healthcare. Second, *Hifz al-Aql* (Protection of the Mind). According to Yusuf al-Qaradawi, efforts to protect the mind can be realised by providing access to knowledge and mental training, which can help prisoners understand their mistakes and prevent the recurrence of criminal acts.¹³ Protection of the mind includes education and mental as well as intellectual development. In the correctional system, this involves rehabilitation programs focused on education, skills training, and intellectual activities that encourage inmates to think critically and improve their behaviour. Third, *hifz ad-Din* (Protection of Religion). Mohammad Hashim Kamali explains that the protection of religion includes efforts to build individuals' closeness to spiritual values, which in turn creates a stronger and more harmonious personality.¹⁴ This principle underscores the importance of facilitating worship and spiritual activities for inmates as part of the rehabilitation process. Integrating religious values into correctional programs can strengthen inmates' moral and spiritual well-being.

Forth, *Hifz an-Nasl* (Protection of Lineage). Asy-Syatibi mentioned that maintaining family relationships is essential for social stability, and the correctional system should allow inmates to stay connected with their families.¹⁵ Protection of descendants in the context of incarceration refers to the guarantee that prisoners can maintain their relationships with their families and receive moral support from them. This aspect is also related to the protection of the rights of prisoners' children. Sixth, *Hifz al-Maal* (Protection of Wealth). In Ibn Ashur's view, property protection includes equipping individuals with skills that enable them to live independently, avoid

¹¹ Saad Gomaa Gomaa Zaghloul, Ahmed Ramadan Mohamed Ahmed, and Marina Abu Bakar, 'The Purposes of Sharia (Maqasid Al-Shariah) from Contemporary Scientific Research', *International Journal of Academic Research in Business and Social Sciences* 12, no. 1 (15 January 2022): 629–39.

¹² Tanza Dona Pertiwi and Sri Herianingrum, 'Menggali Konsep Maqashid Syariah: Perspektif Pemikiran Tokoh Islam', *Jurnal Ilmiah Ekonomi Islam* 10, no. 1 (16 March 2024): 807–20, <https://doi.org/10.29040/jiei.v10i1.12386>.

¹³ Usaama Al-Azami, 'Yusuf Al-Qaradawi: Early Supporter of the Arab Revolutions (January 2011)', in *Islam and the Arab Revolutions: The Ulama Between Democracy and Autocracy*, ed. Usaama Al-Azami (Oxford University Press, 2022), 0, <https://doi.org/10.1093/oso/9780197613610.003.0002>.

¹⁴ Tahmid Miftachurrozaq, Jannatul Husna, and Waharjani Waharjani, 'Gagasan Ilmu Hadis Mohammad Hashim Kamali: Sorotan Terhadap a Textbook of Hadith Studies', *Jurnal Ilmiah Ilmu Ushuluddin* 21, no. 2 (30 December 2022): 175, <https://doi.org/10.18592/jiilu.v21i2.7160>.

¹⁵ Mega Aulia Putri, A. Gani, and Muhammad Akmansyah, 'Konsep Adab Pendidik (Perspektif Imam Nawawi Dan KH. Hasyim Asy'ari)', *JIIP - Jurnal Ilmiah Ilmu Pendidikan* 6, no. 3 (5 March 2023): 1969–77, <https://doi.org/10.54371/jiip.v6i3.1668>.



recidivism, and become positive contributors to society.¹⁶ This principle is relevant in providing skills training and employment to prisoners so that they can have economic capabilities post-release. In addition, ensuring that their economic rights are respected during their imprisonment is part of this principle.

The integration of *maqāṣid al-syārī‘ah* into a restorative justice-based correctional system requires personality and spiritual development programs designed to improve the behaviour of inmates and encourage them to contribute positively to society after their release. For example, implementing spiritual guidance based on *hifz ad-din* can help inmates understand the moral consequences of their actions, thereby strengthening their commitment not to repeat offences. Thus, the relevance of *maqāṣid al-syārī‘ah* in restorative justice is not only theoretical but also practical, offering a more humane and holistic approach to reforming the correctional system. When applied effectively, this approach can create a punitive and rehabilitative system, in line with inclusive and universal principles of justice.

