Vol. 4, No. 3, September 2026, pp. 2893-2904
INTERNATIONAL JOURNAL OF
POST AXIAL
FUTURISTIC TEACHING AND LEARNING
https://journal.amorfati.id/index.php/postaxial | | ISSN 3025-7549

The Perspectives of Master of Law Students on the Principles of Justice and Maslahah in the Protection of the Constitutional Rights of Women and Children

Marisa Yuniarti[1a*], Robeet Thadi[2b], Moch. Iqbal[3c], Sirajuddin[4d]
[1234]Universitas Islam Negeri Fatmawati Sukarno Bengkulu
[a]marisa.yuniarti@gmail.com, robeet@mail.uinfasbengkulu.ac.id, moch_iqbal@mail.uinfasbengkulu.ac.id, sirajuddin@mail.uinfasbengkulu.ac.id

Article History:
Received:
09-07-2026
Revised:
13-08-2026
Accepted:
24-09-2026

Keywords:
Justice; Maslahah; Constitutional Rights; Women's Rights; Child Protection; Master of Law Students.

***Correspondence Address:**
marisa.yuniarti@gmail.com

Abstract:
This study examines Master of Law students' perspectives on the principles of justice and maslahah in protecting the constitutional rights of women and children at UIN Fatmawati Sukarno Bengkulu, Indonesia. The study addresses the relationship between Islamic legal principles, constitutional guarantees, and the practical protection of vulnerable groups within the Indonesian legal system. A qualitative field research approach is employed to explore students' interpretations of justice, public welfare, constitutional rights, and the integration of Islamic law with Indonesian positive law. Data are collected through semi-structured interviews and document analysis, then examined using thematic analysis to identify patterns of interpretation and legal reasoning. The analysis focuses on substantive justice, the application of maslahah, the state's responsibility to protect constitutional rights, and the challenges of reconciling Islamic legal interpretations with constitutional principles. The study is expected to contribute to Islamic legal studies and constitutional law by providing an empirical perspective on how postgraduate law students understand the relationship between religious values and rights protection. Its findings may also inform legal education by highlighting the importance of critical reasoning, constitutional awareness, and sensitivity to the needs of women and children. The study emphasizes that the integration of justice and maslahah should be evaluated in accordance with constitutional guarantees, applicable legislation, and the principles of human dignity and non-discrimination.

This is an open-access article under the CC–BY-SA license.

Introduction (مقدمة)

The protection of the constitutional rights of women and children is an essential component of a constitutional state that upholds justice, equality, and respect for human dignity. Constitutional rights encompass not only formal recognition within the constitution but also the state's obligation to ensure that every citizen receives effective legal protection. Women and children possess equal status as rights holders, although they may experience different forms of social, economic, cultural, and legal vulnerability. Unequal power relations, discrimination, violence, and limited access to justice can hinder the fulfillment of these rights. The perspective of social justice positions the protection of vulnerable groups as an important indicator for assessing the quality of institutions and public policies (Rawls, 1971; Sen, 2009).

The Indonesian Constitution provides a normative foundation for protecting women and children through the human rights guarantees enshrined in the 1945 Constitution of the Republic of Indonesia. Article 28B(2) specifically guarantees every child's right to survival, growth, and development, as well as protection from violence and discrimination. Article 28D(1) affirms the right of every person to recognition, guarantees, protection, fair legal certainty, and equal treatment before the law. Article 28G also establishes protection for personal security, family, honor, dignity, and freedom from threats that generate fear. These constitutional guarantees are reinforced by various statutory provisions, including Law No. 35 of 2014 amending the Child Protection Law and Law No. 12 of 2022 concerning Sexual Violence Crimes.

The existence of this legal framework demonstrates that the protection of women and children cannot be understood merely as a moral issue or a matter of social concern. Such protection constitutes a legal obligation requiring consistency among constitutional norms, legislation, public policies, and law enforcement practices. Challenges arise when the formal recognition of rights is not fully accompanied by access to justice, effective victim recovery mechanisms, and responsive law enforcement. These problems require critical examination of how laws are formulated, interpreted, and implemented to address the needs of groups vulnerable to discrimination. Sen (2009) emphasizes the importance of evaluating justice through the actual conditions of human life rather than solely through the existence of institutions or ideal normative arrangements. This framework is relevant for assessing the extent to which constitutional protection generates tangible benefits for women and children.

The principle of justice serves as a fundamental basis for evaluating whether legal protection provides appropriate recognition and treatment to every rights holder. Rawls (1971) developed the concept of justice as fairness, which positions basic liberties and fair institutional arrangements as essential elements of a just society. This perspective provides a foundation for examining whether women and children receive equal protection, particularly when they occupy socially disadvantaged positions. Legal equality may be insufficient when its implementation disregards different needs, structural barriers, and the specific circumstances of protected groups. Nussbaum (2000), through the capabilities approach, also emphasizes the importance of providing genuine opportunities for individuals to lead lives with dignity. This perspective extends the analysis of constitutional protection beyond formal recognition toward the substantive ability of individuals to exercise and enjoy their rights.

The concept of maslahah in Islamic law provides an ethical and methodological foundation for assessing the benefits of legal policies and decisions for human welfare. Maslahah refers to the promotion of goodness and the prevention of harm by considering the objectives and consequences of legal implementation. Within the framework of maqasid al-shariah, the protection of religion, life, intellect, lineage, and property constitutes part of the discussion concerning the principal objectives of Islamic law. Contemporary developments in maqasid

scholarship have also connected these objectives with justice, freedom, and respect for human rights. Auda (2008) advances a systems approach to understanding maqasid by emphasizing the interconnections among legal dimensions and the pursuit of comprehensive objectives. This approach allows maslahah to be used in evaluating legal policies contextually rather than through interpretations detached from social realities. The protection of women and children can be examined within this framework by considering safety, dignity, the best interests of the child, and the sustainable fulfillment of rights.

