



Students' Level of Awareness in the Practice of Jinayah Knowledge at UIN Alauddin: Perspectives from Islamic Law and Islamic Education

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Abstract: Law that regulates human activities in daily life is one of the essential aspects to be studied, including Islamic law. This is particularly relevant for students of the Islamic Religious Education Program at the Faculty of Tarbiyah and Teacher Training, UIN Alauddin Makassar, who study fiqh (Islamic jurisprudence), especially jinayah (crime), and are therefore considered to have sufficient understanding and are expected to practice this knowledge in the form of observable behavior. This study employed a mixed-methods approach, combining quantitative and qualitative methods within a single study to obtain a more comprehensive and in-depth understanding of the research phenomenon. The quantitative data were collected from questionnaires, while the qualitative data were derived from interview results and relevant literature related to the research focus. The findings indicate that students' practice of their knowledge falls within the moderate category, with a percentage of 66.67%. The effectiveness of law enforcement depends on legal norms, legal structures, and legal awareness. In this context, however, legal awareness becomes the primary aspect, as with legal awareness students are able to behave properly without engaging in actions that contradict or violate the law. Therefore, within the context of Islamic law, public awareness, more specifically students' awareness, serves as the key factor determining whether the law operates effectively or not. In addition, in the context of Islamic education, an individual's knowledge plays a significant role in shaping legal awareness.

Keywords: Legal awareness, practice, students, jinayah law, Islamic law, Islamic education

Abstrak: Hukum yang mengatur aktivitas manusia dalam menjalankan kehidupan menjadi salah satu aspek yang harus dipelajari, tidak terkecuali hukum Islam. Terlebih pada mahasiswa Prodi Pendidikan Agama Islam Fakultas Tarbiyah dan Keguruan UIN Alauddin Makassar yang belajar fikih tentang jinayah sehingga dianggap paham dan diharapkan dapat mengamalkan pengetahuan tersebut dalam bentuk perilaku. Metode penelitian campuran (*mixed methods*) yaitu gabungan metode kuantitatif dan kualitatif dalam satu studi untuk mendapatkan pemahaman yang lebih komprehensif dan mendalam tentang fenomena penelitian. Metode kuantitatif mengacu pada data angket sedangkan metode kualitatif mengacu hasil wawancara dan data literatur yang terkait dengan fokus penelitian. Berdasarkan hasil penelitian, diketahui bahwa pengamalan pengetahuan mahasiswa berada pada kategori sedang dengan persentase sebesar 66,67%. Efektivitas pemberlakuan hukum tergantung pada norma hukum, struktur hukum dan kesadaran hukum. Namun pada konteks ini kesadaran hukum menjadi aspek utama, sebab dengan kesadaran hukum mahasiswa akan dapat berperilaku baik tanpa harus berbuat sesuatu yang bertentangan dan melanggar suatu hukum. Oleh karena itu, dalam konteks hukum Islam, kesadaran masyarakat lebih tepatnya mahasiswa akan menjadi aspek utama hukum tersebut berjalan dengan efektif atau tidak, sedangkan dalam konteks pendidikan Islam pengetahuan seseorang berpengaruh secara signifikan terhadap kesadaran hukum.

Kata Kunci: Kesadaran hukum, pengamalan, mahasiswa, hukum jinayah, hukum Islam, pendidikan Islam

Introduction

The function of law for human beings is to create order and tranquility within society. This applies not only to state law but also to Islamic law, which is often associated with *maqāsid al-sharī'ah* (objectives of Islamic law). Indonesia, as a state based on the rule of law, does not formally implement religious law; however, religion serves as a fundamental value and national ideology, as affirmed in Pancasila and the 1945 Constitution. Modern and democratic states place law as a foundational basis and a strong source of legitimacy for governance in many parts of the world.¹

Developments in the era of Society 5.0, however, have provided individuals with extensive freedom to access information through rapid

¹ Maria-Louise Clausen, "Unity, Segregation, and Obedience: Islamic State's Use of Quranic Verses and How It Relates to State Building," *Studies in Conflict & Terrorism*, (2020), p. 1-18. Yudi Latif, "Building the Soul of the Indonesian Nation: Mohammad Hatta on Religion, the State Foundation, and Character Building," *Studia Islamika* 32, No. 2 (2025). Marybeth T Acac, "Pancasila: A Contemporary Application of Maqasid al-Shari'ah? *Journal of Indonesian Islam* 9, No. 1 (2015).

technological advancements,² which may lead to moral decadence, such as the consumption of alcohol, drug abuse,³ free sex, theft,⁴ and other legal violations. This situation contributes to moral degradation, in which individuals increasingly neglect religious values.⁵ Moreover, moral decadence not only affects individuals but also society as a whole.⁶ Therefore, individual behavior needs to be shaped so that technological progress yields positive impacts.⁷ This can be achieved through religious education, which has a crucial role in cultivating moral character and counteracting negative influences.

Universities or higher education institutions, as centers of learning, also play a significant role in instilling moral education that students can apply in their daily lives.⁸ *Fiqh* (Islamic jurisprudence) courses, which address varied aspects of behavior, provide guidance in accordance with Islamic law, such as the practice of worship, obedience to campus regulations, and compliance with state laws. Additionally, similar to state regulations, Islamic law also regulates criminal acts. Criminal acts (*jinayah*) in Islamic law are classified based on the severity of the punishment.⁹ This subject constitutes one of the topics taught in the curriculum of the Islamic Religious Education Program at the Faculty of Tarbiyah and Teacher Training, UIN Alauddin Makassar.