Maqāṣid al-syārī‘ah, as the foundation of Islamic legal values, has strategic relevance in supporting the reform of correctional policies based on rehabilitation and reintegration. With the primary goal of creating human welfare, *maqāṣid al-syārī‘ah* focuses on the moral, physical, and social improvement of individuals so that they can return to playing a productive role in society.¹⁷ In the correctional system, this principle shifts the paradigm from a retributive approach focusing solely on punishment to a transformative approach prioritising individual rehabilitation and social harmony. A legal expert like Jasser Auda asserts that *maqashid al-shariah* is a dynamic and inclusive framework capable of adapting to modern needs, including public policy reform.¹⁸ The *maqāṣid al-syārī‘ah* approach allows correctional policies to create rehabilitation programs that focus on spiritual development (*hifz ad-din*), moral and intellectual education (*hifz al-aql*), and the protection of prisoners' dignity (*hifz al-ird*). In this context, *maqāṣid al-syārī‘ah* serves as a guideline to ensure that every intervention towards prisoners is not only punitive but also constructive, to encourage them to rehabilitate themselves and contribute back to society. Furthermore, Mohammad Hashim Kamali emphasised that *maqāṣid al-syārī‘ah* demands the legal system to ensure justice not only for the perpetrators but also for the victims and the wider community.¹⁹ In the context of correctional facilities, policies must be designed to prevent the recurrence of criminal acts by providing life skills, education, and psychological counselling, all of which align with the principle of protecting the intellect and soul. This approach is relevant to encourage inmates to understand the consequences of their actions and motivate them to improve themselves.

¹⁶ Hafidz Taqiyuddin, Mus'idul Millah, and Hikmatul Luthfi, 'Instruments of Property Ownership in Islam: The Study of Inheritance Law', *Journal of Islamic Thought and Civilization* 13, no. 1 (20 June 2023): 157–71, <https://doi.org/10.32350/jitc.131.11>.

¹⁷ Nur Rofiq and M. Zidny Nafi Hasbi, 'A New Paradigm In Economy About Maqashid Al-Sharia Theory: Reformulation Of Ibn-Asyur', *PAMALI: Pattimura Magister Law Review* 2, no. 1 (19 March 2022): 77–85, <https://doi.org/10.47268/pamali.v2i1.817>.

¹⁸ Ah Soni Irawan, 'Maqāṣid Al-Shāri‘ah Jasser Auda Sebagai Kajian Alternatif Terhadap Permasalahan Kontemporer', *The Indonesian Journal of Islamic Law and Civil Law* 3, no. 1 (26 April 2022): 39–55, <https://doi.org/10.51675/jaksya.v3i1.192>.

¹⁹ Husnul Haq, 'مقاصد الشريعة وأهميتها في الجihad', *Mahakim: Journal of Islamic Family Law* 1, no. 2 (30 May 2022): 101–10, <https://doi.org/10.30762/mahakim.v1i2.76>.



The implementation of *maqāṣid al-syārī‘ah* also demands more inclusive policy reforms, such as the provision of rehabilitation facilities based on religious values, enhanced training for correctional officers to understand the importance of a welfare-based approach and community involvement in the social reintegration process of prisoners. This is in line with the opinion of Asy-Syatibi, who stated that *maslahah* can only be achieved if legal policies are designed to meet individuals' basic needs without neglecting society's collective interests.²⁰ Thus, *maqāṣid al-syārī‘ah* not only provides a moral foundation but also a practical value framework for reforming the correctional system in Indonesia.²¹ This approach enables the creation of more humane, effective, and relevant policies to modern society's needs while preserving the religious values that are an integral part of Indonesia's social identity.

The principles of *maqāṣid al-syārī‘ah* have a close relationship with the principles applied in the correctional system in Indonesia, such as the principles of humanity, non-discrimination, and proportionality. These principles aim to create fair, humane, and just treatment in the rehabilitation process of prisoners, which aligns with the goals of *maqāṣid al-syārī‘ah* in protecting and advancing the fundamental aspects of human life. First, the principle of humanity enshrined in Article 3 of Law Number 22 of 2022 emphasises respect for human rights, regardless of an individual's legal status. This is in line with *hifz an-nafs*, which requires the state to ensure humane treatment of prisoners, including access to food, healthcare, and treatment without violence. Life protection is the main foundation of *maqāṣid al-syārī‘ah* that must be realised in every legal policy.²² In the context of corrections, this means ensuring that the loss of freedom is the only suffering, as stipulated in that principle. Second, the principle of non-discrimination in the correctional system underscores the importance of equal treatment for all inmates, regardless of their religious, racial, or social background. This is congruous with the *maqashid al-shariah*, particularly *hifz al-‘ird*, emphasising the protection of human dignity. Non-discrimination manifests universal justice in Islam, where every individual, including prisoners, has the right to be treated with respect and without prejudice. In practice, this demands policies that ensure justice for vulnerable groups, such as women and juvenile detainees. Third, the principle of proportionality in the correctional system ensures that the sanctions and rehabilitation provided are commensurate with the level of offence and the rehabilitation needs of the inmates. This principle aligns with *hifz al-aql*, which encourages an education and training-based approach to rebuild prisoners' moral and intellectual awareness. Proportionality is an integral part of justice, where punishment and rehabilitation must be designed to correct behaviour without degrading the individual's dignity.²³ In the context of correctional facilities, this can

²⁰ Putri, Gani, and Akmansyah, 'Konsep Adab Pendidik (Perspektif Imam Nawawi Dan KH. Hasyim Asy'ari)'.

