Examination and Analysis of the Status of Islamic jurisprudence and Compliance with Laws in Secular Islamic and Non-Islamic Countries

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Abstract

This study examines and analyzes the status of Islamic jurisprudence (fiqh) in its encounter with civil laws in secular Islamic countries and secular non-Islamic countries. The central research question is how Islamic jurisprudence can coexist with secular structures and what opportunities and challenges exist in this process. The research method is designed as qualitative, analytical, and comparative, and data were collected through the analysis of jurisprudential texts, national constitutions, legal documents, and contemporary studies. The findings indicate that in secular Islamic countries, Islamic jurisprudence often faces structural constraints at the institutional level, and its role has been reduced to areas such as personal status law, although in some contexts such as Indonesia, more flexible models of coexistence between Sharia and Secularism are observed. In contrast, in secular non-Islamic countries, Islamic jurisprudence plays a role primarily at the social and informal institutional levels through Sharia councils and private arbitration bodies. Although limitations remain in the areas of religious freedoms, women's rights, and gender equality, the relative acceptance of legal pluralism and the emergence of the concept of Fiqh al-Aqalliyyat ("jurisprudence of minorities") has created an important opportunity for coexistence. The main conclusion of this research is that the interaction between Islamic jurisprudence and secularism is a dynamic and historical process that is neither entirely confrontational nor entirely accommodative but instead encompasses a spectrum of legal coexistence. This study introduces its theoretical innovation through the concept of "dynamic legal coexistence" and demonstrates that the success of this coexistence depends on two fundamental factors: the ijtihadi capacity of Islamic jurisprudence to reinterpret legal rulings and the degree of openness of secular systems in accepting legal pluralism. Accordingly, it is suggested that jurisprudential institutions, secular governments, and international organizations collaborate simultaneously to develop sustainable models of legal interaction.

Keywords: Islamic jurisprudence, secularism, civil law, legal coexistence, jurisprudence of minorities

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1. Introduction

Islamic jurisprudence (fiqh), as one of the ancient yet living legal systems in the world, has always played a foundational role in organizing the individual and social life of Muslims. This legal system has functioned not only as a set of devotional and ethical rules but also as a comprehensive framework for regulating social, economic, political, and international relations (Baderin, 2021). However, the transformation of political systems and the emergence of modern nation-states have raised new questions regarding the relationship between Islamic jurisprudence and civil laws emerging from secular structures. In Muslim-majority countries with secular governance—such as Turkey and Albania—or in secular non-Muslim countries where Muslim minorities reside, the fundamental challenge is how Islamic jurisprudence can be reconciled with civil and secular laws without losing its foundational principles (Powell, 2020).

The significance of this issue lies not only in its theoretical dimension but also in its practical implications for policymaking, human rights, and international relations. The central problem is that Islamic jurisprudence inherently claims comprehensiveness and inclusivity, meaning its principles extend to all aspects of individual and social life. By contrast, Secularism is based on separating religion from politics and lawmaking. These two logics may appear contradictory, yet historical experience has shown that in practice, a complex and multilayered interaction has emerged between them. In some countries, Islamic jurisprudence has been completely excluded from legislation and confined solely to religious rituals, while in others, efforts have been made to establish some form of coexistence between Sharia and civil law (Yilmaz, 2019).

The importance of the present study lies in its attempt to clarify under what conditions such coexistence is possible and what factors reinforce or weaken it. The existing research gap in this field is substantial. Most classical studies have treated the relationship between fiqh and secularism as inherently antagonistic, concluding that they are fundamentally incompatible. However, more recent studies—especially after 2020—show that this relationship can be interactive and flexible. For example, (Powell, 2020) introduces the concept of "Islamic Law States," according to which a spectrum of states can be identified where the relationship between Sharia and civil law ranges from full integration to complete separation. Similarly, (Baderin, 2021) argues that Islamic jurisprudence inherently has a high capacity to adapt to changing social and political conditions because part of it is based on human reasoning (ijtihad), which ensures its flexibility.

Nevertheless, comprehensive research that simultaneously analyzes the experiences of secular Muslim-majority and secular non-Muslim countries within a comparative framework remains rare. The innovation of this study is that, rather than reducing the relationship between fiqh and secularism to a binary of confrontation or adaptation, it seeks to analyze patterns of coexistence and interaction between the two in different contexts. This research will employ an analytical-comparative approach to show how, in some countries such as Turkey, secularism has created a new framework of coexistence with fiqh by restricting Sharia, while in Muslim immigrant communities in Europe and United States, fiqh operates mostly at the individual and social levels with less legal enforceability (Powell, 2020; Yilmaz, 2019).

The study will also address a crucial question: Is compliance with secular civil laws obligatory from the perspective of Islamic jurisprudence, and if so, under what conditions is such an obligation accepted? This question is not only important for theoretical jurisprudential discourse but also carries significant practical implications for the relationship of Muslims with secular states. From a necessity standpoint, it must be noted that Muslims live today in diverse conditions: some in countries where fiqh is fully incorporated in legislation, some in secular Muslim-majority countries, and others in secular non-Muslim countries. Therefore, finding a theoretical and practical model for the interaction between fiqh and secularism is not only a scientific necessity but also a social and political need for millions of Muslims around the world. This study aims to use primary and up-to-date sources to provide a comprehensive and analytical picture of this issue, filling the existing research gap and offering a theoretical framework for policymakers, jurists, and social scientists.

Ultimately, the main research questions can be formulated as follows:

1. What is the status of Islamic jurisprudence in secular Muslim-majority countries, and what is its relationship with civil laws?
2. How does Islamic jurisprudence function in secular non-Muslim countries, and how legally binding is it?
3. What patterns of coexistence between fiqh and secularism can be identified in different contexts?
4. What theoretical and practical factors strengthen or hinder the interaction between fiqh and secularism?

With the expansion of globalization and the intensification of cross-cultural interactions, the need to reconsider the relationship between Islamic jurisprudence and secular laws has become increasingly evident. In today's world, millions of Muslims live under legal systems based on secular principles—whether in secular Muslim-majority countries where the state has excluded religion from politics and legislation, or in secular non-Muslim countries where Muslims live as religious minorities (Bowen, 2020). This social reality has made the question "How can Muslims remain committed to Islamic principles while complying with secular civil laws?" one of the most pressing legal, jurisprudential, and social issues.

