



## The Concept of Bughat as a Political Crime in Islam

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<b>Article History</b> Received: 2026-01-02 Revised: 2026-01-12 Published: 2026-01-30  <b>Keywords:</b> <i>Bughat; Islamic Political Law; Political Stability</i>	This paper examines the concept of <i>bughat</i> as a form of political crime within Islamic law and its relevance to contemporary governance. The study is motivated by the enduring concern of Islamic jurisprudence for political stability, public security, and communal unity, particularly in responding to acts of rebellion against legitimate authority. Employing a normative legal research method, the study analyzes classical fiqh literature, Qur'anic verses, Prophetic traditions, and contemporary Islamic legal scholarship. The research stages include doctrinal analysis, contextual interpretation, and comparison between classical and modern perspectives. The findings demonstrate that <i>bughat</i> is not limited to armed rebellion but encompasses organized actions aimed at undermining legitimate authority and social order. The discussion highlights the legal, social, and political implications of <i>bughat</i> , emphasizing proportional enforcement, restorative justice, and the protection of public welfare ( <i>maṣlaḥah</i> ). Ultimately, the study concludes that the concept of <i>bughat</i> remains relevant as an ethical-juridical framework for maintaining political stability, preventing radicalism, and supporting just and democratic governance in modern contexts.

### I. INTRODUCTION

Throughout the historical development of Islamic governance, political stability and the unity of the Muslim community have consistently been central concerns for both religious scholars and ruling authorities. Efforts to preserve political order and national security gave rise to various legal concepts functioning as instruments of social control, one of which is the concept of *bughat*. Linguistically, *bughat* is the plural form of *bāghī*, referring to individuals or groups who openly resist a legitimate governing authority (Maulana, 2015). Within the framework of Islamic jurisprudence, *bughat* is classified as a politically charged criminal offense, as its consequences extend beyond individual interests to potentially disrupt social equilibrium, undermine governmental stability, and weaken the economic structure of society. Such acts of rebellion are typically carried out by organized groups or specific actors who reject the legitimacy of leadership

established through consultative mechanisms (*shūrā*) or recognized authority, whether grounded in Islamic law or the prevailing legal system.

A review of the long trajectory of Islamic political history reveals that religious scholars and governing elites have consistently emphasized the consolidation of power structures and the preservation of communal unity. The imperative to maintain political order and ensure state security generated various legal constructs serving as mechanisms of social regulation, among which *bughat* occupies a prominent position. From a linguistic standpoint, *bughat* denotes the plural of *bāghī*, describing individuals or groups that openly challenge lawful governmental authority. In Islamic legal doctrine, *bughat* is positioned as a form of *jarīmah* with political dimensions, as its impact transcends personal harm and extends to disrupting social harmony, weakening governmental stability, and potentially damaging the

overall economic order of society. Such acts of defiance are generally initiated by certain groups or actors who deny the legitimacy of authority established through consultative processes (*shūrā*) or through authority recognized as lawful under Islamic principles or the applicable positive legal framework (Fawaid et al., 2023).

In contemporary contexts, the concept of *bughat* is frequently associated with various manifestations of political crime, including violent attempts to seize power, separatist movements, and radical activities that threaten state unity and sovereignty. This correlation underscores the continuing relevance of classical Islamic legal norms in modern contexts, particularly as threats to political stability and public safety no longer manifest solely through physical confrontation but also through latent political strategies, the dissemination of provocative narratives, and the propagation of destructive ideologies capable of eroding social solidarity. Recent developments demonstrate that Islamic legal systems possess sufficient flexibility to be reinterpreted and contextualized in response to contemporary political crimes, notably through reinforcing the principle of *maṣlaḥah* which prioritizes the public interest and applying the doctrine of *dar' al-mafāsid*, which emphasizes preventing potential harm (Walikhshan et al., 2024).

The concept of *bughat* is not merely legal in nature but also deeply embedded with ethical and moral dimensions. From an Islamic perspective, resistance against legitimate leadership is regarded as a grave sin when undertaken without justification recognized by Islamic law, such as systemic injustice or the denial of fundamental societal rights. The Qur'an and the Prophetic traditions firmly stress the importance of maintaining governmental stability while simultaneously upholding justice as the primary foundation of political legitimacy. Consequently, *bughat* cannot be reduced to a mere violation of formal legal provisions; rather, it must be understood as a serious deviation from moral values, social order, and political ethics that underpin the formation and continuity of Islamic civilization (Maulana, 2015).