²¹ Ahmad Mukri Aji and Syarifah Gustiawati Mukri, 'Implementasi Maqashid Syariah Dan Aktualisasinya Dalam Pengembangan Sistem Ekonomi Islam', *SALAM: Jurnal Sosial Dan Budaya Syar-i* 9, no. 4 (12 July 2022): 1107–16, <https://doi.org/10.15408/sjsbs.v9i4.27108>.

²² Usman Safiyanu Duguri et al., 'The Application of Maqasid Al-Shari'ah in the Foreign Policy of Islamic States', *International Journal of Academic Research in Business and Social Sciences* 11, no. 3 (10 March 2021): 88–96, <https://doi.org/10.6007/IJARBSS/v11-i3/8559>.

²³ Youngjae Lee, 'Proportionality in Punishment', in *The Palgrave Handbook of Applied Ethics and the Criminal Law*, ed. Larry Alexander and Kimberly Kessler Ferzan (Cham: Springer International Publishing, 2019), 549–69, https://doi.org/10.1007/978-3-030-22811-8_23.



be translated into skills training programs and moral education relevant to individual needs.

The integration of *maqāṣid al-syārī‘ah* with the principles of the correctional system also reflects universal values that support social sustainability. Jasser Auda emphasises that *maqāṣid al-syārī‘ah* is not only relevant to the Muslim community but also offers an inclusive and humane approach to the global legal system.²⁴ In the correctional system, this is evident in how these principles are designed to meet the basic needs of prisoners while still respecting their rights as human beings. Thus, *maqāṣid al-syārī‘ah* provides a strong normative foundation to reinforce the principles of humanity, non-discrimination, and proportionality in the correctional system in Indonesia. This approach enhances the effectiveness of rehabilitation and provides greater social legitimacy to correctional policies, creating harmony between local, religious, and universal values. Inclusive justice is a core value in *maqāṣid al-syārī‘ah*, which emphasises that every individual, including inmates, has the right to be treated fairly without discrimination.²⁵ In *maqāṣid al-syārī‘ah*, justice is not only understood within the framework of proportional punishment but also in the form of treatment that restores human dignity, prevents unnecessary suffering, and provides opportunities for rehabilitation.²⁶ This approach is in line with the universal principles of human rights and the principles of the Indonesian correctional system, as stipulated in Law Number 22 of 2022 concerning Corrections, highlighting humane and proportional treatment of inmates.

Experts like Asy-Syatibi and Al-Ghazali assert that justice in *maqāṣid al-syārī‘ah* must encompass individual and social dimensions.²⁷ In the context of correctional facilities, this means that policies should be designed to punish offenders and provide them with opportunities to rehabilitate and reintegrate into society as beneficial individuals. For example, this principle of justice can be applied through rehabilitation programs that focus on spiritual development (*hifz ad-din*) and the enhancement of work skills (*hifz al-maal*), which provide inmates with opportunities to positively change their lives. Yusuf al-Qaradawi's analysis further highlights that justice in Islam has dimensions of prevention and rehabilitation. The punishment imposed must aim to eliminate the negative impact of crime, both for the victims, society, and the perpetrators themselves.²⁸ This approach demands that every inmate be treated with respect for their dignity, given access to relevant education and

²⁴ Ah. Soni Irawan, 'Maqāṣid Al-Shari‘ah Jasser Auda Sebagai Kajian Alternatif Terhadap Permasalahan Kontemporean', *The Indonesian Journal of Islamic Law and Civil Law* 3, no. 1 (26 April 2022): 39–55, <https://doi.org/10.51675/jaksya.v3i1.192>.

²⁵ Raymond William Baker, *Justice in Islam: The Quest for the Righteous Community From Abu Dharr to Muhammad Ali*, 1st ed. (Oxford University PressNew York, 2022), <https://doi.org/10.1093/oso/9780197624975.001.0001>.

²⁶ Muhammad Aminuddin Shofi, Sahrul Hidayatullah, and Abdul Hamid, 'Multidimensional Paradigm of Maqasid Sharia in The Book of "Nahwa Taf‘ili Maqashid Sharia" by Jamaluddin Athiyyah', *Jurnal Lekture Keagamaan* 20, no. 2 (25 December 2022): 501–34, <https://doi.org/10.31291/jlka.v20i2.1085>.