Answering this question is not only theoretically important but also has broad implications for migration policy, human rights, international relations, and social cohesion. One complex dimension of this discussion is clarifying the place of the principle of "obedience to the laws of the host country" in Islamic jurisprudence. Many contemporary jurists, based on the principles of "fulfillment of covenants" and "adherence to contracts," argue that Muslims in non-Muslim or secular countries are obliged to respect the laws of those countries, provided that such laws do not clearly contradict the definitive principles of Sharia (Hurd, 2021). This approach, which has become more prominent in recent decades especially in migration jurisprudence and Fiqh al-Aqalliyyat (jurisprudence of minorities), indicates that Islamic jurisprudence has sufficient flexibility to coexist within secular societies.

However, challenges always remain; for example, in areas related to individual freedoms, women's rights, family law, and religious liberties, conflicts between Islamic jurisprudence and secular laws can create tensions (Gräf, 2021). On the other hand, new scholarly literature shows that secularism does not manifest uniformly across all countries. In some societies, secularism is defined as the absolute separation of religion from the public sphere, while in others, it is implemented more flexibly in the form of "religious accommodation" (Bowen, 2020).

This diversity in secularist experiences has led to varied models of coexistence between fiqh and civil law. For instance, in France, where a strict model of secularism prevails, Muslims face serious restrictions in practicing religious laws; whereas in United Kingdom, the legal system shows more flexibility by allowing Muslims to apply certain jurisprudential rules through private arbitration and local councils (Hurd, 2021). These differences show that examining the place of fiqh in secular systems requires a precise comparative approach.

The major research gap that this study seeks to fill is the absence of a comprehensive analytical framework to understand the diversity of these experiences. Most studies have focused either solely on secular Muslim-majority countries or on Muslim communities in Western countries, but very few have tried to combine these two realms into a coherent analysis (Gräf, 2021). The innovation of this study lies in integrating these two spheres to present a multidimensional picture of the relationship between fiqh and secularism. It also draws on new and up-to-date sources to provide a contemporary understanding of the issue and to propose a comparative analytical framework for better comprehension of this relationship.

The necessity of this research stems from the fact that misunderstanding the relationship between fiqh and secularism can have serious negative consequences. At the theoretical level, it may lead to simplistic and confrontational interpretations that portray coexistence between Muslims and secular societies as impossible. At the practical level, it can result in legal and social conflicts that jeopardize security and social cohesion. For example, in some European countries, the inability to properly understand the religious needs of Muslims has caused social tensions and the rise of Islamophobia (Bowen, 2020). Conversely, if jurists fail to provide timely and contextually appropriate answers regarding compliance with secular laws, some Muslims may experience jurisprudential confusion or even drift away from religious principles.

Therefore, the research questions of this study are significant not only scientifically and theoretically but also socially and practically. This study seeks to answer its main questions with a comparative and analytical approach: What is the position of fiqh in secular Muslim-majority countries? What role does it play in secular non-Muslim countries? What patterns of coexistence between fiqh and secularism can be identified? And what factors facilitate or hinder the interaction between the two? Answering these questions can be an important step toward providing practical solutions for strengthening peaceful and effective coexistence between Muslims and secular societies.

In other words, this study aims to move away from the discourse of confrontation and toward a discourse of interaction and coexistence. Such a paradigm shift can be useful both for jurisprudential theorizing and for policymakers in various countries seeking better ways to manage religious and cultural diversity. In today's world, where tensions stemming from religious and cultural identities are increasing, this approach is more necessary than ever.

2. Literature Review

Islamic jurisprudence (fiqh) and law in Islamic systems have always been a highly contested topic in legal and social studies. In many Muslim-majority countries, fiqh has been recognized not only as a devotional system but also as a foundational source for legislation and social order. Historically, Muslim countries have exhibited diverse models of lawmaking: on the one hand, countries in which fiqh has remained at the center of the legal system, and on the other, countries that have gradually moved toward secularism and relegated fiqh to private and individual spheres. Recent research indicates that this trend intensified particularly after the twentieth century with the introduction of modern political and legal systems into Muslim societies (Masud, 2021). In Pakistan, for example, reforms in family law and the implementation of ḥudūd statutes exemplify attempts to reconcile fiqh with the requirements of the modern state, yet these efforts have consistently provoked significant controversies between traditionalist and reformist currents. This epistemic divide suggests that the relationship between fiqh and legislation in Muslim countries has not yet been fully elucidated. In confronting secularism, Islamic jurisprudence encountered a paradigm distinct from the past. With its emphasis on the separation of religion from politics and legislation, secularism appears to stand in opposition to Islamic law (sharīʿa). However, recent studies show that the relationship between the two is not necessarily one of absolute antagonism. Comparative inquiries in the field of "Islam and human rights" have shown that fiqh can be reinterpreted—through theories such as maqāṣid al-sharīʿa and a via media approach—in ways that harmonize with universal human rights principles (Pramasto, 2024). This perspective illustrates fiqh's capacity to adapt to secular structures, particularly in areas such as gender equality, individual liberties, and minority rights. At the same time, political and social resistance in some countries has hindered such convergence and has generated rifts between Muslim societies and international legal institutions.

The experience of Muslim-majority countries with secular governance also occupies a distinctive place in the literature. Turkey stands out as a country that, by adopting a stringent model of secularism, effectively removed fiqh from the public sphere. Nevertheless, research shows that this removal has not been absolute, and fiqh has continued to operate in specific domains such as family law and devotional rites. Indonesia and Albania have likewise offered different experiences of secularism. In Indonesia, the state has sought to implement a flexible secularism that allows a role for sharīʿa in certain arenas. In Albania, the post-communist experience of separating religion from the state demonstrated that the complete elimination of sharīʿa from the public sphere is unattainable, and over time a limited reintroduction became possible (Morán, 2020). These diverse experiences suggest that secularism in the Islamic world does not follow a single model; rather, it has been realized in varied forms across different historical and cultural contexts.

In secular non-Islamic systems—especially in Europe and North America—the place of Islamic jurisprudence has been examined under the rubric of "fiqh al-aqalliyyāt" (jurisprudence of minorities). Studies by Mohiuddin and Borham show that fiqh councils such as the European Council for Fatwa and Research play an important role in reproducing fiqh for the specific conditions of Muslim minorities. Drawing on innovative ijtihād, these councils issue rulings that, while faithful to the principles of sharīʿa, are also compatible with the secular laws of host countries. Consequently, fiqh al-aqalliyyāt has become one of the most important domains of contemporary jurisprudential innovation. In the United Kingdom, for instance, Sharia councils functioning as private arbitration bodies have enabled Muslims to resolve certain family disputes according to fiqh, although this development has faced serious criticism concerning conflicts with principles of gender equality (Mohiuddin & Borham, 2022; Sein, 2020).