For students of the Islamic Religious Education Program who have studied *fiqh jinayah*, it is important to examine their level of knowledge not only in terms of conceptual understanding, but also in how it is applied in everyday behavior. This application should reflect the knowledge they have gained and

² Muhamad Rishan, et. al., "Forms of Moral Decadence in Students in Higher Education," *Khalifa: Journal of Islamic Education* 2, no. 1 (2018), p. 40–60. Ali Taufik and Tatang Apendi, "Analisis Dampak Negatif Pergaulan Anak Remaja Di Era Globalisasi Dengan Kemajuan Teknologi," *Wacana Akademika: Majalah Ilmiah Kependidikan* 5, no. 1 (2021), p. 26–33.

³ Lilis Madyawati, et. al., "Urgensi Nilai Agama Pada Moral Anak Di Era Society 5.0," *Al-Hikmah: Jurnal Agama Dan Ilmu Pengetahuan* 18, no. 2 (2021), p. 132–43. Leli Patimah and Yusuf Tri Herlambang, "Menanggulangi Dekadensi Moral Generasi Z Akibat Media Sosial Melalui Pendekatan Living Values Education (LVE)," *Pembelajar: Jurnal Ilmu Pendidikan, Keguruan, Dan Pembelajaran* 5, no. 2 (2021), p. 150–58.

⁴ Pieter Sahertian and Yulius Rustan Effend, "Investigating the Principal Transformational Leadership Strategy in Implementing Character Education at the Senior High School Level (SMA) in Indonesia," *Pegem Journal of Education and Instruction* 12, no. 3 (2022), p. 59–68

⁵ Musnar Indra Daulay et al., "The Religious Guidance Efforts to Prevent Student Moral Decadence," *Al-Ishlah: Jurnal Pendidikan* 13, no. 3 (2021), p. 3020–29.

⁶ Saulos Klaus Chilima, "Addressing Moral Decadence: Towards an Effective Compliance and Ethics Program," *Africa Journal of Management* 5, no. 1 (2019), p. 98–111.

⁷ Ibnu Mahmudi, "Urgensi Perilaku Keagamaan Pada Era Society 5.0," *Prosiding SNBK (Seminar Nasional Bimbingan Dan Konseling)* 3, no. 1 (2019), p. 8–17.

⁸ Tian Wahyudi, "Strategi Pendidikan Akhlak Bagi Generas Muda Di Era Disrupsi," *Jurnal Studi Pendidikan Islam* 3, no. 2 (2020), p. 141–61

⁹ Darsi and Halil Husairi, "Ta'zir Dalam Perspektif Fiqh Jinayat," *AL-QISTHU: Jurnal Kajian Ilmu-Ilmu Hukum* 16, no. 2 (2019), p. 60–64.

prepare them, as future educators in the era of Society 5.0, to become positive role models for their students. The practice of knowledge in behavior, as an expression of understanding, is also highly related to awareness since knowledge shapes behavior.¹⁰ This awareness also involves recognizing the importance of complying with rules and regulations. After acquiring knowledge, individuals are expected to understand that the law exists to protect human life and social order.¹¹ Accordingly, this study focuses on students' practice of *fiqh jināyah* knowledge as reflected in their behavior, especially in their observance of religious obligations and their compliance with applicable laws and institutional regulations.

To address the aforementioned issue, this study employed a mixed-methods approach, which combines quantitative and qualitative methods within a single study to obtain a more comprehensive and in-depth understanding of the research phenomenon.¹² The quantitative method utilized questionnaires, administered to a sample of 33 students from the Islamic Religious Education Program, Faculty of Tarbiyah and Teacher Training, UIN Alauddin Makassar. The sample size in this study represented 20% of the population. Additionally, the research instruments also consisted of a test and a documentation checklist. The instruments, i.e., the *fiqh jināyah* knowledge test and the questionnaire measuring the practice of *fiqh jināyah*, were also subjected to validity and reliability testing prior to their administration.

The results of the pilot testing of the *fiqh jināyah* practice questionnaire showed that 29 out of 53 statement items met the validity criteria. Reliability testing was then conducted only on these 29 valid items. The reliability analysis was carried out using SPSS version 25, and the results are presented in the following table.

Table 1: Reliability Test Results of the Fiqh Jināyah Practice Questionnaire

Reliability Statistics	
Cronbach's Alpha	N of Items
.880	29

¹⁰ Icek Ajzen et al., "Knowledge and the Prediction of Behavior: The Role of Information Accuracy in the Theory of Planned Behavior," *Basic and Applied Social Psychology* 33, no. 2 (2011), p. 101–17. Alias Masek, et al., "The Role of Knowledge, Emotion, and Intention in Influencing Students' Behaviors During COVID-19 Pandemic," *Article Reuse Guidelines* 12, no. 2 (2022), p. 1–13

¹¹ Elfrida Ratnawati Gultom, "Legal Compliance On The Road As The Effort To Overcome Jakarta's Traffic Congestion," *Jurnal Dinamika Hukum* 19, no. 3 (2019), p. 612–29. Indrati Rini, "Legal Compliance in the Process of Independent Learning Independent Campus," *East Asian Journal of Multidisciplinary Research (EAJMR)* 1, no. 9 (2022), p. 1817–24.

