



Adaptation Speed Gap and Epistemic Disconnect: Rethinking Fiqh al-Aqalliyyat in Muslim Minority Contexts

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Abstract: *This study examines the relationship between structural pressures, societal adaptation strategies, and normative responses in Islamic jurisprudence (Fiqh al-Aqalliyyat) in the context of Muslim minority communities. Using a qualitative approach through a Systematic Literature Review (SLR) guided by the PRISMA framework, the study analyzed 120 selected articles indexed in Scopus. The findings indicate that Muslim minority communities develop flexible, context-dependent, and responsive adaptation strategies to existing socio-cultural challenges. However, the normative development of Islamic jurisprudence (Fiqh al-Aqalliyyat) tends to be slower and remains largely doctrinal. The study identifies two key gaps: the speed of adaptation gap, which refers to the temporal mismatch between societal needs and normative responses, and the epistemic gap, which indicates the limited integration of empirical experience into the development of Islamic law. Based on these findings, the study proposes a conceptual model that explains the mismatch between social dynamics and normative frameworks. This study argues for a reorientation of Islamic jurisprudence toward a more proactive, context-sensitive, and empirically grounded approach. Theoretically, this research contributes by offering a new conceptual perspective that positions Muslim minority communities as active agents in shaping the development of Islamic legal thought.*

Keywords: *Muslim minorities; Fiqh al-Aqalliyyat; adaptation; epistemic disconnect; systematic literature review*

Introduction

The increasing size of Muslim minority populations in the secular West, such as Christian-majority nations, is attracting more and more academic research. It especially pays attention to the diversity of problems they grapple with in sustaining their religious identity amidst a complex socio-political environment. Research that covers disposition to understand the structural pressures Muslim minority groups are subject to, which includes discrimination in social life (Direnberger et al., 2022) and limited legal space of devout Muslims practicing their faith (Rehman & Hanley, 2023; Rodríguez-Reche & Cerchiaro, 2023). These conditions, of course, compel these communities into a constant negotiation: on the one hand, they seek to preserve their religious values, and on the other, they must begin operating within more mainstream societal norms as well.

Muslim minority communities have adapted to these pressures by developing a range of flexible but locally contingent adaptive strategies. Early research has found a number of these strategies, including strong community tie establishment among members and legal activism campaigns and media fronting on Muslim issues where they tend to be predominantly non-Muslim communities (Darieva, 2023; Janson, 2024; Wahb, 2023). These findings suggest that community-level adaptation processes are usually relatively dynamic and practical, responding to immediate needs as well as the everyday reality of their environment.

However, the empirical literature on community-level adaptation has largely neglected understanding how these dynamics interact with Islamic legal norms—especially Fiqh al-Aqalliyyat (Islamic jurisprudence for minorities). This framework has generally been seen as a flexible legal tool that adapts to the needs of minority Muslim communities. Nevertheless, recent studies suggest that the normative

responses elicited are primarily gradual and remain descriptive (Koenig, 2023; Wibowo et al., 2024). Which brings us to a key question: are the potential transformations within Fiqh al-Aqalliyat able, in actuality, to respond thoroughly to such social change so quickly?

The research asserts that there is an inherent disjoint between the more rapid pace of community adaptation and national statutory or common law movements that evolved to respond. This gap is abstracted into two dimensions. First, the adaptation speed gap—a temporal mismatch between real-world community needs on the ground and related normative guidance. Second, the epistemic gap means it involves a rather minimal (some would even argue infinitesimal) engagement of empirical experience of becoming an Islamically based society in its Islamic legal thought. Although both of them matter, they have been neglected in the literature.

This study follows a systematic literature review (SLR) method to explore the relationship between structural pressures, adaptation strategies by all levels of community actors, and normative responses within Islamic jurisprudence (Fiqh al-Aqalliyat) based on these gaps. In addition, this study aims to create a conceptual model that elucidates the discrepancies between social dynamics changing quickly and normative frameworks adapting slowly. In the end, this model is designed to spur Asian modern Islamic jurisprudence that moves away from a reactionary posture and toward an approach with evidence as its fulcrum i.e., something more empirical, contextualized in contemporary realities than simply what Islam prescribes. Thus, this research gives the work of contemporary Islamic law studies a new conceptual frame that is elastic enough to incorporate social aspects for moral and normative developments. This resonates especially within the worldview of minority Muslim communities.