²⁷ Suansar Khatib, 'Konsep Maqashid Al-Syārī‘ah: Perbandingan Antara Pemikiran Al-Ghazali Dan Al-Syathibi', *Jurnal Ilmiah Mizani: Wacana Hukum, Ekonomi Dan Keagamaan* 5, no. 1 (30 December 2018), <https://doi.org/10.29300/mzn.v5i1.1436>.

²⁸ Usaama Al-Azami, 'Yusuf Al-Qaradawi: Early Supporter of the Arab Revolutions (January 2011)', in *Islam and the Arab Revolutions*, by Usaama Al-Azami (Oxford University Press, 2022), 17–36, <https://doi.org/10.1093/oso/9780197613610.003.0002>.



training, and not subjected to discrimination based on their religious, ethnic, or gender background. The application of these inclusive justice values becomes essential in the correctional system, which often faces challenges such as overcrowding, social stigma against inmates, and inadequate rehabilitation facilities. By adopting *maqāṣid al-syārī‘ah* as a value foundation, the correctional system can create more humane policies, reduce recidivism, and strengthen social harmony. Therefore, inclusive justice in *maqāṣid al-syārī‘ah* not only serves as a moral guide but also as a practical strategy to create a more effective and just correctional system.

In the *maqāṣid al-syārī‘ah*, punishment is not intended to create excessive suffering but to prevent harm (*mafsadah*) and promote welfare (*maslahah*). Therefore, the loss of freedom in the correctional system should be seen as a step to enable rehabilitation, not merely a means of retribution.²⁹ According to Asy-Syatibi, the main objective of Islamic law is to protect human dignity and encourage behavioural improvement.³⁰ Thus, every punishment must be designed to achieve this goal without violating the prisoner's basic rights. In this context, the philosophy of loss of liberty means that prisoners should not suffer additional physical or mental distress during their sentence. On the contrary, prisoners should be placed in an environment conducive to moral, spiritual, and intellectual development. Experts such as Mohammad Hashim Kamali and Jasser Auda assert that this approach aligns with restorative justice, where punishment focuses on the rehabilitation of the individual and social reconciliation. Hashim Kamali notes that punishments that demean human dignity or cause unnecessary suffering are contrary to the values of *maqashid al-shariah* and can lead to human rights violations.³¹ In practice, this philosophy supports policies that ensure prisoners have access to health facilities, education, and spiritual guidance so they can use their time in prison to improve themselves.

In the Indonesian correctional system, this philosophy is reflected in Law Number 22 of 2022, asserting that the loss of freedom is the only suffering prisoners must endure while their basic rights are still respected. This approach reflects an effort to integrate the values of *maqāṣid al-syārī‘ah* into modern legal policies, creating a balance between law enforcement and respect for human rights. By applying this philosophy, the correctional system can create a more humane and inclusive environment which not only punishes but also rehabilitates inmates. This approach provides a strong foundation for reforming correctional policies oriented towards rehabilitation, in line with the *maqāṣid al-syārī‘ah* goals of creating a more just and harmonious society.

Law Number 22 of 2022 concerning Corrections emphasises the protection of prisoners' rights and the implementation of rehabilitation as the core of a modern correctional system. These principles are very much in line with *maqāṣid al-syārī‘ah*, especially in *hifz an-nafs*, *hifz al-‘ird*, and *hifz al-aql*. For example, Article 3 emphasises principles such as humanity, non-discrimination, proportionality, and protection, all of which support the humane treatment of prisoners, regardless of their ethnic, religious, or social background. Articles 9 and 12 further regulate the rights of prisoners and juvenile detainees, including access to healthcare services, education,

²⁹ Husnul Haq, 'مقاصد الشرعية وأهميتها في الاجتهد', *Mahakim: Journal of Islamic Family Law* 1, no. 2 (30 May 2022): 101–10, <https://doi.org/10.30762/mahakim.v1i2.76>.

³⁰ Suansar Khatib, 'KONSEP MAQASHID AL-SYARI‘AH'.

³¹ Miftachurrozaq, Husna, and Waharjani, 'Gagasan Ilmu Hadis Mohammad Hashim Kamali'.



recreational activities, and protection from torture or degrading treatment. These provisions reflect the principles of *hifz an-nafs* and *hifz al-aql*, which emphasise the importance of maintaining prisoners' physical and mental health during their sentences.