Furthermore, the imposition of sanctions on perpetrators of *bughat* requires careful assessment of the factual context and the level of threat posed. Classical Islamic jurists emphasize that punishment for acts of rebellion must be formulated proportionally and grounded in the principle of justice, so that law enforcement does not generate new forms of injustice that could further disrupt social harmony. This perspective illustrates that Islamic law does not focus solely on punitive measures but also accommodates preventive approaches and social reintegration strategies, thereby minimizing destructive political behavior without neglecting the core values of substantive justice.

Based on the foregoing discussion, understanding *bughat* as a form of political crime within the corpus of Islamic law offers a comprehensive conceptual framework that integrates legal norms, governance structures, and ethical values. This understanding is particularly significant in contemporary contexts, as it provides a theoretical foundation for addressing issues of political security, internal instability, and the rise of radicalism that threaten state resilience and communal cohesion. Historical and juridical analyses of the doctrine of *bughat* in Islamic tradition also create opportunities for formulating more adaptive and contextual legal policies that not only prioritize the protection of public interests but also ensure the implementation of justice as a fundamental principle of Islamic teachings (Sa'i, 2024).

## **II. RESEARCH METHODS**

This study employs a normative approach as its primary methodological framework in analyzing the concept of *bughat* as a form of political crime from the perspective of Islamic jurisprudence (Suyanto, 2023). The normative approach emphasizes the examination of legal materials and library-based sources, including classical *fiqh* texts, the Qur'an, Prophetic traditions (*ḥadīth*), and the works of contemporary Muslim scholars, with the aim of identifying the normative foundations and essential principles governing resistance against legitimate governmental authority. In this research context, the analysis

focuses on doctrinal study, namely the exploration of Islamic legal rules governing *bughat*, including the regulation of sanctions, the philosophical rationale underlying their formulation, and the ethical and social implications arising from such acts.

The application of a normative approach enables the researcher to assess the relevance, argumentative strength, and interconnection between classical Islamic legal provisions and modern political realities, thereby producing a systematic understanding grounded in established Islamic legal theory. Additionally, this approach serves as a tool for conducting comparative analysis between classical legal heritage and contemporary thought, aiming to trace the evolution of the concept of *bughat* from historical perspectives to modern contexts. This method integrates textual analysis, examination of Islamic jurisprudential documents, and literature review addressing issues such as insurgency, governmental stability, and the protection of state sovereignty.

Accordingly, this research is not limited to normative exposition alone but also explores the philosophical values underlying Islamic law, the application of the *maṣlaḥah* principle as an orientation toward public welfare, and law enforcement mechanisms relevant to contemporary conditions. Through this methodological framework, the study emphasizes that *bughat* is not merely a political violation but a criminal act imbued with profound ethical content and complex social implications, thereby producing an analysis that is systematic, doctrinally grounded in Islamic law, and substantively relevant to contemporary political dynamics.

### **III. RESULTS AND DISCUSSION**

#### **A. The Concept of Bughat in Classical and Contemporary Islamic Literature**

Within the Islamic legal system, *bughat* is understood as a form of political crime associated with acts of resistance against legitimate governing authority, whether manifested through physical force or ideological opposition. Linguistically, the term *bughat* derives from

Arabic and is the plural form of *bāghī*, referring to individuals or groups who engage in defiance or rebellion against an authority endowed with legitimacy (Hilmi & Kharamah, 2025). In classical Islamic scholarly tradition, *bughat* is conceptualized as conduct that threatens state order and collective security, and is therefore regarded not merely as a serious moral-religious transgression but also as a grave political offense.

Prominent classical scholars such as Ibn Qudāmah, in *al-Mughnī*, and al-Nawawī, in *al-Majmū'*, explain that *bughat* encompasses a broad spectrum of actions, ranging from attempts to seize legitimate power and armed confrontation to destructive activities that result in social fragmentation and political instability (Maulana, 2015). These seminal works emphasize that such actions cannot be normatively justified without strong *sharī'ah*-based grounds, except in exceptional circumstances where rulers demonstrably and systematically deviate from Islamic legal principles. Consequently, any form of rebellion not rooted in *sharī'ah* principles remains unlawful, even when claimed to be motivated by the pursuit of justice.