From a comparative-analytical perspective, a significant gap persists in the research literature. Many studies have focused either on secular Muslim-majority countries or on Muslim minorities in Western states, but few have attempted to integrate these two domains into a single analytical framework. Recent studies propose that bridging this gap requires concentrating on fiqh's capacity for self-redefinition across diverse contexts. Through historical and comparative analysis, Morán shows that Islamic jurisprudence has continually redefined itself in interaction with other legal systems—religious and secular alike—and should not be regarded as a closed, immutable system (Morán, 2020). On this basis, the present study seeks to integrate the two arenas—the experience of secular Muslim-majority countries and the presence of Muslims in secular non-Islamic countries—to present a more comprehensive and analytical picture of fiqh's place in the contemporary world. One important dimension of assessing fiqh's status today is a comparative study between the experience of secular Muslim-majority states

and that of Muslims in secular non-Islamic societies. This comparison shows that Islamic jurisprudence encounters distinct challenges in different settings. In secular Muslim-majority countries, the central question is how fiqh, as a traditional source of legislation, can secure a place within modern legal frameworks; whereas in secular non-Islamic countries, the issue is mainly at the individual and social level—namely, how Muslims can practically fulfill their religious commitments alongside the obligation to comply with secular laws (Shavit, 2021). This distinction indicates two different levels of fiqh's contemporary presence: the institutional level in secular Muslim-majority countries and the socio-identity level in secular non-Islamic countries. Turkey, as a prominent example of secularism in the Islamic world, has tightly restricted the role of fiqh since the founding of the republic. Yet recent research shows that fiqh has never been entirely eliminated from social and legal life; rather, in the form of "social fiqh," it continues to feature prominently in family relations, religious practices, and cultural identity (Aktürk, 2020). This suggests that even where secularism is the official policy, fiqh can persist due to its deep linkage with culture and identity. In Indonesia, a different model has emerged: by recognizing selected elements of sharīʿa, the state has tried to strike a balance between secularism and religion. This has produced a kind of "indigenized secularism" that, theoretically and practically, offers an intermediary model between Western secularism and Islamic law (Feener, 2020).

At the non-Islamic end of the spectrum, the experience of Muslims in Europe and the United States is particularly significant. In these societies, Muslims often occupy minority positions and must balance fidelity to the host country's laws with adherence to sharīʿa. New research has shown that minority fiqh councils—especially in Europe—play a key role in re-creating fiqh for novel circumstances. These councils seek, through renewed ijtihād, to reinterpret jurisprudential rulings in ways that both align with the principles of sharīʿa and avoid serious conflicts with secular law (Baderin, 2021; Mohiuddin & Borham, 2022). For example, the European Council for Fatwa and Research, headquartered in Dublin, has issued numerous rulings in areas such as political participation, financial contracts, and social interactions, all aimed at facilitating Muslim life in Western societies (Mohiuddin & Borham, 2022). Nevertheless, research also shows that serious conflicts remain in certain domains. On issues related to women's rights, sexual freedoms, and family law, the gap between Islamic law and secular legislation continues to be a source of tension (Gräf, 2021). In France, under a stringent model of secularism, many Muslims feel that their religious identity is suppressed in the public sphere, whereas in the United Kingdom, a more flexible model has allowed the development of parallel institutions such as Sharia councils (Bowen, 2020). These differences indicate that fiqh's success in coexisting with secular laws depends to a great extent on the model of secularism and its degree of flexibility.

Analytically, one of the major research gaps in this field is the absence of a theoretical framework for understanding "coexistence models" between fiqh and secularism. Many studies have merely described the conflicts, with few efforts to propose theoretical models explaining how such coexistence can function sustainably. The present study seeks to fill this gap and to analyze various models from a comparative perspective. In some cases, for instance, one can speak of a "domain-separation model," in which fiqh is active only in devotional and family spheres; in other models, fiqh functions as a complementary legal system alongside secular law (Hurd, 2021). More recent analyses also show that globalization and migration have increasingly blurred the boundaries between Islamic and non-Islamic societies. Muslim migrants in the West, through connections with fiqh centers in their countries of origin, are shaping a kind of "global fiqh" that incorporates features of both contexts (Shavit, 2021). This emergent global fiqh can be regarded as one of the most significant innovations of contemporary jurisprudence, as it aims to balance religious obligations with the conditions of the modern global order.

Accordingly, comparative analysis of recent studies indicates that, in confronting secularism, Islamic jurisprudence has not merely been passive; in many cases, by utilizing ijtihād and drawing on principles such as maqāṣid al-sharīʿa, it has managed to re-create itself. Nonetheless, fundamental challenges remain that require deeper, multidisciplinary investigation. These challenges include questions about the limits of fiqh's flexibility, its relationship with universal human rights principles, and the future of interactions between religion and secularism in pluralistic societies. The present study aims to address these gaps by offering a comprehensive and analytical account of the current state of affairs.

3. Theoretical Foundations and Conceptual Framework

The concept of Islamic jurisprudence (fiqh) in Islamic thought extends beyond a set of individual and devotional rulings; it is regarded as a comprehensive and dynamic system for regulating the social, political, and economic life of Muslims. As the

discipline of deriving rulings from primary sources (the Qur'an, Hadith, consensus, and reason or analogy), fiqh has always claimed the capacity to respond to the evolving needs of the Muslim community. Meanwhile, the concept of "civil law" in the context of modern legal systems refers to a body of rules arising from public will and social contracts, typically grounded in the principles of Secularism or the separation of religion from lawmaking. The tension and, at the same time, coexistence of these two normative systems—Islamic jurisprudence and secular civil law—form the core of many contemporary theoretical and practical debates (Ishfaq et al., 2024).

Secularism, as one of the key concepts in contemporary legal and political discourse, emphasizes the separation of religious institutions from state and legislative institutions. However, this separation has taken different forms in different societies. For example, in France, secularism entails a strict separation and even removal of religious symbols from the public sphere, whereas in United Kingdom or United States, secularism is more about state neutrality toward various religions and allowing their presence in the public sphere (Champion & Ghouri, 2021). Thus, the interaction between Islamic jurisprudence and secularism takes different shapes depending on the form of secularism in place.