In the context of rehabilitation, Article 50 emphasises the need for personality and independence development programs through education, skills training, and spiritual activities, which align with the *maqasid al-shariah* in rebuilding the individual's moral and spiritual values. This approach is also supported by Article 36, which regulates the implementation of rehabilitation based on the results of needs and risk assessments. This adjustment reflects the principle of proportionality, ensuring that each inmate receives guidance appropriate to their needs, thereby supporting effective rehabilitation. Mohammad Hashim Kamali highlights that the principles of *maqashid al-sharia* not only encompass the protection of individuals but also aim to promote social balance through sustainable rehabilitation and reintegration.³² By integrating the principles of *maqāṣid al-syarī‘ah* into this law, the correctional system in Indonesia not only meets international human rights standards but also reflects local values based on justice. This reform provides a strong foundation for creating a more humane, inclusive, and welfare-oriented legal system.

Although Law Number 22 of 2022 adopts the principles of *maqāṣid al-syarī‘ah*, the gap between regulation and the implementation of these values is still clearly visible in the practice of the correctional system in Indonesia. One example is the issue of prison overcapacity, which contradicts the principle of *hifz an-nafs*. The provisions in Article 9 and Article 12, which guarantee prisoners access to adequate health services and a suitable living environment, are often unmet due to limited facilities and resources. This condition places prisoners in a situation that threatens their physical and mental health, which contradicts the humanitarian principles upheld by the law. Moreover, the rehabilitation programs outlined in Article 50, such as personality, independence, and spiritual programs, often do not run optimally due to a lack of competent professional staff and budget constraints. This indicates a gap in the implementation of *hifz al-aql* and *hifz ad-din*, where inmates' intellectual and spiritual development cannot be carried out systematically.

According to Jasser Auda, the implementation of *maqāṣid al-syarī‘ah* requires an optimal commitment from the state to provide adequate resources and effective supervision of its implementation.³³ Another gap is the lack of individual adjustments in the rehabilitation of prisoners, contrary to the fact that Article 36 regulates the implementation of rehabilitation based on risk and needs assessments. In practice, many inmates receive generic rehabilitation without considering their backgrounds, which undermines the effectiveness of rehabilitation and social reintegration. This indicates that the principle of proportionality in *maqāṣid al-syarī‘ah* has not yet been fully implemented. This gap indicates the need for strengthening oversight and accountability mechanisms within the correctional system. Existing regulations must be followed by clear operational policies, adequate officer training, and sufficient budget allocation to support rehabilitation programs. However, the absence of these efforts will present difficulties in implementing *maqāṣid al-syarī‘ah* in real life.

³² Miftachurrozaq, Husna, and Waharjani.

³³ Irawan, 'Maqāṣid Al-Shariyah Jasser Auda Sebagai Kajian Alternatif Terhadap Permasalahan Kontemporer'.



Addressing this gap should lead the correctional system in Indonesia to more effective achievement of the goals of *maqāṣid al-syārī‘ah*, where social harmony and sustainable individual rehabilitation are maintained. Reform of implementation based on the principles of *maqāṣid al-syārī‘ah* will not only enhance the effectiveness of the system but also the social legitimacy of correctional policies.

The implementation of *maqāṣid al-syārī‘ah* in the rehabilitation of prisoners may involve programs directly targeting the personality (*hifz al-aql*) and spirituality (*hifz ad-din*) of the prisoners. One concrete example is the implementation of education and skills training programs intended to enhance the intellectual abilities of inmates and provide them with the means for economic independence after their release. Such programs have been implemented in several correctional facilities, where inmates are provided with training in technical fields, such as handicrafts, information technology, and entrepreneurship. This program is expected to help inmates acquire practical skills and boost their self-confidence, essential for social reintegration. On the spiritual side, programs based on *hifz ad-din* often include religious study sessions, Quran reading training, and religious counselling. For example, in several correctional facilities in Indonesia, Muslim inmates are encouraged to participate in structured religious education programs guided by scholars or spiritual mentors. These activities aim to strengthen their moral awareness and instil religious values as a foundation for better behaviour. The observational findings reveal that correctional programs incorporating religious activities allow inmates to reflect on their mistakes and repair their relationships with God, their families, and society.³⁴

Mohammad Hashim Kamali asserted that intellectual and spiritual development is an important element in the *maqāṣid al-syārī‘ah* approach. Kamali stated that prisoners should be treated as individuals who still have the potential to change and contribute to society.³⁵ This approach reflects restorative justice that prioritises rehabilitation over retribution, which is in line with the principles of *maqāṣid al-syārī‘ah* to prevent *mafsadah* (harm) and promote *maslahah* (goodness). However, this implementation often faces challenges like budget constraints and a lack of competent mentors. Therefore, strengthening cooperation with community organisations, educational institutions, and religious communities becomes important to ensure the sustainability of this program. By involving various stakeholders, the correctional system can expand the scope of rehabilitation based on *maqāṣid al-syārī‘ah*. With effective implementation, *maqāṣid al-syārī‘ah*-based rehabilitation could simultaneously serve to improve individuals and support smoother social reintegration, creating a more inclusive and harmonious society. The integration of these values into daily practices in correctional institutions can serve as an effective model for reforming the correctional system in Indonesia and other countries.