In modern Islamic discourse, several Muslim scholars have sought to reconstruct the concept of *bughat* to maintain its relevance within contemporary political dynamics. Ahmad Syafii Maarif, for instance, asserts that *bughat* does not always manifest in the form of physical violence or armed conflict, but may also arise through subversive political activities, ideological infiltration, or manipulation of public discourse that potentially undermines state stability (Wafa, 2021). On this basis, *bughat* continues to be classified as a political crime, as its essence lies in efforts to dismantle legitimate governance structures and generate social imbalance.

Contemporary studies further emphasize the ethical and juridical dimensions of *bughat*. Wahbah al-Zuhaylī maintains that *bughat* constitutes behavior that contradicts the principles of Islamic law while simultaneously generating various forms of social harm (*fasād*) (Rohmah, 2019). Such harm may take the form of internal instability, institutional collapse, or communal division. This perspective affirms that *bughat*

should not be understood merely as a political violation, but rather as conduct that infringes upon moral values and social order, thereby necessitating comprehensive, proportional, and justice-based legal responses.

Moreover, recent discourse has revisited the significance of bughat in the context of modern civil resistance. M. Quraish Shihab highlights that contemporary expressions of bughat often appear in latent forms, such as the dissemination of political narratives that weaken governmental legitimacy, the spread of extremist ideologies, and destructive political strategies mediated through social media and digital platforms. This view demonstrates that although the modalities and instruments of bughat have evolved from the classical period, its essential nature remains unchanged namely, as a threat to political stability and a violation of the fundamental principles of Islamic law (Hilmi & Kharamah, 2025).

Based on the foregoing discussion, the understanding of bughat in both classical and contemporary Islamic thought reveals a fundamental continuity of meaning, namely as an act involving resistance against legitimate authority with the potential to disrupt state security and public order. The primary distinction lies in the contextual application, where modern discourse places greater emphasis on the relevance of bughat within contemporary governance, including the emergence of non-military forms capable of destabilizing social cohesion and governmental administration (Hutabarat & Ramadani, 2024). This conceptual framework is essential for synthesizing classical Islamic legal principles with modern political challenges, thereby enabling the formulation of comprehensive preventive and enforcement measures against bughat that remain firmly rooted in shari'ah values.

## **B. Forms of Bughat as Political Crimes from the Perspective of Islamic Law**

From the standpoint of Islamic jurisprudence, bughat is understood as an act of resistance or rebellion against legitimate governing authority (*ulī al-amr*) carried out through means that contravene shari'ah norms. Juristic consensus

affirms that bughat cannot be reduced to mere differences in political opinion or attitude, but constitutes concrete actions aimed at destabilizing the state and disrupting broader social order. Accordingly, bughat is classified as a political crime due to its direct threat to the continuity of governance and public safety (Fawaid et al., 2023).

In classical fiqh literature, the most dominant form of bughat is understood as armed resistance against legitimate governmental authority. Ibn Qudāmah explains that bughat arises when a group chooses military confrontation to oppose a legitimate imam or ruler with the objective of overthrowing authority or obstructing the implementation of state policies. Such conduct is regarded as a political crime of the highest severity, as it risks provoking chaos (*fitnah*), bloodshed, and fragmentation within the Muslim community. In this context, Islamic law grants the state authority to undertake repressive yet proportionate law enforcement measures to restore public order and safeguard territorial integrity (Syahputra, n.d.).

Similarly, classical jurisprudence recognizes armed rebellion against lawful leadership as the most prominent manifestation of bughat. Ibn Qudāmah asserts that bughat occurs when a group engages in military confrontation against an imam or ruler possessing legal legitimacy, with the aim of overthrowing power or impeding state governance (Walikhshan et al., 2024). Such acts are categorized as political crimes posing grave threats, as they may result in chaos (*fitnah*), bloodshed, and communal division. Accordingly, Islamic law authorizes the state to implement firm yet proportionate enforcement measures to restore public order and preserve national unity.

Beyond armed rebellion, Islamic jurisprudence also recognizes forms of bughat manifested through manipulative and subversive efforts to overthrow authority. In contemporary discourse, bughat is no longer confined to military resistance but extends to political sabotage, provocative mass mobilization, and the dissemination of propaganda intended to destabilize governance. Wahbah al-Zuhaylī emphasizes that any act conducted in a planned and systematic manner with the intent to undermine power structures

and incite social disorder may be classified as bughat, even in the absence of direct physical violence (Al-Zuhaily, 1984).