Within this context, the concept of "legal coexistence" or "legal pluralism" holds particular significance. Legal coexistence refers to the presence and interaction of multiple legal systems within a single context—for example, the simultaneous existence of Islamic sharīʿa and secular civil law in countries such as Pakistan, Malaysia, and Indonesia, or the interaction between national European laws and the fiqh councils of Muslim minorities. Recent studies have shown that such coexistence can be both an opportunity for legal innovation and inclusivity and a source of institutional conflicts and challenges (Husain et al., 2024).

From the perspective of jurisprudential theory, an important question is whether Muslims are obligated to comply with non-religious and secular laws. Many contemporary jurists, citing principles such as "fulfillment of covenants," "observance of contracts," and "the rule of preventing harm," argue that Muslims in non-Muslim or secular societies are required to obey civil laws, except when such laws clearly contradict the definitive principles of sharīʿa. On this basis, the concept of Fiqh al-Aqalliyyat (jurisprudence of minorities) has emerged, which seeks to reinterpret jurisprudential rulings for the specific conditions of Muslims in secular societies. This approach aims to ensure fidelity to the principles of sharīʿa while enabling coexistence with non-religious laws (Gamon & Tagoranao, 2024).

Conversely, legal and sociological theories on the interaction of religion and secularism emphasize that the relationship between these two spheres is inherently dynamic, multilayered, and negotiated. According to the "legal pluralism" approach in the sociology of law, the simultaneous presence of religious and secular legal systems is not an exception but a norm in many contemporary societies. This theory suggests that rather than attempting to eliminate one of these systems, efforts should focus on developing models for their interaction and coexistence (Ahmad Wathoni, 2025). In other words, secularism is not necessarily the exclusion of religion but can be understood as a framework for managing religious and legal diversity.

Based on this, the analytical framework of the present study rests on the idea of a "conceptual model of legal coexistence." This model is built upon three main components:

1. Acceptance of legal pluralism and the possibility of multiple legal systems coexisting within a single social setting;
2. Allocation of specific domains to each legal system (for example, fiqh governing family law and personal status alongside secular law governing public and criminal law); and
3. Establishing intermediary mechanisms to resolve potential conflicts between the two systems.

Recent studies in Indonesia and Malaysia have shown that such models can, in practice, enhance social cohesion and reduce conflicts between religion and the state (Al Hail, 2024; Setiawan, 2023). Overall, the theoretical foundations of this study rest on integrating two categories of theories: jurisprudential theories emphasizing the ijtihād-based flexibility of sharīʿa, and legal-sociological theories emphasizing the necessity of managing legal pluralism in contemporary secular societies. This synthesis can serve as the basis for a new conceptual framework to analyze the place of fiqh in both secular Muslim-majority and secular non-Muslim societies.

Further elaborating the conceptual framework requires re-examining the concept of Islamic jurisprudence as a "dynamic epistemic system" in relation to secularism and civil law. Recent studies have stressed that, contrary to traditional perceptions of fiqh as a static set of rulings, it is inherently based on ijtihād and is capable of reinterpretation (Hefner, 2021). Ijtihād, as the primary mechanism of fiqh's dynamism, enables the effective reproduction of sharīʿa principles under changing social and

political conditions. Therefore, the theoretical foundations of this study must emphasize the ijtihād-based capacity of fiqh to coexist with secular laws.

From a sociological perspective, secularism can be interpreted not merely as "the exclusion of religion" but as "the management of religion in the public sphere." This interpretation, known in recent literature as "comparative secularism," shows that secularism takes diverse forms across contexts, and its relationship with religion should be viewed as a spectrum rather than a strict binary (Fox, 2023). For example, in United States secularism entails state support for religious freedoms and avoidance of discrimination, while in France it emphasizes removing religious symbols from public spaces. This diversity of secularism models indicates that the interaction between fiqh and civil law will likewise depend on the form of secularism in place.

Within this framework, the notion of "legal coexistence" gains particular importance. Legal coexistence does not merely mean the parallel existence of multiple legal systems but is a process in which these systems engage in interaction, convergence, or even competition. In some societies, this coexistence takes the form of "legal division of labor," meaning that fiqh governs specific domains such as family, inheritance, and marriage, while secular law governs public domains such as criminal and civil law. In others, such as United Kingdom, coexistence takes the form of "complementarity," where Sharia councils operate alongside secular courts (Bowen, 2020). These models show that legal coexistence takes different forms depending on the historical and social context.

From the standpoint of jurisprudential theories, one of the fundamental challenges is delineating the extent of Muslims' obligation to follow secular laws. Contemporary jurists have proposed three main approaches:

- The "absolute obligation" approach, which holds that Muslims must follow all the laws of the host country unless they clearly contradict definitive sharīʿa principles.
- The "conditional obligation" approach, which maintains that compliance is required only insofar as it does not harm religion or Islamic identity.
- The "ijtihād-based coexistence" approach, which emphasizes using jurisprudential tools such as maṣāliḥ mursala (public interest) and maqāṣid al-sharīʿa (objectives of Islamic law) to reinterpret rulings under secular conditions (Shavit, 2021).

The present study adopts this third approach as the foundation of its theoretical framework, as it offers the greatest capacity to address the diverse conditions of secular societies.

Conversely, modern legal theories also stress the necessity of managing "legal pluralism." In his analysis of secularism policies, (Fox, 2023) argues that states are inevitably compelled to interact with religious legal systems, as these systems function as part of the social and cultural identity of religious groups. Within this context, the theory of "dynamic legal pluralism" suggests that rather than seeking to eliminate or suppress religious legal systems, states should recognize them as part of the overarching legal order and design mechanisms for coexistence and conflict resolution (Menski, 2021).

Based on these perspectives, the conceptual model of this study can be outlined as follows:

- **At the conceptual level**, Islamic jurisprudence is viewed as a dynamic and ijtihād-based system capable of reinterpreting rulings for new circumstances.
- **At the institutional level**, secular civil law is regarded as a system grounded in social contract and religious neutrality.
- **At the interactional level**, legal coexistence functions as the mediating mechanism between these two systems.

This conceptual model seeks to demonstrate that interaction between fiqh and secularism is not only possible but can also lead to the formation of more comprehensive and inclusive legal systems. Ultimately, the theoretical foundations of this study synthesize "fiqh al-aqalliyyāt" and "legal pluralism theories." While fiqh al-aqalliyyāt emphasizes the ijtihād-based adaptability of sharīʿa for specific contexts, legal pluralism theories underscore the necessity of interaction among diverse legal systems. This synthesis provides an analytical framework for examining the position of fiqh in both secular Muslim-majority and secular non-Muslim societies. Drawing on this framework, the present study aims to offer a comprehensive and analytical portrayal of the interaction between Islamic jurisprudence and secularism.