¹² John W Creswell, *Pengantar Penelitian Mixed Methods*, Yogyakarta: Pustaka Pelajar, 2017.

The reliability testing of the *fiqh jināyah* practice questionnaire showed a Cronbach's Alpha coefficient of 0.880, which means a high level of internal consistency and suggests that the instrument is stable and reliable for use in this study. The data collected were also analyzed using descriptive statistical techniques and qualitative analysis. On the other hand, the qualitative method was employed within the framework of Islamic law education and Islamic education. This method was used to understand perspectives and phenomena related to the research object under investigation.¹³ The qualitative analysis was applied to data obtained from interviews with informants, particularly experts in Islamic law and Islamic education, as well as from journal articles, books, media reports, and other relevant sources.

Students' Level of Awareness in Practicing Jināyah Knowledge at UIN Alauddin

This section describes the students' past behavior related to *jināyah* aspects that they may have engaged in. Based on the administered assessment, the findings present the average levels of students' experiences and knowledge regarding *jināyah*-related issues.

Table 2: Descriptive Statistics of Students' Jināyah Practice

Statistics	Value
Number of respondents	33
Minimum	92
Maximum	140
Mean	119.94
Standard Deviation	9.84

Table 2 indicates that the average score of students' practice of *jināyah*-related knowledge is 119.94, with a standard deviation of 9.84. To further clarify students' knowledge levels, the categorization is presented in the following table.

Table 3: Categorization of Students' Jināyah Practice

Category	Interval	Number	Percentage (%)
Very Low	$X \geq 40$	0	0
Low	$40 < X \leq 115$	11	33.33
Moderate	$115 < X \leq 145$	22	66.67
High	$145 < X \leq 175$	0	0
Very High	$175 < X$	0	0
Total		33	100

¹³ Sugiyono, *Metode Penelitian Kualitatif, Kuantitatif dan R & D*, Bandung: Alfabeta, 2013.

As shown in Table 3, students' practice of knowledge related to *jinayah* aspects falls into two categories: low and moderate. The low category includes 11 students (33.33%), while the moderate category includes 22 students (66.67%). The most frequent category is moderate, indicating that the majority of students demonstrate a moderate level of practice of *jinayah* knowledge. A comparison of these practice levels is illustrated in the following diagram.

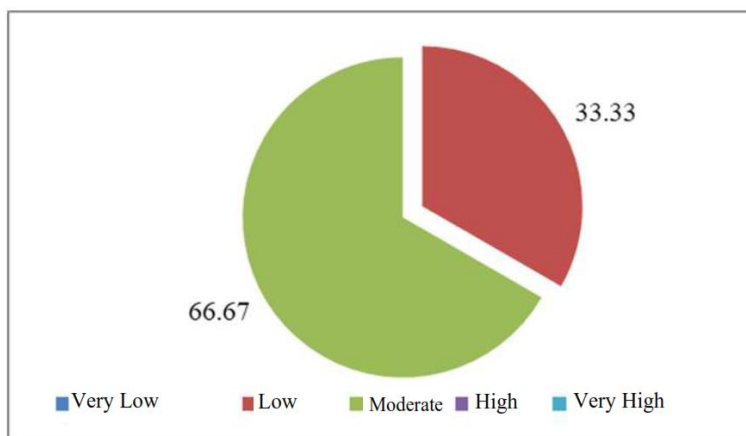


Figure 1. Comparison of Students' Practice of Knowledge on Jinayah Aspects

Furthermore, behaviors related to *jinayah* aspects are classified into three categories: *ta'zīr*, *qisās*, and *hudūd*. The findings of students' practice of knowledge in these categories are presented below.

1. *Ta'zīr*

Ta'zīr refers to criminal acts for which the sanctions are not explicitly determined by the Qur'an or Hadith, but are instead stipulated by the government or authorities. Such offenses include, for example, failing to carry out obligations, insulting others, defaming religion, giving false testimony, and bribery.¹⁴ Based on the administered test, the following findings present the average level of students' practice of *jinayah*-related knowledge in the *ta'zīr* category.

Table 4: Descriptive Statistics of Students' *Ta'zīr* Knowledge Practice

Statistics	Value
Number of respondents	33
Minimum	92
Maximum	135

¹⁴ Muhammad Mawardi Djalaluddin, et al., "The Implementation of Ta'zīr Punishment as an Educational Reinforcement in Islamic Law," *Samarah: Jurnal Hukum Keluarga dan Hukum Islam* 7, No. 1 (2023).

Mean	114.18
Standard Deviation	9.52

In addition, the distribution of students' practice of *jināyah*-related knowledge in the *ta'zīr* category is shown below, which illustrates the frequency and proportion of students across the identified levels of practice.

Table 5: Distribution of Students' Ta'zīr Knowledge Practice

Category	Interval	Frequency	Percentage (%)
Very Low	27–54	0	0
Low	55–72	0	0
Moderate	73–90	0	0
High	91–108	9	27.27
Very High	109–135	24	72.73
Total		33	100

Based on Table 5, it can be observed that 0% of students fall into the very low, low, and moderate categories. This indicates that none of the students demonstrate very low, low, or moderate levels of practice of *jināyah* knowledge in the *ta'zīr* category. In contrast, 27.27% of students fall into the high category, whereas 72.73% are in the very high category. In other words, 27.27% of students showcase a high level of practice of *jināyah* knowledge in the *ta'zīr* category and 72.73% demonstrate a very high level. Thus, it can be concluded that the students' level of practice of knowledge related to *jināyah* aspects is predominantly very high, accounting for 72.73% (24 out of 33 students). This also signifies that these students consistently exhibit behavior in accordance with *jināyah* provisions in the *ta'zīr* category.