The prisoner rehabilitation program oriented towards *maqāṣid al-syārī‘ah* includes moral and spiritual recovery, as well as the development of practical skills. The moral rehabilitation program is usually designed to help inmates reflect on their mistakes and rebuild positive ethical values. A concrete example is the organisation

³⁴ Observation results with one of the correctional officers at Kebon Waru Prison Bandung, on December 12, 2024

³⁵ Zaghloul, Ahmed, and Bakar, 'The Purposes of Sharia (Maqasid Al-Shariah) from Contemporary Scientific Research'.



of workshops on emotional control and character strengthening to help inmates understand the impact of their actions on victims and society. Such programs serve as the first step in building the inmates' sense of responsibility towards their own future. Spiritual-based programs also play an important role in rehabilitation based on *maqāṣid al-syārī‘ah*. Activities such as Quran reading training, religious discussions, and congregational worship are designed to strengthen the spiritual awareness of inmates. According to an interview with a cleric involved in the rehabilitation program, this approach enhances the inmates' relationship with God and helps them find inner peace and motivation to change. Spiritual approach can play an important role in individual transformation, providing them with a moral foundation to lead a better life after release. In addition, skill development becomes a key element in equipping prisoners to face economic challenges after release. Skill training programs like sewing, handicrafts, and agricultural techniques allow them to build financial independence.³⁶ This training is important in building self-confidence and preparing them to reintegrate into society.³⁷

Community participation in the reintegration process is also a crucial element. Successful reintegration programs involve families, communities, and civil society organisations in providing emotional and practical support to recently released prisoners. For example, there is a community mentor program that involves community leaders to accompany prisoners in their process of adapting back to the social environment. Jasser Auda stated that *maqashid al-sharia* emphasises the importance of social collaboration in creating harmony and preventing the recurrence of criminal acts. However, the implementation of this program often faces challenges, such as social stigma against former inmates and a lack of resources in correctional facilities. Therefore, it is important to strengthen cooperation between the government, community organisations, and the private sector in supporting the sustainability of rehabilitation and reintegration programs.³⁸ With this approach, the correctional system can be more effective in achieving the *maqāṣid al-syārī‘ah* goals of creating a more inclusive and just society.

Strategic Policy for Prison System Reform in Indonesia Based on *Maqāṣid Al-Syārī‘ah*

Strategic policies to enhance the integration of *maqāṣid al-syārī‘ah* in the correctional system can take the development of structured spiritual guidance modules and the active involvement of the community in the reintegration process of inmates. The spiritual development module must be designed to provide inmates with a deep understanding of Islamic values, not only improving their behaviour during incarceration but also providing a moral foundation for life after release. This module can include education on "repentance," social responsibility, and the development of moral awareness through the interpretation of the Qur'an and

³⁶ A scholar (anonymized), Results of an interview with a cleric involved in the mentoring program at Kebon Waru Prison, Bandung, on December 13, 2024

³⁷ Former Inmate (Anonymized), Interview results with former inmates of Kebon Waru Prison, Bandung, on December 16, 2024

³⁸ Irawan, 'Maqāṣid Al-Shariāh Jasser Auda Sebagai Kajian Alternatif Terhadap Permasalahan Kontemporer'.



Hadith.³⁹ An interview with a cleric involved in the rehabilitation program implies that consistently delivered material can build the inmates' self-confidence to change and contribute positively to society. In addition to spiritual guidance, policies must also include community involvement in reintegrating prisoners. This involvement can be carried out through community mentor programs, where religious leaders, community leaders, or religious organisations provide guidance to recently released prisoners. This approach reflects the *maqāṣid al-syarī‘ah* value of *hifz al-ird* (protection of dignity), which emphasises the importance of supporting individuals to be reintegrated into their communities without stigma. Community participation is principal in creating social harmony and preventing recidivism.⁴⁰ Furthermore, reform policies should also include training for correctional officers to understand and apply the values of *maqashid al-sharia* in rehabilitation programs.⁴¹ This training can be designed to enhance the capacity of officers to provide relevant spiritual and moral guidance and understand inmates' individual needs. Jasser Auda emphasises that a personalised approach in mentoring can enhance the effectiveness of rehabilitation programs, as inmates are treated as unique individuals with specific needs.