4. Research Methodology

This study was designed with a qualitative, analytical, and comparative nature to examine in depth and from multiple dimensions the status of Islamic jurisprudence and the degree of adherence to civil laws in secular Muslim-majority and secular non-Muslim countries. The qualitative approach was chosen because the subject under study is not merely quantitative or statistical but is highly dependent on the historical, cultural, legal, and religious contexts of each country. Therefore, content analysis of texts and documents, examination of jurisprudential and legal theories, and comparative study of different legal models constitute the main tools of this research. This approach makes it possible to analyze the complex interactions between fiqh and secularism not at a superficial data level but within deeper social and legal layers.

The method of data collection is primarily based on the analysis of legal texts and documents. The texts examined include national constitutions, civil and criminal laws related to the role of the sharīʿa, international human rights documents, and the resolutions and fatwas of minority fiqh councils in Europe and North America. Secondary sources include scholarly articles published in reputable international journals (especially after 2020), academic books, and reports by legal and international organizations. This combination of primary and secondary sources enables the provision of a comprehensive and multidimensional picture of the subject. Legal and jurisprudential texts are analyzed systematically to identify and categorize convergences and conflicts.

The research population consists of two distinct groups:

- First, secular Muslim-majority countries such as Turkey, Albania, and Indonesia, where the state has limited the role of fiqh directly or indirectly through secular policies. These countries were chosen because each represents a different model of secularism in the Muslim world: Turkey with its strict laïcité model, Indonesia with its flexible secularism, and Albania with its unique post-communist experience.
- Second, secular non-Muslim countries in Europe and North America where Muslim minorities are significantly present. Countries such as France, the United Kingdom, Germany, and the United States were selected as they each showcase a distinct pattern of interaction between the secular state and the Muslim minority.

This purposive selection allows for a comparative analysis between the two groups and enables the study to analyze the diversity and complexity of interactions between fiqh and secularism.

The study uses a combination of jurisprudential, legal, and sociological comparative analysis. From the jurisprudential perspective, it examines theories of Muslim jurists regarding adherence to non-religious laws, minority fiqh, and the capacity of ijtihād to adapt to secularism. This analysis is conducted through the study of contemporary jurisprudential works and fatwas of Islamic councils. From the legal perspective, the study examines national constitutions, legal texts, and judicial mechanisms to determine the presence or absence of fiqh within secular legal systems. From the sociological perspective, the research draws on theories of legal pluralism and legal coexistence to show how the interaction between fiqh and civil law emerges within social contexts. This combination of three analytical perspectives makes it possible to provide a comprehensive and multidimensional conceptual model.

The data are analyzed through qualitative content analysis and comparative analysis. In the qualitative content analysis, legal and jurisprudential texts are examined through open and axial coding to extract key themes such as “levels of obligation,” “areas of conflict,” “mechanisms of coexistence,” and “patterns of adaptation.” These themes are then comparatively analyzed between secular Muslim-majority and secular non-Muslim countries. This process allows the researcher to identify similarities and differences and to discern general patterns of interaction between fiqh and secularism.

One of the strengths of this methodology is its multi-level integration of analysis. The study examines data at the macro-institutional level (constitutions and legal systems), the meso level (religious institutions and fiqh councils), and the micro level (daily life of Muslims in secular societies). This multi-level approach allows the analysis to cover all dimensions of the interaction between fiqh and secularism rather than offering a one-sided view.

Nonetheless, there are some limitations. First, qualitative analysis relies on depth and interpretation and cannot fully capture the quantitative dimensions of the issue. Second, access to certain legal and jurisprudential sources in specific countries may be limited. Third, linguistic and cultural differences in interpreting legal texts can pose challenges. However, these limitations will be managed to a large extent through purposive country and source selection, reliance on verified translations, and the use of up-to-date studies.

Overall, the research methodology is designed to provide a comprehensive and analytical view of the position of fiqh in secular societies by employing a qualitative, analytical, and comparative approach and relying on legal, jurisprudential, and sociological data. This approach not only enables the study to answer its research questions but can also provide a theoretical framework for future studies in the field of fiqh and secularism.

5. Findings and Analysis

The status of Islamic jurisprudence (fiqh) within the legal systems of secular Muslim-majority countries has consistently been one of the key topics in comparative fiqh and comparative law scholarship. Turkey, Indonesia, and Albania are salient examples of countries that, despite predominantly Muslim populations, have chosen secular legal structures. In Turkey, the principle of laïcité—meaning a strict separation of religion from politics and legislation—led to a broad curtailment of fiqh's role in constitutional and civil law. Nevertheless, research shows that, in practice, fiqh retains a presence in specific domains such as family law and personal status, and many Muslims informally follow fiqh rulings in their daily lives (Combalía, 2020).

In Indonesia, a different experience prevails. The Indonesian state has attempted to implement a form of "soft secularism" that, while adhering to a secular constitution, permits the application of sharīʿa in provinces such as Aceh. This indicates that secularism in Muslim-majority countries is realized along a spectrum rather than in absolute terms. Albania, likewise, after the communist era, exemplifies a gradual return of Islam to the public sphere, although its role has remained largely cultural-social (Sein, 2020).

Fiqh's role in secular non-Muslim countries is particularly important in immigrant Muslim communities. In Europe and North America, Muslims—situated as minorities—must balance adherence to sharīʿa with compliance with secular laws. Accordingly, the notion of "fiqh al-aqalliyyāt" has gained importance in recent decades. Research by Mohiuddin and Borham shows that the European Council for Fatwa and Research (ECFR) has played a significant role in issuing fatwas tailored to the circumstances of Muslims in Europe. Using tools of ijtihād, the ECFR has issued rulings in areas such as political participation, financial contracts, and family law in order to reconcile fiqh with secular conditions. A similar pattern can be seen in the United States; courts have, in some instances, recognized decisions based on sharīʿa when grounded in the parties' private contractual documents, although such recognition is always subject to legal constraints (Mohiuddin & Borham, 2022; Sein, 2020).

Despite these developments, adherence to secular laws is continually confronted with limitations and challenges. One of the most significant challenges involves conflicts in the domain of women's rights and family law. In many countries, rules governing marriage, divorce, and inheritance are founded on secular principles, whereas Muslims are committed to applying fiqh rulings. This conflict is more visible in countries such as France and Germany, where strict models of secularism do not permit religious institutions to intervene in civil matters (Büchler, 2013).