Nevertheless, despite the very high level of practice of *jināyah* prohibitions, the interview findings reveal that some students do not consistently practice their *jināyah* knowledge due to factors such as laziness, the absence of law enforcement officers to apprehend them when violations occur, or the lack of sanctions imposed on perpetrators of *jināyah* offenses.

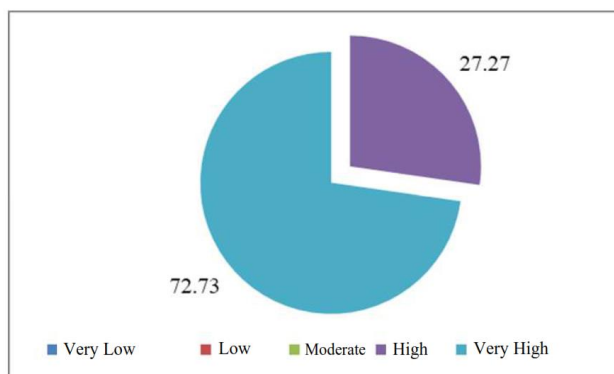


Figure 2. Comparison of Students' Ta'zir Knowledge Practice

2. Qiṣāṣ

Qiṣāṣ in Islamic law refers to the principle of equal retaliation imposed on perpetrators of criminal acts, particularly murder and physical injury, whereby the offender is punished in a manner equivalent to the harm committed. Based on the administered test, the following findings show the average level of students' practice of knowledge related to *jināyah* aspects in the *qiṣāṣ* category.

Table 6: Descriptive Statistics of Students' Qiṣāṣ Knowledge Practice

Statistics	Value
Number of respondents	33
Minimum	0
Maximum	5
Mean	4.24
Standard Deviation	1.79

As seen in Table 6, the average score of students' practice of *jināyah*-related knowledge in the *qiṣāṣ* category is 4.24, with a standard deviation of 1.79. Further, the distribution of students' practice of *jināyah*-related knowledge in the *qiṣāṣ* category is presented as follows.

Table 7: Distribution of Students' Qiṣāṣ Knowledge Practice

Category	Interval	Frequency	Percentage (%)
Very Low	0–1.25	5	15.15
Low	1.26–2.08	0	0
Moderate	2.09–2.91	0	0
High	2.92–3.75	0	0
Very High	3.76–5	28	84.85
Total		33	100

Table 7 depicts that 0% of students fall within the low, moderate, and high categories of *jinayah*-related knowledge practice in the *qisās* category. This suggests that none of the students demonstrate low, moderate, or high levels of practice of *jinayah* knowledge in the *qisās* category. In contrast, 15.15% of students are in the very low category and 84.85% are in the very high category. In other words, 15.15% of students showcase a very low level of *jinayah*-related knowledge practice in the *qisās* category, while 84.85% demonstrate a very high level.

Thus, it can be concluded that the level of students' practice of knowledge related to *jinayah* aspects in the *qisās* category is predominantly very high, accounting for 84.85% (28 out of 33 students). This also indicates that these students have highly engaged in behavior related to *jinayah* in the *qisās* category.

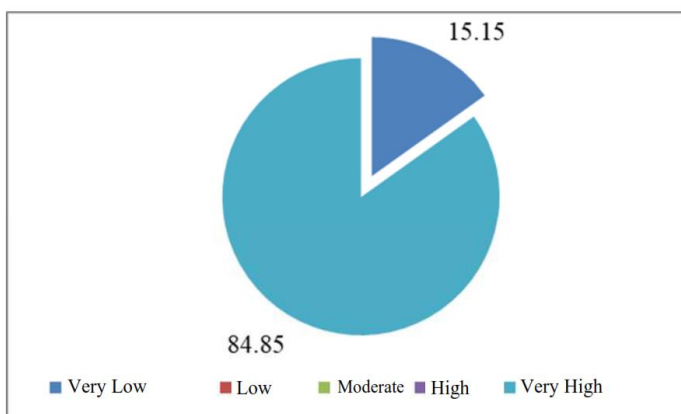


Figure 3. Comparison of Students' *Qisās* Knowledge Practice

3. *Hudūd*

Hudūd refers to types of punishments or sanctions imposed on perpetrators of criminal acts, such as amputation, imprisonment, execution, or other forms of punishment. Based on the test administered, the findings below present the students' practice of knowledge related to *jinayah* aspects in the *hudūd* category.

Table 8: Descriptive Statistics of Students' *Hudūd* Knowledge Practice

Statistics	Value
Number of respondents	33
Minimum	0
Maximum	15
Mean	1.51
Standard Deviation	3.13

Table 8 above shows that the average score of students' practice of *jināyah*-related knowledge in the *hudūd* category is 1.51, with a standard deviation of 3.13. Accordingly, the distribution of students' practice of knowledge related to *jināyah* aspects in the *hudūd* category is presented in the following table.