Another form of bughat is rebellion rooted in deviant theological interpretations. Throughout Islamic history, certain groups have employed religious arguments to legitimize resistance against lawful governments. Islamic jurists maintain that such actions remain categorized as bughat when carried out through violence or aimed at destabilizing the state, notwithstanding claims of shari'ah justification. This phenomenon underscores that ideological rationalization does not negate the criminal nature of bughat as a political offense.

In contemporary contexts, several Muslim scholars and thinkers regard cyber subversion and digital propaganda as modern manifestations of bughat. The dissemination of political disinformation, incitement to rebellion, and systematic efforts to delegitimize lawful governments through digital media are considered to have political impacts comparable to conventional rebellion. Accordingly, contemporary Islamic jurisprudence emphasizes that the essence of bughat lies not solely in the use of physical force, but in the perpetrator's intent and the resulting consequences for governmental stability and social order.

### **C. Legal and Social Implications of Bughat for Political Stability and Public Security under Islamic Law**

From the perspective of Islamic law, bughat is not understood merely as a violation of formal legal norms, but rather as conduct that carries serious consequences for governmental stability and broader social security. Such actions are classified as political crimes due to their capacity to generate disorder (*fit-nah*), disrupt the structure of state administration, and threaten public welfare in a comprehensive manner. Accordingly, Islamic jurisprudence regards the handling of bughat as a critical agenda that requires a comprehensive approach, integrating firm law enforcement, principles of justice, and the protection of public interests as its primary orientation (Sa'i, 2024).

From a legal standpoint, the implications of bughat are closely connected to the state's obligation to maintain public order and preserve the legitimacy of governmental structures. Islamic jurists generally agree that the state possesses *shar'i* authority to intervene against actors engaging in bughat when such actions have escalated into actual rebellion that endangers political stability. Ibn Qudāmah affirms that the use of force by the state is permissible insofar as it is exercised proportionally and aimed at preventing greater harm (Siregar, 2023). This principle reflects the Islamic legal view that political stability constitutes a component of the public interest (*maṣlaḥah 'ammah*) that must be safeguarded and protected.

Another legal implication lies in the existence of a distinctive law enforcement mechanism for bughat, which differentiates it from the handling of ordinary criminal offenses. In Islamic jurisprudence, perpetrators of bughat are not immediately treated as common criminals; rather, they are first afforded opportunities for reflection and reintegration through dialogue, guidance, and warnings before coercive measures are employed. This approach embodies the spirit of restorative justice within the Islamic legal tradition, wherein the primary objective of law enforcement is not merely retributive punishment but the restoration of social order and the reinforcement of communal unity (Walikhshan et al., 2024).

From a social perspective, bughat generates severe repercussions for collective security and public order. Acts of rebellion or resistance against legitimate governmental authority frequently culminate in intergroup conflict, bloodshed, and widespread fear within society. Al-Nawawī explains that one of the most critical dangers of bughat is the fragmentation of the Muslim community (*tafarruq al-ummah*), which undermines social solidarity and erodes guarantees of public security (Azra, 2006). Such conditions stand in direct contradiction to the fundamental objectives of Islamic law, particularly the protection of life (*ḥifẓ al-naḥs*) and the preservation of communal unity (*ḥifẓ al-ummah*) (Toriquddin, 2013).

In terms of political stability, bughat also exerts significant impact on state legitimacy and authority. Prolonged resistance movements may lead to the erosion of public trust in government, weaken state institutions, and create opportunities for external interference. Wahbah al-Zuhaylī emphasizes that, within the framework of Islamic law, political stability occupies a foundational position as a prerequisite for the effective enforcement of law and the realization of social justice. Consequently, bughat is understood as a serious threat to political order that necessitates firm yet proportionate responses grounded in principles of justice (Rohmah, 2019).

Additional social consequences of bughat are reflected in the disruption of economic activity, the education system, and the continuity of social interactions more broadly. Instability arising from such actions often results in weakened public services and the deterioration of social infrastructure. In Islamic jurisprudence analysis, such conditions are understood as manifestations of social corruption (*fasād fī al-arḍ*), which are explicitly prohibited due to their incompatibility with the principle of public welfare (*maṣlaḥah*) that underpins Islamic law. Therefore, efforts to prevent and address bughat cannot be viewed solely as a political agenda of the state, but rather as a fundamental necessity to preserve the sustainability and balance of social life.