Another challenge concerns religious freedoms. The prohibition of the headscarf in French schools or restrictions on building mosques in some European states are examples of tensions between Muslims' religious rights and secular policies (Sakaranaho, 2019). These issues not only place Muslims under constraints but also raise serious questions about the compatibility of sharīʿa with universal human rights.

Nonetheless, there are also opportunities and capacities for coexistence between fiqh and secularism. One such opportunity is the gradual acceptance of legal pluralism in Europe and the United States. Many countries have allowed Muslims to resolve family disputes via Sharia councils or private arbitration bodies, provided that such decisions do not conflict with national law (Mohiuddin & Borham, 2022). Another opportunity is the growth of Islamic educational and cultural institutions in Western societies. For example, in Finland, Islamic religious education has been recognized in public schools as part of multicultural policy, though this field has its challenges as well (Sakaranaho, 2019).

For a more precise analysis of the findings, comparative tables can be used. Table 1 presents a comparison between secular Muslim-majority countries and secular non-Muslim countries with respect to the position of fiqh and the extent of its presence in the legal system.

Table 1. Comparison of the Position of Fiqh in Secular Muslim-Majority vs. Secular Non-Muslim Countries

Country Type	Examples	Position of Fiqh in the Legal System	Challenges	Opportunities

Secular Muslim-Majority	Turkey, Indonesia, Albania	Institutional limitations in legislation; limited presence in personal status	Conflict with secular constitutions; resistance from laïcist currents	Regional accommodation (e.g., Aceh); gradual cultural return
Secular Non-Muslim	France, United Kingdom, United States	Informal presence via fiqh councils and private arbitration	Restrictions on religious freedoms; conflicts in women's and family rights	Growth of minority fiqh institutions; relative acceptance of legal pluralism

As Table 1 shows, in secular Muslim-majority countries fiqh's role is more often constrained at the institutional level by structural limitations, whereas in secular non-Muslim countries its role is more visible at the social and informal institutional levels. This difference highlights the importance of political-legal context in determining the degree of fiqh's presence within secular systems.

An examination of the findings regarding fiqh's interaction with secular systems indicates that the limitations and challenges of jurisprudential compliance with secular law can be identified along several major axes. First is the conflict between certain definitive fiqh rulings and the foundational principles of secular law. For example, rules concerning gender equality and individual freedoms in many European countries conflict with traditional fiqh rulings in the domain of family and personal status. This conflict not only creates legal difficulties for Muslims but sometimes fosters negative public perceptions of fiqh in Western societies (Gräf, 2021).

Second is the issue of "legal constraints." Even in countries where fiqh institutions or Sharia councils are permitted to operate, their competence is strictly limited, and their decisions are recognized only insofar as they do not contradict national law. This limitation shows that fiqh is often positioned at the margins in secular societies and lacks broad influence over the formal legal order (Bowen, 2020).

A third challenge pertains to identity and cultural policies. In many countries, secular laws are accompanied by cultural-integration policies aimed at fostering social unity by diminishing overt religious identity markers. The headscarf ban in French schools or restrictions on ḥalāl slaughter are examples of cultural policies that directly affect Muslims' religious freedoms (Fox, 2023). From the perspective of minority fiqh, these constraints necessitate renewed jurisprudential reflection to identify ways of adapting to such limitations (Shavit, 2021).

Counterbalancing these constraints, the findings also foreground opportunities and capacities for fiqh–secularism coexistence. One of the most important opportunities is the emergence of "fiqh al-aqalliyyāt" as a novel branch of jurisprudential inquiry. Not only does it provide ijtihād-based tools for addressing new issues, but it also lays the groundwork for a flexible approach to engaging with secularism (Mohiuddin & Borham, 2022). Another opportunity is the growth of legal pluralism across many Western countries. Recent studies show that secular courts in Europe and the United States have, in some instances, recognized decisions grounded in Islamic law as private contractual outcomes, provided they do not contravene foundational legal principles. This approach not only creates greater legal space for Muslims but also offers a model for managing religious–secular conflicts (Menski, 2021).

To clarify these dimensions, Table 2 provides a comparison of the challenges and opportunities in the interaction between fiqh and secularism across secular Muslim-majority and secular non-Muslim contexts.

Table 2. Challenges and Opportunities in Fiqh–Secularism Interaction

Country Type	Challenges	Opportunities
Secular Muslim-Majority	Conflicts between sharīʿa principles and secular constitutions; resistance of laïcist currents; limitation of fiqh to personal status	Possibility of limited re-entry of fiqh in social domains; indigenized secularism models (e.g., Indonesia)
Secular Non-Muslim	Restrictions on religious freedoms (headscarf, ḥalāl slaughter); conflicts with women's and family rights; narrow mandates for fiqh/Sharia councils	Growth of fiqh al-aqalliyyāt; relative acceptance of legal pluralism; recognition of sharīʿa-based arbitration in some private disputes

Table 2 shows that, in secular Muslim-majority countries, challenges tend to manifest more at institutional and political levels, whereas in secular non-Muslim countries they are more visible at social and identity levels. At the same time, opportunities in both contexts are linked to fiqh's adaptive capacities and the rise of new legal institutions.

From a sociological analysis, the findings indicate that the interaction between fiqh and secularism is a dynamic and evolving process. In many cases, what is perceived today as a conflict may, in the future, become an opportunity through renewed ijtihād

or shifts in legal policy. For example, the acceptance of Sharia councils in the United Kingdom initially faced significant opposition, but over time has come to be recognized as part of the private arbitration landscape (Bowen, 2020). This evolution shows that secular legal mechanisms can display responsiveness to religious needs, even if such responsiveness always comes with constraints.

Ultimately, the findings show that fiqh–secularism coexistence is not a static condition but a historical and multilayered process that takes different forms depending on political, cultural, and social contexts. In secular Muslim-majority countries, this coexistence tends to appear as "managed limitation of fiqh," whereas in secular non-Muslim countries it is more often seen as "informal legal pluralism." Accordingly, the present study argues that the future of fiqh–secularism interaction depends on fiqh's capacity for ijtihād and reinterpretation and on secular states' capacity to accept legal pluralism.

6. 6. Discussion and Interpretation

In the research literature on the relationship between Islamic jurisprudence (fiqh) and Secularism as well as civil law, a persistent question has been to what extent secular legal systems can accommodate sharīʿa principles and, conversely, to what extent sharīʿa can coexist with the principles of secularism and universal human rights. In this regard, comparing secular Muslim-majority and secular non-Muslim countries is crucial for identifying points of convergence and divergence.