Table 9. Distribution of Students' Hudūd Knowledge Practice

Category	Interval	Frequency	Percentage (%)
Very Low	0–3.75	26	78.79
Low	3.76–6.25	4	12.12
Moderate	6.26–8.75	0	0
High	8.76–11.25	3	9.09
Very High	11.26–15	0	0
Total		33	100

Table 9 shows that 0% of students fall into the moderate and very high categories of *jināyah*-related knowledge practice in the *hudūd* category, which indicates that none of the students demonstrate moderate or very high levels of practice. Meanwhile, 78.79% of students fall within the very low category, 12.12% in the low category, and 9.09% in the high category. In other words, 78.79% of students demonstrate a very low level of practice of *jināyah* knowledge in the *hudūd* category, while 12.12% show a low level and 9.09% a high level.

Thus, it can be concluded that the level of students' practice of *jināyah*-related knowledge practice in the *hudūd* category is predominantly very low, accounting for 78.79% (26 out of 33 students). This implies that the students have rarely engaged in behavior related to *jināyah* in the *hudūd* category.

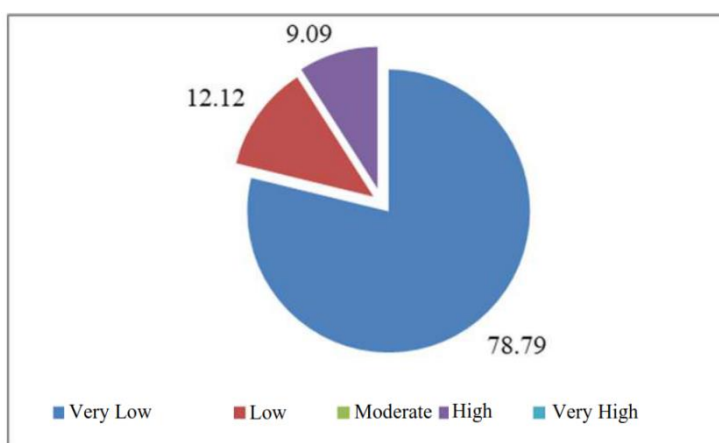


Figure 4. Comparison of Students' Hudūd Knowledge Practice

To complement the quantitative findings, qualitative insights were examined to better understand the factors influencing students' practices. Based on the interview results, the low level of students' practice of *jināyah* knowledge in the *hudūd* category has been associated with criminal acts that are relatively easy to commit and have become habitual in certain segments of society, which include consuming alcoholic beverages and accusing or spreading allegations of *zinā* (adultery). These acts are prevalent and easily carried out, particularly through social media. In contrast, students' practice of *jināyah* knowledge in the *ta'zīr* category is more dominant in terms of obedience to religious worship, compliance with campus regulations, and adherence to state laws, particularly traffic regulations.

In *fiqh*, the five daily prayers are regarded as a fundamental obligation for Muslims and, therefore, must not be neglected. The proper observance of prayer is believed to foster inner well-being and positively influence overall life satisfaction.¹⁵ According to Islamic law, performing the prayer yields spiritual reward (*pahala*), whereas neglecting it constitutes a sinful act.¹⁶ Thus, to ensure the observance of this obligation by every Muslim, those who deliberately neglect it may be subject to *ta'zīr* punishment.

On the other hand, accusing someone of committing *zinā* is considered a reprehensible act because it damages a person's reputation and undermines one's dignity and honor.¹⁷ The crime of defamation corresponds in meaning to the offense of *jarīmah qadhaf*, which, if it does not meet the requirements for *hudūd* punishment, is subject to *ta'zīr* sanctions.¹⁸ In Islamic law, when an act of *zinā* occurs but is not supported by the testimony of four witnesses or remains doubtful, individuals are advised to remain silent and not disclose it to others.¹⁹ Although this differs from state law, similar principles are also embodied in the Indonesian Criminal Code (KUHP) to protect and respect human dignity by preventing acts of humiliation and slander.²⁰

¹⁵ M Ashraf Al Haq et al., "Islamic Prayer, Spirituality, and Productivity: An Exploratory," *Al-Iqtishad: Jurnal Ilmu Ekonomi Syariah (Journal of Islamic Economics)* 8, no. 2 (2016), p. 271–86.

¹⁶ Riri Safitri, "God's Punishment for Those Who Leave Prayer (Content Analysis of Nazam Tarikus-Salat in the Book of Aqidah Iman)," *JIHM: Journal of Islamic History and Manuscript* 1, no. 1 (2022), p. 69–90.

¹⁷ Budi Kisworo, "Tuduhan Berzina (Qazfu Al-Zina) Dalam Kajian Teologis Dan Sosiologis," *Al-Istinbath: Jurnal Hukum Islam* 5, no. 1 (2020), p. 105–24.

¹⁸ Erha Saufan, "Jarimah Qadhaf Dalam Sistem Pidanaan Islam," *LENTERA: Indonesian Journal of Multidisciplinary Islamic Studies* 2, no. 2 (2020), p. 165–74.

¹⁹ Salma and Jarudin, "Perempuan Dalam Lingkaran Tuduhan Berzina Di Media Online," *Kafa'ah Journal of Gender Studies* 8, no. 1 (2018), p. 39–51.

²⁰ Sudarti and Ainun Najib, "Punishment of Criminal Act of Accusing Adultery (Qadzaf) in Indonesiaan Positive Law: Perspective of Maqasiq Al-Sharia," *Justicia Islamica: Jurnal Kajian Hukum Dan Sosial* 18, no. 2 (2021), p. 261–80.