#### **D. The Relevance of the Concept of Bughat in Modern Political Contexts and Contemporary Governance**

The evolution of modern state governance, characterized by the existence of nation-states, constitutional supremacy, and democratic practices, necessitates a re-examination of several classical Islamic legal constructs, including the concept of bughat. Although originating in the political realities of pre-modern Islamic governance, the doctrine of bughat remains relevant in contemporary contexts because its essence is closely linked to the preservation of legitimate authority and the *ضمان* of public security. Within this framework, bughat can no longer be narrowly understood as armed rebellion alone, but rather as any form of

organized and systematic collective action aimed at undermining governmental legitimacy and creating political instability outside legally sanctioned mechanisms (Dermawan & Harisudin, 2020).

In the context of modern state administration, the legitimacy of authority is no longer derived solely from the person of the ruler, but also from constitutional frameworks, positive law, and the principle of popular sovereignty. Consequently, the conceptual relevance of bughat lies in its core value: the prohibition of power transitions pursued through unconstitutional means that provoke chaos and violence. Ahmad Syafii Maarif emphasizes that Islam does not preclude political criticism or opposition, yet firmly rejects all forms of destructive resistance that threaten public order and national unity (Maulana, 2015). On this basis, bughat in contemporary political reality may be understood as unconstitutional actions that have the potential to undermine democratic foundations and the rule of law.

The application of the concept of bughat in modern governance is also reflected in preventive strategies aimed at mitigating political conflict and radicalization. The dissemination of extremist narratives, calls for rebellion, and anarchic mass mobilization that disregard legal mechanisms exhibit substantive similarities to the classical characteristics of bughat. Wahbah al-Zuhaylī underscores that Islamic law evaluates political actions based on their intent and consequences rather than their outward forms alone. Accordingly, contemporary states grounded in Islamic values possess legitimacy to develop juridical preventive and educational approaches to forestall the emergence of bughat in its modern configurations (Al-Zuhaily, 1989).

Furthermore, the relevance of the concept of bughat is evident in its role in delineating the boundary between legitimate political opposition and prohibited rebellion. From an Islamic perspective, differences of opinion and criticism of government are permissible so long as they are expressed through peaceful means and within the framework of applicable law. Azyumardi Azra asserts that this principle aligns with modern democratic values, which seek to maintain

political stability without suppressing freedom of expression (Yatim, 2010). Thus, the doctrine of *bughat* may function as an ethical-normative framework for regulating political dynamics in a manner that remains critical and participatory without de-volving into destructive actions against the state order (Matondang, 2022).

#### IV. CONCLUSION AND SUGGESTIONS

##### A. Conclusion

The concept of *bughat* in Islamic law demonstrates strong relevance both in classical contexts and within the dynamics of contemporary state governance. Substantively, *bughat* is not understood merely as armed rebellion against a ruler, but rather as any structured collective action aimed at undermining the legitimacy of lawful authority and generating socio-political instability outside the bounds of law. From social, political, and public welfare perspectives, *bughat* is regarded as a serious threat to collective security, social cohesion, and the sustainability of communal life. Therefore, the prohibition of *bughat* is consistent with the primary objectives of Islamic law (*maqāṣid al-sharīʿah*), particularly the protection of life, public order, and the unity of the Muslim community.

Within the modern political landscape characterized by nation-states, constitutionalism, and democratic governance, the concept of *bughat* can be reinterpreted as a normative framework for distinguishing between legitimate political opposition and destructive disobedience that threatens the rule of law. Islam provides broad space for criticism, dissent, and political participation, provided that such activities are conducted peacefully, legally, and responsibly. Accordingly, *bughat* is not intended to suppress freedom of expression, but rather to function as an ethical and juridical instrument to prevent violence, radicalization, and political conflict that undermine social order and democratic institutions. Preventive, educational, and justice-oriented approaches thus become essential in actualizing the concept of *bughat* so that it remains relevant and constructive in safeguarding stability and social justice in the modern era.

##### B. Suggestion

Based on the discussion, it is recommended that studies on *bughat* in Islamic law be further developed through an interdisciplinary approach that integrates *fiqh siyāsah*, modern constitutional law, as well as democratic and conflict resolution studies. This approach is essential to formulate a conceptual framework that is contextual, applicable, and responsive to contemporary political challenges without neglecting the principles of *maqāṣid al-sharīʿah*. In addition, strengthening both empirical and normative research on the distinction between legitimate political opposition and destructive actions that threaten public order is necessary, so that the concept of *bughat* can function as a constructive ethical-juridical framework for advancing fair, stable, and democratic governance.

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