Secular Muslim-majority countries such as Turkey and Indonesia have officially separated religion from government structures, yet religion continues to influence their legal and social cultures. As some studies indicate, these countries tend to align more closely with global human rights norms and rely less on textual fiqh sources in legal policymaking (Alkubaisy, 2019). By contrast, secular non-Muslim countries such as France, Germany, or the United States face different challenges, as immigrant Muslim communities in these countries attempt to balance commitment to sharīʿa with the requirements of secular citizenship (Grynchak & Grynchak, 2023).

One of the central themes in this debate is the relationship between fiqh and universal human rights norms. Many scholars argue that, conceptually, principles such as human dignity, freedom of belief, and justice in Islamic jurisprudence are potentially compatible with the United Nations' Universal Declaration of Human Rights, yet differences in interpretation and scope—particularly regarding women's rights, freedom of religion, and gender equality—have generated serious tensions (Alkhazaleh, 2021). In countries such as Pakistan and Bangladesh, this tension is concretely manifested in dual legal systems where secular and fiqh-based laws operate side by side, often leading to judicial conflicts (Ishfaq et al., 2024; Yusoff & Islam, 2024).

A comparative critique suggests that convergence between fiqh and secularism increases when secular legal systems accommodate religious rules in domains such as personal status law, and conversely, when fiqh strengthens ijtihād-based and maqāṣid-oriented approaches to adapt to contemporary social and legal changes. Thus, this study's innovation lies in emphasizing the possibility of creating "legal coexistence" models in which fiqh is not treated as a rival legal system but as part of a multilayered and dynamic legal order.

To clarify this further, comparative data show that the level of "constitutional Islamization" in a country correlates inversely with the level of human rights protection. Based on the Islamic Constitutions Index (ICI), countries with secular constitutions on average guarantee more rights for citizens, whereas those with dominant sharīʿa frameworks face limitations in gender equality and religious freedom (Ahmed & Gouda, 2014).

Table 3. Comparative Levels of Human Rights Protection in Islamic vs. Secular Legal Systems

Legal System Type	Level of Human Rights Protection	Gender Equality Level	Level of Religious Freedom
Muslim-majority countries with secular constitutions	High	Medium–High	High
Muslim-majority countries with dominant sharīʿa	Medium–Low	Low	Low
Secular non-Muslim countries	Very High	High	Very High

As shown in Table 3, the level of commitment to universal principles is much higher in secular systems—whether Muslim-majority or non-Muslim—than in systems where sharīʿa plays a central constitutional role. This underscores the need to rethink legislative models in the Islamic world and to build capacity for legal convergence.

Comparative analysis reveals that points of convergence and divergence between Islamic jurisprudence and secularism crystallize in different historical and social contexts. One of the most important points of convergence is the shared emphasis

of both systems on social justice and human dignity. In fiqh, principles such as the Maqasid al-Sharia (protection of life, religion, intellect, lineage, and property) stress safeguarding fundamental human rights and can substantially overlap with universal human rights norms (Baderin, 2021). Similarly, secularism emphasizes state neutrality toward religions and equal protection for all citizens. This conceptual intersection—especially concerning the right to life, the prohibition of torture, and equality before the law—offers a vital basis for dialogue and legal coexistence.

However, divergences are also pronounced. The most significant are in the areas of women's rights and individual freedoms. Traditional fiqh often assigns distinct gender roles to men and women, particularly regarding inheritance, testimony, and guardianship, whereas modern secular legal systems are founded on absolute gender equality (Gräf, 2021). In European countries, this divergence has led to criticism of Sharia councils in the United Kingdom and Germany, which adjudicate family disputes based on fiqh but are said to perpetuate gender inequality (Bowen, 2020). Similarly, individual freedoms—such as freedom of dress or family relationships—often conflict with traditional fiqh understandings in many Western contexts.

Another key factor is the influence of different secularism models on levels of convergence or divergence with fiqh. In rigid models like Laïcité in France, any religious presence in the public sphere is restricted, minimizing opportunities for engagement with fiqh. In more flexible models like the United Kingdom, legal pluralism is recognized and Sharia councils are permitted to operate in certain domains (Fox, 2023). This suggests that convergence or divergence between fiqh and secularism is not an absolute condition but rather a variable dependent on legal and political context.

Table 4. Points of Convergence and Divergence between Islamic Jurisprudence and Secularism

Domain	Convergence	Divergence
Social Justice	Emphasis on fair resource distribution (Fiqh: zakat, khums / Secularism: taxation, welfare)	—
Human Dignity	Support for right to life and prohibition of torture	Restrictions on apostasy and freedom of belief in traditional fiqh
Women's Rights	Emphasis on family protection and women's security	Differences in inheritance, testimony, and gender roles
Individual Freedoms	Recognition of choice within religious/legal bounds	Conflicts regarding dress, family relations, and sexual freedoms

As Table 4 illustrates, while there are conceptual convergences between fiqh and secularism, divergences primarily surface in sensitive social and individual domains, which also tend to attract the greatest media and political attention.

The theoretical innovation of this study, compared to previous works, lies in emphasizing the concept of "dynamic legal coexistence." Most earlier research framed the relationship between fiqh and secularism in terms of either conflict or full compatibility. However, this study's findings show that the relationship is fundamentally fluid and historical—meaning that in each specific context it can shift from intense divergence to practical convergence. For instance, as (Bowen, 2020) notes, Sharia councils in the United Kingdom were initially seen as marginal and controversial, but in practice they have attained institutional status and are now considered part of the country's legal pluralism. This transformation demonstrates the dynamic nature of the fiqh–secularism relationship.

Another novelty of this study is its simultaneous focus on secular Muslim-majority and secular non-Muslim countries within a single analytical framework. While most previous research focused on one category or lacked comprehensive comparison, this study shows that although contexts differ, fiqh faces similar types of constraints and opportunities in both: institutional constraints in secular Muslim-majority states and social-identity constraints in secular non-Muslim ones, alongside opportunities arising from ijtihād and legal pluralism.

In sum, the key conclusion is that fiqh and secularism should not be understood as two antagonistic legal systems but as two actors operating within a multilayered legal field. The success of their coexistence depends on two factors: first, the flexibility of fiqh to reinterpret itself through ijtihād and maqāṣid al-sharīʿa; and second, the openness of secular systems to accept legal pluralism. If both factors are strengthened simultaneously, they can pave the way toward a future grounded in interaction and coexistence.