Indonesia, as a country with a Muslim-majority population that upholds honor in all aspects of life, should refrain from acts of adultery. Nevertheless, *zinā* may occur due to moral decline,²¹ highlighting the need to cultivate moral character in individuals through religious knowledge. The government also seeks to reduce *zinā* by stipulating criminal sanctions for its perpetrators.²²

Islamic law also considers violations of traffic rules as offenses, and may be subject to *ta'zīr* punishment. Violations of traffic regulations may occur when operating motor vehicles, public transportation, or even by pedestrians, which potentially leads to traffic accidents.²³ In this case, public knowledge is thus essential in fostering awareness and compliance with traffic regulations, including through socialization and educational activities related to traffic laws.²⁴

Further, a crime which is classified as a *ḥadd* offense in Islamic law is theft, for which amputation of the hand is prescribed as the maximum sanction.²⁵ Theft is an act that can cause harm to society and therefore requires appropriate countermeasures to create a deterrent effect.²⁶ However, if the legal requirements for imposing *ḥadd* punishment, i.e., amputation, are not fulfilled, *ta'zīr* punishment may be applied. In state law, theft is likewise regulated according to the nature and severity of the offense committed. The existence of such sanctions is intended to prevent offenders from repeating their crimes, thereby fostering safety and comfort within society.²⁷ Similarly, other criminal acts, such as drug abuse, which increased by 1.95% in 2021,²⁸ may also be subject to *ta'zīr* punishment. In addition to the imposition of sanctions, the cultivation of moral character through religious knowledge is necessary in order to reduce cases of legal violations. Religious knowledge is therefore essential to safeguard

²¹ Moh. Soleh and Nabilah Rohmah Trismianti, "Adultery Outside of Marriage Regulated in the KUHP," *Budapest International Research and Critics Institute-Journal (BIRCI-Journal)* 4, no. 4 (2021), p. 9332–41.

²² Anis Widyawati, "Criminal Policy of Adultery in Indonesia," *JILS (Journal of Indonesian Legal Studies)* 5, no. 1 (2020), p. 171–86.

²³ Rahayu Nurfauziah and Hetty Krisnani, "Perilaku Pelanggaran Lalu Lintas Oleh Remaja Ditinjau Dari Perspektif Konstruksi Sosial," *Jurnal Kolaborasi Resolusi Konflik* 3, no. 1 (2021), p. 75–85.

²⁴ I Gede Krisna, I Nyoman Gede Sugiarta, and I Nyoman Subamiya, "Tindak Pidana Pelanggaran Lalu Lintas Dan Upaya Penanggulangan Pada Masa Pandemi Covid-19," *Jurnal Konstruksi Hukum* 2, no. 2 (2021), p. 338–43.

²⁵ Mardani, "Sanksi Potong Tangan Bagi Pelaku Tindak Pidana Pencurian Dalam Perspektif Hukum Islam," *Jurnal Hukum* 15, no. 2 (2008), p. 239–59.

²⁶ Zulfiani Ayu Astutik et al., "Theft under Islamic and Indonesian Criminal Law," *ICLR: Indonesia Comparative Law Review* 5, no. 1 (2022), p. 23–30

²⁷ Ahmad Syarif Abdillah, "Hukuman Bagi Pelaku Tindak Pidana Pencurian Dengan Kekerasan," *Al-Jinayah: Jurnal Hukum Pidana Islam* 1, no. 2 (2015), p. 281–307

²⁸ Biro Humas and Protokol BNN, "Press Release Akhir Tahun 2021" (Jakarta: Badan Narkotika Nasional, 2021), <https://perpustakaan.bnn.go.id/id/press-release-akhir-tahun-2021>.

individuals from immoral behavior and legal transgressions, thereby contributing to the creation of a safe, orderly, and peaceful society.²⁹

Awareness and Practice: Perspectives of Islamic Law and Islamic Education

Law, as one of the norms governing interpersonal relations, functions as a guideline or standard that regulates and restricts individuals' behavior, particularly in matters concerning social interaction. Every society, from the simplest to the most modern, possesses a legal system that serves as a guide or reference for collective life. In practice, law does not function solely as a mechanism of social control but also as an instrument of social engineering. Consequently, the effectiveness of law can be assessed both from its role as a means of social control and from its function as a tool for facilitating social change.³⁰

Legal knowledge plays an important role in enhancing an individual's legal awareness; however, more relevant and applicable approaches need to be implemented to address existing disparities. A study comparing students in urban and rural areas found that students' legal awareness in urban regions tends to be higher than that of students in rural areas. In urban settings, students have better access to education and legal information through school curricula and more structured legal outreach programs, which help improve discipline and compliance with the law. In contrast, in rural areas, limited access to legal education and the lack of structured outreach programs result in a more restricted understanding of the law among students. Nevertheless, legal outreach in rural areas has significant potential to enhance students' legal awareness, particularly when conducted continuously and in accordance with the local context.³¹ The effectiveness of law may refer to its ability to create or bring about conditions or situations as intended or expected by the law itself. Within the context of Indonesia, Soerjono Soekanto describes three fundamental aspects of factors influencing legal effectiveness, as follows:³²

1. Legal Structure

The legal structure, or law enforcement apparatus, includes law enforcement officers (e.g., police, prosecutors, judges, and advocates) as well as judicial institutions responsible for implementing and overseeing the application

²⁹ Rishan et al., "Forms of Moral Decadence in Students in Higher Education."