Relevant Concepts and Theories

The research is grounded in a series of theories that provide important complementary perspectives on the ways social dynamics interact with normative legal structures; this depth and breadth are especially salient when considering Muslim minority communities.

Second, the foundation of all works they are based on Fiqh al-Aqalliyat, jurisprudence for minorities. As highlighted by Taha Jabir Al-Alwani (2010), Fiqh al-Aqalliyat is a contextualized legal framework type of Islamic approach that is created to meet the specific challenges faced by Muslims living as a minority within non-Muslim communities. The framework promotes flexibility and consideration of the public interest (maslahah) as well as context-sensitive references to diverse socio-political conditions.

In addition, this study draws on social adaptation theory to analyze how minority groups react towards structural forces. Based on Berry (1997), in terms of adaptation strategies, integration, assimilation, separation, and marginalization explain the alternative identities that one or more individuals move into, negotiating their identity towards fully embracing the dominant social context. This attitude explains the highly flexible and contextualized nature of many strategies we see among Muslim minorities.

Also, this research is based on socio-legal theory; it draws strongly from the idea of legal pluralism. Merry (1988) explains that law is not a single system but in fact coexists with other normative structures, such as social practices and informal rules of communities. This perspective is instrumental in understanding how they work both together and separately in dynamic interaction with respect to religious norms, everyday practices, or within minority communities.

Moreover, the research also tries to evaluate top-down and bottom-up approaches pertaining to norm development. Simply put, as highlighted by Ostrom (1990), effective institutions are often built on a foundation of local practices and informal rules that rise to complement formal legislation. This framework furthers the idea that community practices do not merely respond to normative developments; they propagate them.

This research thus combines these theoretical abilities to offer a strong conceptual underpinning for the evident schism between social adaptation responsiveness on the one hand and normative response retardation on the other. We extended this gap into a conceptual model presented in the current study.

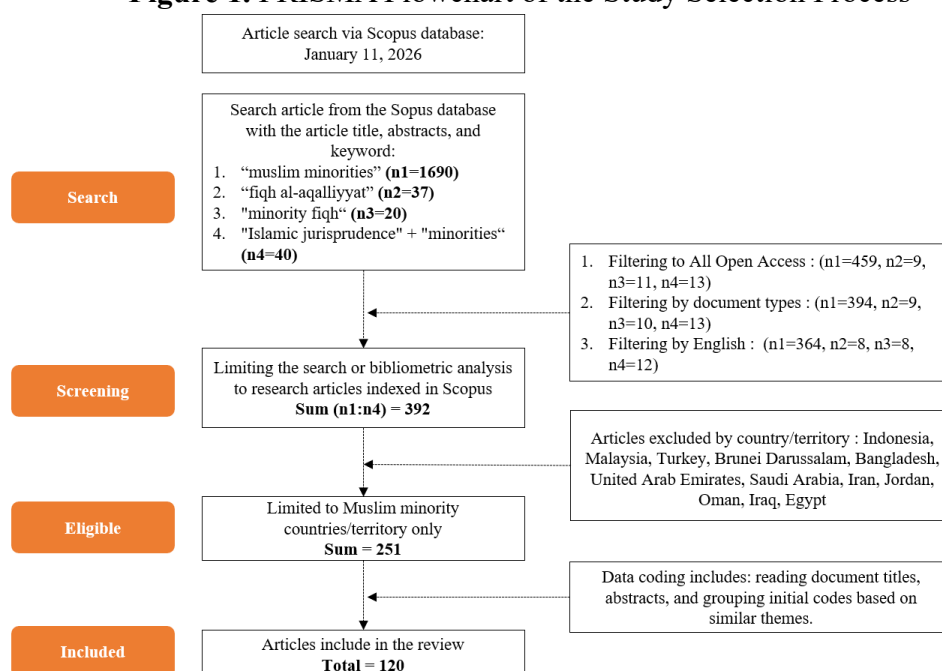
Implementation Method

The study applied a qualitative Systematic Literature Review (SLR), following the PRISMA guidelines. This approach allows for a systematic, transparent, and reproducible search, review, and analysis summary of the literature pertaining to subject matter regarding Muslim minority communities in non-Muslim majority states.