To support sustainability, reform policies also require adequate budgetary support to provide spiritual development facilities, such as mosques, religious counselling rooms, and Islamic educational materials. Cooperation with the private sector and charitable institutions can also strengthen the implementation of this policy. For example, religious organisations can contribute training materials or support the implementation of mentoring programs in correctional institutions. By adopting integrated reform policies based on *maqāṣid al-syarī‘ah*, the correctional system can achieve more effective rehabilitation and social reintegration goals. This policy not only strengthens the values of justice and humanity within the legal system but also positively impacts society as a whole, creating a more inclusive and harmonious social environment. Revising correctional policies oriented towards *maqāṣid al-syarī‘ah* must include the provision of facilities that support inmates' moral and spiritual development. Facilities such as a representative mosque, spiritual counselling rooms, and a library with collections of religious and moral books can become the centre of rehabilitation activities in correctional institutions. An interview with a correctional facility manager implies that the availability of adequate facilities plays an important role in creating a conducive and effective rehabilitation environment in which inmates feel respected and supported in their rehabilitation process.⁴²

Article 50 of Law Number 22 of 2022, which regulates personality development, can be reinforced with specific derivative regulations mandating

³⁹ Irma Cahyaningtyas and Nina Mirantie Wirasaputri, 'An Application on Prisoners Treatment Model Based of Islamic Religion in The Correctional Institutions', *Ijtima‘ Iyya Journal of Muslim Society Research* 5, no. 1 (27 March 2020): 1–9, <https://doi.org/10.24090/ijtimaiyya.v5i1.3868>.

⁴⁰ A scholar (anonymized), *Results of an interview with a cleric involved in the mentoring program at Kebon Waru Prison, Bandung, on December 13, 2024*

⁴¹ Vistolina Nuuyoma, 'Community Participation as an Integral Part of the Biological, Psychosocial, and Social Aspects of the Management of Diseases and Illnesses':, in *Advances in Public Policy and Administration*, ed. Simon George Taukeni (IGI Global, 2022), 27–42, <https://doi.org/10.4018/978-1-6684-6496-0.ch002>.

⁴² Prison Officer, *Interview results with one of the correctional officers at Kebon Waru Prison Bandung, on December 12, 2024*



minimum standards for development facilities in every correctional institution. These standards must include religious facilities to support the aspects of *hifz ad-din* (spiritual protection) and *hifz al-aql* (moral development). Integrated spiritual and moral development with supporting facilities not only enhances the quality of rehabilitation but also reduces the rate of recidivism, as inmates have a stronger moral foundation when reintegrating into society.⁴³ In addition to physical facilities, policy revisions also need to ensure access to competent experts in providing moral and spiritual training. This may involve collaboration with trained scholars, psychologists, and spiritual counsellors to personally accompany inmates. This approach reflects the principles of *maqāṣid al-syārī‘ah*, which emphasise the importance of treating each individual as a subject with specific needs. Jasser Auda emphasises that personalised coaching is a primary element to ensure the successful implementation of *maqāṣid al-syārī‘ah* values in the legal system. The revised policy should also accommodate moral-based skills training relevant to labour market needs, such as entrepreneurship based on Islamic ethics or responsible financial management.⁴⁴ In an interview with a former inmate, moral value-oriented skills training was reported to help them understand the importance of leading an honest and productive life according to the principle of *hifz al-maal* (protection of wealth). By implementing this more specific policy revision, the correctional system can be more consistent in reflecting the values of *maqāṣid al-syārī‘ah*, while also enhancing the effectiveness of inmate rehabilitation.⁴⁵ Policies supported by adequate facilities and the professionalism of guiding staff will create a sustainable positive impact, both for inmates and the wider community, strengthening the social legitimacy of the correctional system in Indonesia.

Maqāṣid al-syārī‘ahh-based supervision and evaluation are important elements to ensure that the reform of the correctional system runs effectively and consistently with Islamic values. This monitoring system must be designed to measure the extent to which policies and rehabilitation programs in correctional institutions reflect the goals of *maqāṣid al-syārī‘ah*, such as the protection of life (*hifz an-nafs*), intellect (*hifz al-aql*), and dignity (*hifz al-‘ird*). In an interview with a correctional officer, it was mentioned that evaluations currently tend to focus on administrative aspects, while substantial aspects, such as the quality of moral and spiritual rehabilitation are often overlooked. The *maqāṣid al-syārī‘ahh*-based approach can be implemented through the development of evaluation indicators relevant to the goals of public welfare. For example, indicators to measure *hifz ad-din* can include the participation of inmates in spiritual development programs, their level of understanding of religious values, and behavioural changes during their incarceration. For *hifz al-aql*, evaluation can include the improvement of inmates' intellectual skills through formal education or skills training. Effective supervision must be holistic, encompassing not only compliance with rules but also the achievement of individual and social welfare goals.