³⁰ Winarno Yudho and Heri Tjandrasari, "Efektivitas Hukum Dalam Masyarakat," *Jurnal Hukum & Pembangunan* 17, No. 1 (2017), p. 57.

³¹ Rahmad Rafid, et al., "Peran Pendidikan Hukum dalam Membangun Kesadaran Hukum Masyarakat: Studi Kualitatif pada Siswa Sekolah di Wilayah Perkotaan dan Pedesaan," *Jurnal Pengabdian Masyarakat dan Riset Pendidikan* 3, No. 4 (2025), p. 561-570

³² Soerjono Soekanto, *Faktor-faktor Yang Mempengaruhi Penegakan Hukum*, Jakarta: Rajawali Pers, 2004.

of the law. The effectiveness of law is highly dependent on the integrity, professionalism, and facilities available to these law enforcement actors. Judges and law enforcement officers play a key role in the implementation of legal norms and statutes. The success of a legal system can be observed in the extent to which judges are able to interpret, examine, and apply legal rules in their decisions. In this regard, legal effectiveness also depends on the extent to which judges and other law enforcement officers, such as police and prosecutors, act fairly and in accordance with statutory provisions.³³

2. Legal Substance

Legal substance, or legal norms, refers to the content of statutory regulations themselves. A law will be effective if it is formulated in accordance with societal needs, is clear, non-overlapping, and enforceable. The essence of legislation serves as a fundamental guideline in legal decision-making. Laws and regulations constitute the primary consideration in adjudicating cases so that the essence of the law truly reflects justice. As laws form the substance or foundation for the implementation of legal rules, they represent one of the most crucial elements in law enforcement.³⁴

3. Legal Culture

Legal culture, or public legal awareness, relates to the values, attitudes, awareness, and behavior of society toward the law. The level of public compliance and participation in obeying and supporting law enforcement greatly determines overall legal effectiveness. Societal factors are essentially influenced by the background of the community in which the law operates and by the extent to which society responds positively or negatively to the law. This principle is closely related to the extent to which the customs and traditions of a particular community encourage or hinder the application of law. Cultural factors in legal effectiveness are also closely aligned with community group factors. Culture constitutes one of the most important elements within a society, as certain cultural practices may be considered normal and acceptable even when they conflict with legal rules.³⁵

Strong legal awareness will guide society toward a more orderly and structured life and foster compliance with applicable laws. Character education is therefore necessary to enable individuals to align themselves with prevailing

³³ Muhammad Rifky Yusuf, "Efektivitas Hukum terhadap Pemberlakuan PERMA. p. 409-418.

³⁴ Muhammad Rifky Yusuf, "Efektivitas Hukum terhadap Pemberlakuan PERMA. p. 409-418.

³⁵ Muhammad Rifky Yusuf, "Efektivitas Hukum terhadap Pemberlakuan PERMA, p. 409-418 M. Tahir Maloko, et.al., "Sompa Tanah in Makassar Bugis Customary Marriages: Legal, Religious, and Cultural Perspectives," *Jurnal Ilmiah Peuradeun* 12, No. 3 (2024).

norms and legal standards. In addition, character education has a positive impact on public morality. To realize a law-aware society, legal outreach and education programs can be conducted with the aim of shaping citizens who obey the law and respect the human rights of others. Consequently, character education for the community is essential to ensure that the law can be effectively implemented and realized in practice.³⁶

In this regard, the level of effectiveness of law enforcement in relation to legal awareness in higher education institutions, particularly among students, can be asserted as follows: the higher the level of students' legal awareness, the more effective the implementation of law becomes. Once again, these two key concepts do not exist in a theoretical vacuum. Role models and practical examples set by law enforcement officers, parents, and lecturers also play a crucial role in shaping students' attitudes and behavior in developing legal awareness. Although students may have acquired substantial legal knowledge, theory and practice must be integrated rather than remain disconnected.³⁷

Students' legal knowledge should ideally relate directly to their legal awareness because the better students understand legal rules, rights, and obligations, the more aware they are and the more likely they are to comply with the law. Moreover, legal knowledge also helps students to develop critical thinking, encourage respect for rules, and improve the ability to identify the difference between legal and illegal actions. This, in turn, promotes compliance based on understanding, not just fear of punishment. However, in practice, this is not always the case. There are also examples when people with a high degree of legal knowledge still exhibit a lack of legal awareness. When law enforcement or public figures break the law without facing fair consequences, it can lead to a lack of trust in the legal system. As a result, even people who understand the law might feel less inclined to adhere to it, since they view the law being applied unfairly. In these situations, students, even if they know the rules, might also become indifferent or unwilling to conform to them.³⁸

The effectiveness of law enforcement is largely determined by the level of legal awareness within society, including students as intellectuals and agents of social change. Law becomes effective when it is understood, socially accepted, and voluntarily observed. When legal awareness is high, the law functions as a guide for behavior, enforcement does not rely solely on sanctions, and the social and coercive costs of law enforcement are reduced. Conversely, when legal awareness is low, the law remains merely a normative text, enforcement depends on coercion, resistance and repeated violations emerge, and trust in legal

³⁶Putri Alika and Ino S Rawita, "Membangun Kesadaran Hukum Melalui Pendidikan Karakter dan Penyuluhan dalam Pemulihan Pasca Pandemi," *Lajour (Law Journal)* 3, No. 2 (2022), p. 43-51.

³⁷Interview with Irfan Idris, Professor of Islamic Law, UIN Alauddin Makassar, 2025.