On January 11, 2026, we performed a literature search using the Scopus database, which was selected for this due to its large coverage of high-quality international journals and also permitting standardized screening through systematic review. METHODOLOGY—specifically the keywords Muslim minorities, fiqh al-aqalliyat, minority fiqh AND Islamic Fiqh. Title: abstract: +keywords. The initial number of documents found was 1,787.

The selection process followed the PRISMA steps: identification, screening, eligibility, and inclusion. Out of the total, 251 documents were extracted after filtering data by open access (open access), document type (article), and language (English). Then, through an abstract and full-text analysis based on geographic focus, we selected 120 documents. Figure 1 is a full flow of the study selection process, following PRISMA protocol.

Figure 1. PRISMA Flowchart of the Study Selection Process



First, we screened countries to reduce the overrepresentation of Muslim-majority settings in our sample but carried out final verification at the content level. Articles were reviewed for their methodological clarity, relevance to the research focus of study, and both empirical and conceptual contributions in relation to quality. Final synthesis was performed exclusively with high-quality studies.

A thematic synthesis approach was employed in three stages (i.e., coding, theme development, and interpretive synthesis) to analyze data. The synthesis resulted in three main themes: challenges associated with structure, appropriation strategies to adapt to the community, and Fiqh al-Aqalliyat's role, which later formed into a preliminary research conceptual model.

This study has several limitations: firstly, it is using a single database (Scopus); in addition, it is targeted only at English language and open access publications, so we omitted potentially relevant studies published in other languages or non-open-access journals. We excluded gray literature. However, an advantage of the systematic use of the PRISMA protocol is increasing transparency and accountability in the research process.

Results And Discussion

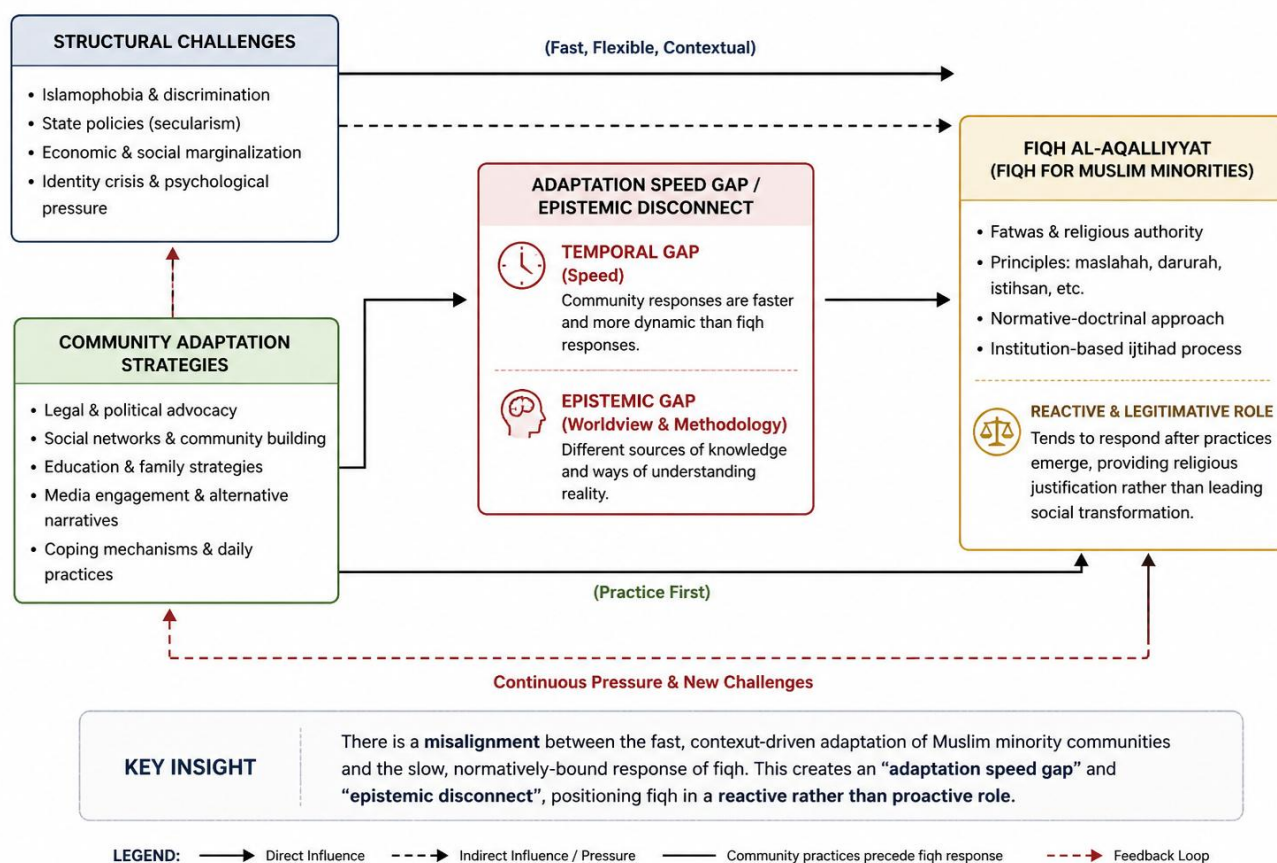
Structural Pressures and Adaptation Strategies of Muslim Minority Communities