7. Conclusion

The examination of the place of Islamic jurisprudence in its interaction with secular legal systems—both in secular Muslim-majority countries and in secular non-Muslim countries—shows that the relationship between these two legal orders is not static or absolute, but dynamic and contingent on historical, social, and political contexts. The present study demonstrated that, contrary to traditional views that portray the relationship between fiqh and secularism as adversarial and irreconcilable, contemporary experiences indicate a diverse spectrum of models of legal coexistence. Along this spectrum, some countries such as Turkey, by adopting a strict model of laïcité, have minimized the role of fiqh in legislation, whereas others such as Indonesia have offered a more flexible model in which the sharīʿa has retained its place in specific domains, such as the province of Aceh. Similarly, secular non-Muslim countries have shown that, despite limitations, relative acceptance of fiqh is possible in the form of private arbitration institutions or Sharia councils.

One of the key findings of this research is that Islamic jurisprudence, in its essence, has a high capacity for reinterpretation and adaptation to new conditions. This capacity is made possible through tools such as ijtihād, maṣāliḥ mursala (considerations of public interest), and the objectives of the sharīʿa, enabling fiqh to accommodate the requirements of universal human rights as well as secular laws. At the same time, there are limitations that are particularly evident in the domains of women's rights, individual freedoms, and gender equality. These limitations not only hinder full convergence between fiqh and secularism, but sometimes also fuel confrontation and conflict. Therefore, the future of interaction between fiqh and secularism depends on the ability of both sides to manage these constraints.

From a theoretical perspective, this study offers an important innovation by introducing the concept of "dynamic legal coexistence." According to this approach, Islamic jurisprudence and secularism are not seen as two opposing systems, but as two actors operating within a multilayered legal field. In this field, both sides are continuously negotiating and redefining their roles. Compared to earlier studies that mostly focused on absolute conflict or absolute compatibility, this perspective provides a more complex and realistic picture of the relationship between religion and secularism.

From a practical perspective, the findings indicate that the success of coexistence between fiqh and secularism depends on two fundamental factors: first, the degree of flexibility within fiqh to reinterpret rulings in line with contemporary social and political conditions; and second, the degree of openness within secular systems to accept legal pluralism. The more these two factors are strengthened, the greater the likelihood of establishing stable and effective coexistence. In other words, if fiqh can draw on ijtihād to redefine certain rulings, and if secularism can move away from exclusivist stances and recognize the presence of other legal orders, the future of interaction between these two systems will move toward convergence.

The recommendations of this study can be presented at three levels:

1. **Jurisprudential level:** Jurists and Islamic scholars should pay special attention to the development of minority fiqh as one of the new branches of jurisprudence. This branch can address the needs of Muslims in secular non-Muslim countries and also provide a model for secular Muslim-majority states. Emphasis on the objectives of the sharīʿa and maṣāliḥ mursala can furnish the theoretical framework needed to reinterpret rulings under new conditions. Especially in areas such as women's rights and individual freedoms, maqāṣid-based ijtihād can build a bridge between traditional fiqh and universal human rights principles.
2. **Legal and policy level:** Secular governments, whether Muslim-majority or non-Muslim, should integrate religious institutions within their legal frameworks rather than attempting to eliminate or suppress them. This integration can be achieved by recognizing Sharia councils as private arbitration bodies or by allowing limited activity of fiqh-based institutions in the domain of personal status. The British experience shows that this approach can strengthen social cohesion and prevent identity-based tensions. Policymakers should also observe the principle of positive neutrality when designing laws related to religious minorities; that is, they should not only avoid discrimination but also provide the conditions necessary for preserving religious identity.
3. **International level:** Dialogue between Islamic and secular legal systems should be strengthened globally. International organizations such as the United Nations and human rights bodies can play a mediating role in reducing conflicts and enhancing convergence. Moreover, establishing joint academic and research institutions between universities in Islamic and Western countries can generate shared knowledge and practical solutions for legal coexistence.

From a futures perspective, this study anticipates that in the coming decades, with the expansion of globalization and increased migration, the concept of "global fiqh" will become increasingly important. This global fiqh will be shaped by an ijtihād that simultaneously responds to conditions in both Islamic and non-Islamic countries and can provide a comprehensive framework for Muslims' lives in diverse societies. This trend will not only influence the development of Islamic jurisprudence, but may also transform theories of secularism, as secular states will be compelled to accept legal pluralism as an inevitable reality. Ultimately, the present research emphasizes that interaction between fiqh and secularism is a historical and social necessity, not merely a choice. In a world where geographic and cultural boundaries are increasingly blurred, no legal system can absolutely dominate another. What matters is the capacity to manage this plurality and to create mechanisms for peaceful coexistence. Islamic jurisprudence, with its ijtihād-based capacities, and secularism, with its human-rights-based capacities, can, if they move from confrontation toward interaction, offer a new model for legal coexistence in the contemporary world.

The recommendations of this study can be categorized into three main levels—jurisprudential, legal-policy, and international. For clarity, Table 5 presents these three levels along with brief explanations of each. The table shows how the capacities within fiqh, the instruments of secular law, and international institutions can be harnessed to strengthen coexistence between fiqh and secularism.

Table 5. Three-Level Recommendations for Strengthening the Coexistence of Fiqh and Secularism

Key Recommendations	Additional Explanations	Level
Develop minority fiqh; emphasize maqāṣid al-sharīʿa and renewed ijtihād	Create a fiqh framework for Muslims in secular societies; use maṣāliḥ mursala to reinterpret rulings in sensitive areas (e.g., women's rights and individual freedoms).	Jurisprudential
Recognize Sharia councils as private arbitration bodies; apply positive neutrality	The UK experience shows integrating Sharia councils can strengthen social cohesion; positive neutrality requires states not only to avoid discrimination but also to enable religious identity.	Legal–Policy
Strengthen dialogue between fiqh and global human rights; establish joint institutes	International organizations can mediate to reduce conflicts; collaborative research between Islamic and Western universities can generate shared knowledge and legal innovation.	International

As Table 5 indicates, the proposed solutions in this study are interconnected across three levels, forming a complementary chain. The jurisprudential level provides the theoretical foundation for reinterpretation and adaptation; the legal and policy level supplies the institutional and operational context for this reinterpretation in secular societies; and the international level fosters global cooperation and engagement for legal coexistence. This three-level linkage shows that successful coexistence between fiqh and secularism is possible only if these levels advance simultaneously and in coordination.

Ethical Considerations

All procedures performed in this study were under the ethical standards.

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Conflict of Interest

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