³⁸Interview with Hilal, Professor of Islamic Law, UIN Alauddin Makassar, 2025.

institutions declines. Thus, the effectiveness of law is not solely a matter of well-formulated regulations, but more importantly, of how the law is understood, internalized, and practiced by society.³⁹

From the perspective of Islamic education, the knowledge acquired by students through academic processes becomes the primary foundation for understanding their rights and obligations, both as members of the academic community and as citizens. This foundation is further strengthened through non-academic processes, such as participation in student organizations at the program, faculty, university, and extra-campus levels. At the non-academic level, these activities function as a laboratory in which students integrate academic knowledge with non-academic experiences. The integration of these two forms of knowledge has implications for students' attitudes, behavior, and legal awareness in complying with the law, both in academic contexts, e.g., adherence to plagiarism regulations and respect for Intellectual Property Rights (IPR) in the production of scholarly work, and in broader social life. Students with strong legal awareness contribute positively to the creation of social order and justice, the formation of integrity-based character, increased public participation, policy oversight, and the prevention of legal violations on campus and in society.⁴⁰

The relationship between students' knowledge and legal awareness is causal and linear in nature, yet complex. Simply put, knowledge serves as the foundation, while awareness is the result of the internalization of that knowledge. This relationship can be explained as follows: a) *Legal Knowledge as a Foundation*, since legal knowledge refers to students' cognitive understanding of applicable rules, norms, and sanctions. For students, such knowledge is obtained not only through formal education but also through digital literacy and social activities; b) *Understanding of Rights and Obligations*, that is, students who possess legal knowledge understand their rights and obligations as citizens. The ability to identify violations also depends on legal knowledge; without it, individuals may not realize that certain actions, such as plagiarism or the dissemination of hoaxes, constitute legal violations; and c) *The Transformation Process into Legal Awareness*, that is, knowledge does not automatically translate into awareness. Legal awareness is a condition in which students not only know the rules but also feel morally bound to comply with them voluntarily.⁴¹

At present, the implementation of law in Indonesia formally encompasses all aspects of social life; however, it has not yet operated effectively. This is evident from the high incidence of criminal acts in society and frequent violations

³⁹Interview with Abdur Rauf Amin, Professor of Islamic Law, UIN Alauddin Makassar, 2025.

⁴⁰ Interview with Syahrudin Usman, Professor of Islamic Education, UIN Alauddin Makassar, 2025.

⁴¹Interview with Marjuni, Professor of Islamic Education, UIN Alauddin Makassar, 2025.

of regulations, such as traffic rules, which are encountered almost daily. This situation is largely due to the low level of legal awareness within society, including among students. Such low awareness may result from weak supervision in the enforcement of regulations, relatively mild sanctions that allow room for negotiation, or unequal law enforcement. In some judicial decisions, the law appears to be applied more strictly to ordinary citizens, while becoming less effective when dealing with officials or individuals with power and wealth. All of these factors contribute to the erosion of legal awareness and compliance within society.⁴²

From the perspective of Islamic education, the sanctions applied within the framework of Islamic law have fulfilled the objectives of educational punishment, that is, creating a deterrent effect for the offender and a preventive effect for others. Therefore, legal certainty is not the primary objective in determining and implementing punishment in Islamic law; rather, the main aim is to improve the intellectual and moral quality of learners. This finding has important implications for educational innovation, particularly in highlighting the role of educators as moral exemplars (*uswah hasanah*) for students within educational institutions.⁴³ Accordingly, Islamic education emphasizes the application of various pedagogical methods that encourage learners to participate in the educational process voluntarily and joyfully, rather than out of coercion or fear of punishment.⁴⁴

Conclusion

This study examines the extent to which students practice their *jinayah* knowledge and finds that the overall level falls within the moderate category. This suggests that students have applied their *jinayah* knowledge to a reasonable degree in their daily lives. Most students demonstrate a moderate level of practice, while the remainder exhibit a high level. Further, the effectiveness of law enforcement depends on legal norms, legal structures, and legal awareness. However, in this context, legal awareness emerges as the most crucial aspect, as students with strong legal awareness are able to behave appropriately without engaging in actions that contradict or violate the law. Therefore, within the

⁴²Interview with Andi Achruh, Professor of Islamic Education, UIN Alauddin Makassar, 2025.

⁴³Mochamad Nasichin Al Muiz and Imam Machali, "Enhancing Religiosity and Building a Religious Culture: The Role of Ma'had al-Jāmi'ah at the Universitas Islam Negeri Sayyid Ali Rahmatullah Tulungagung." *Jurnal Pendidikan Islam* 12, No. 2 (2023), p. 265–277.

⁴⁴Muljono Damopolii, et. al., "The Phenomenon of Punishment at Pesantren in South Sulawesi: An Islamic Law and Islamic Education Approaches," *Samarah: Jurnal Hukum Keluarga dan Hukum Islam* 7, No. 3 (2023). Kurniawan Arizona, et al., "Integrating Islamic Values and Local Wisdom into Science Education: Enhancing Character Development in Higher Education" *Ulumuna: Journal of Islamic Studies* 29, No. 1 (2025).

framework of Islamic law, public legal awareness is a key determinant of whether the law operates effectively, while in the context of Islamic education, an individual's knowledge has a significant influence on the development of legal awareness. Future studies are encouraged to explore additional factors that may influence students' behavior and to examine their tendencies toward violations of Islamic law.

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Interviews

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