A synthesis of various literature indicates that Muslim communities living as minorities face a complex set of structural pressures. These pressures range from discrimination in social interactions and policy restrictions on religious practice to economic marginalization and an identity crisis, all of which present real challenges (Direnberger et al., 2022; Rehman & Hanley, 2023; Rodríguez-Reche & Cerchiaro, 2023). In response to these limitations, these communities have developed a number of adaptive strategies that are flexible, context-dependent, and designed to meet their daily needs. These strategies include strengthening social ties within community networks, legal advocacy, utilizing the media, and innovations in worship and religious practices (Darieva, 2023; Janson, 2024; Wahb, 2023). However, field findings also show that normative responses derived from the Fiqh al-Aqalliyat framework tend to be slower and remain fixated on doctrinal approaches (Koenig, 2023; Wibowo et al., 2024).

Temporal and Epistemic Gap in Fiqh al-Aqalliyat

This imbalance between community dynamics and the normative construction of fiqh, upon closer examination, indicates a gap encompassing two dimensions: temporal and epistemic. At the temporal level, the community's adaptation strategies develop rapidly—as a direct response to the structural pressures they face daily. Conversely, the process of formulating fiqh requires a much longer time because it must go through authoritative mechanisms and standard methodological procedures. Meanwhile, from an epistemic perspective, a gap is evident between the community's empirical experience and the knowledge base used in developing fiqh. Actual social reality has not yet become the primary reference point when formulating legal provisions. This finding aligns with previous research showing a delay in normative responses to the social dynamics of minority Muslim communities (Koenig, 2023; Wibowo et al., 2024). To explain the relationship between structural pressures, community adaptation strategies, and normative responses in Islamic jurisprudence (Fiqh al-Aqalliyat), this study developed a conceptual model as shown in Figure 2.

Figure 2. Conceptual Model of Asynchrony between Community Adaptation and Islamic Jurisprudence Responses



The conceptual model above illustrates the systemic asynchronous relationship between the dynamics of community adaptation and the normative responses of Islamic jurisprudence (Fiqh al-Aqalliyat). The various structural challenges faced by Muslim minority groups typically trigger a complex, rapid, adaptive, and context-dependent set of coping mechanisms. However, the evolution of Islamic jurisprudence (Fiqh al-Aqalliyat) at this point is slower and more normative. The gap between the actual needs of communities on the ground and what can be provided through existing normative guidance creates what we call a "speed-of-adaptation gap."

Furthermore, this model also recognizes an epistemic gap. Essentially, this means that the construction of Islamic jurisprudence (fiqh) is not entirely derived from empirical experience conducted in real communities. Instead, it relies heavily on a normative but abstract rhetorical framework; a logical result of this phenomenon is that Islamic jurisprudence is often in a position to react.

These findings challenge the prevailing view in the literature that Fiqh al-Aqalliyat is a legal framework inherently dynamic to minority contexts (Borchgrevink & Birkvad, 2022), based on the gaps in fiqh outlined above. In fact, this research shows that, in terms of fiqh, it is often reactive—tending to justify religious practices already prevalent within a community. In other words, social practices generally

constitute a kind of "de facto *ijtihad* space" that forms before formal normative formulations emerge. This implies that the relationship between the community and *fiqh* is not entirely a top-down affair, but rather shaped by bottom-up processes that have largely not been accommodated, *per se*, in contemporary *fiqh* theoretical constructs.