⁴³ Sharifah Noor Shahana Syed Bidin, 'The Effectiveness of Spiritual Approach in Rehabilitation for Moral Problems Among Adolescents', *International Journal of Academic Research in Business and Social Sciences* 10, no. 9 (5 September 2020): Pages 1002-1010, <https://doi.org/10.6007/IJARBSS/v10-i9/7893>.

⁴⁴ Irawan, 'Maqāṣid Al-Shari‘ah Jasser Auda Sebagai Kajian Alternatif Terhadap Permasalahan Kontemporer'.

⁴⁵ Former Inmate (Anonymized), Interview results with former inmates of Jepara Prison, on December 9, 2024



Furthermore, *maqāṣid al-syārī‘ah*-based evaluations must involve various stakeholders, including scholars, academics, and civil society. This participation is important to ensure that the evaluation is not only internal but also receives an objective external perspective. Another interview with a cleric involved in the training program reveals that clerics can play a role in providing a moral assessment of the training program, while academics can help formulate measurable and data-based indicators.⁴⁶

Technology can be used to monitor program implementation in real time to support effective supervision. Data-based applications can be designed to track the development of inmates in various aspects of rehabilitation, such as participation in spiritual programs, skill enhancement, and behavioural assessment. Jasser Auda emphasises that modern technology can strengthen accountability and transparency in the implementation of *maqāṣid al-syārī‘ah*, thereby ensuring that programs run according to their objectives. Finally, reform policies must include mechanisms to follow up on evaluation results. The results of the supervision should be used to improve programs that are not yet optimal and to provide incentives to correctional institutions that successfully meet the *maqāṣid al-syārī‘ah* indicators. With this approach, the correctional system can ensure that reforms not only result in administrative changes but also substantial transformations in the rehabilitation and reintegration of inmates. The enhancement of supervision and evaluation based on *maqāṣid al-syārī‘ah* provides a foundation for creating a correctional system that is more oriented towards the public good. With the involvement of various stakeholders and technological support, this policy can serve as a model for a more just, inclusive, and humane legal system reform.

Conclusion

The application of *maqāṣid al-syārī‘ah* in the correctional system in Indonesia has great potential to enhance the effectiveness of rehabilitation and social reintegration of prisoners. By prioritising the principles of the protection of life (*hifz an-nafs*), intellect (*hifz al-aql*), and spirituality (*hifz ad-din*), *maqāṣid al-syārī‘ah* offers a holistic and inclusive value framework, surpassing the retributive approach that often dominates correctional policies. This approach supports individual transformation through moral, spiritual, and skills development programs and facilitates social reintegration through active community involvement. Moreover, strengthening supervision and evaluation based on *maqāṣid al-sharia* ensures that policy reforms are formal and substantive. By integrating *maqāṣid al-syārī‘ah* as a foundational value, the correctional system in Indonesia can become more just, humane, and relevant to the needs of modern society while also aligning with the universal values of human rights. While this study underscores the potential of *maqāṣid al-syārī‘ah* in reforming the correctional system, it is not without limitations. First, the research primarily focuses on conceptual and normative frameworks, with limited longitudinal data to assess the long-term impacts of religious-based rehabilitation programs. Future studies should prioritise empirical evaluations over extended periods to measure the effectiveness of such programs in reducing recidivism and improving reintegration outcomes. Second, the study's scope is constrained to a few correctional institutions,

⁴⁶ A scholar (anonymised), Results of an interview with a cleric involved in the mentoring program at Kebon Waru Prison, Bandung, on December 13, 2024



which may not fully represent the diverse conditions across Indonesia's correctional facilities. Therefore, broader and multi-institutional research is needed to capture regional and institutional variations in implementation.

To support the successful implementation of *maqāṣid al-syārī‘ah* in the correctional system, strategic steps are needed, including revising or creating implementing regulations for Law Number 22 of 2022 concerning Corrections, which explicitly regulates the minimum standards for religious-based rehabilitation facilities and mandates spiritual and moral training for inmates as part of a structured rehabilitation program. The government needs to ensure adequate budget allocation for the provision of these facilities as well as the procurement of competent trainers. In addition, the development of technology to monitor the implementation of rehabilitation programs in real-time and evaluate their success based on *maqāṣid al-syārī‘ah* indicators must also be regulated in the policy. Collaboration between correctional institutions, religious scholars, community organisations, and the private sector must be enhanced to support the comprehensive social reintegration of prisoners. With this more specific regulatory revision, the correctional system in Indonesia in the future is expected to be more effective in creating fair rehabilitation and reintegration and to consistently reflect the values of *maqāṣid al-syārī‘ah*. This step is important to build strong social legitimacy and create harmony between individuals, society, and the state.

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