From what we can conclude from these findings, *Fiqh al-Aqalliyat* has not truly served as a framework for influencing change for Muslims in ideal and normative terms. Instead, it tends to function as a legitimizing tool for progress that has spontaneously developed within communal religious practices. This means that *Fiqh al-Aqalliyat* does not drive change—rather, it exists as a way to rationalize what already exists within a religious pluralism seeking new meaning.

Reorienting Fiqh al-Aqalliyat: Moving Toward a Proactive and Dialectical Framework

These findings illustrate the need for a more radical conceptual reorientation within *Fiqh al-Aqalliyat*, given the constitutional limitations of the current approach and design. Understanding *fiqh* as a set of normative tools operating reactively in an isolated sphere is no longer sufficient. Instead, it must be built into a more contextual and proactive model positioned on the real-life experiences of society. In fact, the development of *fiqh al-aqalliyat* must now be radically reoriented. Such an approach requires further interaction between social analysis and Islamic legal thought, something recently argued in several broad studies calling for an interdisciplinary approach to contemporary Islamic law (Achmad et al., 2025; Mashduqi, 2025). Thus, *Fiqh* is expected to address not only individual problems but also the structural challenges of minority Muslim communities collectively. Ultimately, *fiqh* can serve as a tool for a new constitution in a society based on *fiqh*.

A further innovation of this project is creating conceptual space for the idea that smaller and minority Muslim communities can also be seen as active actors aiming to chart a path for the development of *fiqh*. New adaptive practices emerging at the community level are not only responsive to external pressures but can also be used as sources for contemporary *fiqh* that contribute to lawmaking. In this system, the relationship between norms and practices is inseparable: *fiqh* provides guidance for practice while also being redefined by the community's social experiences. This forms the basis for the development of a broader, more dynamic, and more independent *Fiqh al-Aqalliyat* (Islamic jurisprudence) to address the ongoing dynamics of international relations.

Based on the above, this research has two contributions. On the one hand, it provides an understanding of the dynamics shaping the lives of Muslims as a minority group. On the other hand (and equally important), it also provides a new conceptual framework. This framework is useful because it allows us to reframe *Fiqh al-Aqalliyat* not simply as a normative legal product but as a social tool for change that better serves the actual needs of society and remains aware of developments in the field, particularly in responding to the increasingly complex dynamics of globalization, pluralism, and social change.

Conclusion

This study demonstrates that the normative framework for contemporary *Fiqh al-Aqalliyat* is insufficient to properly understand the lives of Muslim minorities. These complex structural pressures compel communities to plan and implement adaptation strategies as a rapid and flexible process that will

unfold on the spot. However, fiqh responses are generally slower and based on doctrinal frameworks; this limits the practicality of externalizing these texts for communities.

These findings reveal a temporal and epistemic gap between grassroots social practices and normative fiqh constructs, which this study attributes to a speed-of-adaptation gap and an epistemic mismatch. The implication is that the legitimating role of Fiqh al-Aqalliyat typically takes a back seat and is reactive rather than a forward-looking and inspiring framework for social change.

In conclusion, this study reaffirms that the development of Fiqh al-Aqalliyat requires a conceptual shift. This has implications for Islamic jurisprudence (Fiqh), which must develop a social and contextual philosophical framework based on the real experiences of communities, linking fiqh with broader social approaches that can be facilitated through a more intimate or in-depth methodology within Islamic law. Therefore, fiqh becomes both a norm and an instrument of social change that coexists with the social issues faced by Muslim minorities.

This study theoretically offers a conceptual model explaining the time course of societal adaptation and normative responses to fiqh. This model frames Muslim minority communities as subjects, so that they are not merely passive recipients of advice but also active shapers and determiners of the path taken by fiqh in their social practices. Therefore, the relationship between the constitutive parts of norms and practices is understood dialectically; both influence each other. This conceptual model requires further refinement and testing through more detailed empirical examples to help validate its relevance in relation to contemporary Islamic legal studies.

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