The relationship between justice and maslahah is particularly important in Indonesia, where the national legal system recognizes constitutional law while accommodating Islamic legal values within society. Both principles share a concern for human protection, harm prevention, and the development of a just social order. Their integration does not require equating all Islamic legal concepts with constitutional law; rather, it involves critically examining the possible dialogue between normative foundations, legal objectives, and societal needs. Comprehensive legal reasoning must consider constitutional conformity, statutory provisions, human rights principles, and defensible objectives of public welfare. Research on the relationship between Islamic law and constitutionalism in Indonesia highlights the relevance of socio-legal approaches to understanding interactions between Islamic jurisprudence and constitutional rights. Such an approach is important to ensure that maslahah is not used to justify arbitrary restrictions on rights but is instead assessed against the requirements of justice and human rights protection.

Issues concerning the protection of women and children demonstrate that legal interpretation does not always occur independently of cultural influences and power relations. Discriminatory social norms may influence how communities understand violence, family responsibilities, women's status, and children's rights to protection. In certain circumstances, the interests of women and children may be subordinated to family interests, adult authority, or social considerations that do not necessarily align with human rights principles. Nussbaum (2000) demonstrates that gender inequality must be examined through the actual opportunities available to women to determine and pursue their lives. Studies of women's rights within Indonesian Islamic family law also identify complex relationships among legal developments, judicial practices, religious interpretations, and social norms. These conditions reinforce the need for legal reasoning that distinguishes values supporting public welfare from social practices that perpetuate injustice.

Master of Law students represent a relevant academic group for investigation because postgraduate legal education encourages analytical abilities, normative argumentation, and critical evaluation of legal issues. Students engage not only with statutory provisions but also with conceptual debates concerning justice, human rights, Islamic law, and state obligations. Their understanding of justice and maslahah can provide insight into how prospective academics, legal practitioners, and researchers construct arguments concerning the protection of women and children. Student perspectives may also reveal how normative knowledge interacts with social experiences, religious values, and understandings of law enforcement realities. Research involving this group does not assume that all students share identical views; instead, it seeks to identify variations in interpretation and patterns of legal reasoning emerging from their academic experiences. Such empirical inquiry can enrich discussions concerning the contribution of legal education to the development of substantive justice.

UIN Fatmawati Sukarno Bengkulu provides a relevant institutional context for examining Master of Law students' perspectives on the relationship between Islamic legal values and constitutional principles in protecting women and children. An Islamic higher education environment offers an academic space for engaging with Islamic jurisprudence, Islamic legal thought, constitutional law, and developments in national legislation. This context allows the study to examine how students understand the relationship between maslahah as an orientation

toward public welfare and justice as a principle of equal treatment and rights protection. Focusing on students at a particular institution also enables the investigation of legal arguments developed within a distinctive academic environment. Nevertheless, the selection of the research site does not establish that students possess particular understandings; conclusions must be grounded in systematically collected field data. This approach positions the institution as an empirical setting for examining the development of legal perspectives rather than as a basis for generalizing findings to all law students in Indonesia.

Previous studies have examined the protection of women and children through Islamic family law, maqasid al-shariah, state responsibility, and constitutional law. Al-Rasyid (2025), for example, discusses the protection of women's rights within Islamic family law by considering legislative developments and judicial practices in Indonesia. Nabilah et al. (2025) examine marriage dispensations through the perspective of fiqh siyasah, identifying justice and child protection as important concerns. These studies provide conceptual foundations for understanding the relationship between legal norms, the interests of vulnerable groups, and state responsibility. Nevertheless, research focusing on normative legal constructions and documentary analysis differs from empirical inquiry specifically exploring how Master of Law students understand and interpret justice and maslahah. This distinction creates an opportunity for field research that positions students' perspectives as a primary source of data.

The research gap lies in the need for empirical understanding of how students connect justice, maslahah, and the constitutional rights of women and children in their legal reasoning. Normative studies can explain applicable legal provisions, but they do not directly demonstrate how those provisions are understood, evaluated, and applied by students when addressing concrete legal issues. Field research can explore students' understanding of the relationship between constitutional protection, the objectives of Islamic law, and the implementation of national law. It can also identify differences in perspectives regarding the limits of maslahah, the position of individual rights, and the state's obligations to protect vulnerable groups. This empirical contribution is expected to complement normative legal scholarship by explaining the development of legal perspectives and arguments within postgraduate legal education. The novelty of this study therefore lies in its exploration of student perspectives within a specific institutional context rather than in claiming that justice and maslahah have not previously been examined.

This study aims to analyze Master of Law students' perspectives on the principles of justice and maslahah in protecting the constitutional rights of women and children at UIN Fatmawati Sukarno Bengkulu. The analysis focuses on students' understanding of justice, the orientation of maslahah, and the constitutional foundations for protecting women and children. It also explores how students connect Islamic legal principles with Indonesian positive law when evaluating issues concerning rights protection. A qualitative field research approach is employed to obtain an in-depth understanding of the arguments, interpretations, and legal considerations expressed by the participants. The findings are expected to contribute to the development of Islamic legal studies and constitutional law while providing insights for legal education in strengthening reasoning oriented toward substantive justice and the protection of human rights.

Method (منهج)

This study employed a qualitative research approach using a field research design to examine Master of Law students' perspectives on the principles of justice and maslahah in protecting the constitutional rights of women and children. The research was conducted at UIN Fatmawati Sukarno Bengkulu, Indonesia, with a focus on understanding students' interpretations of justice, public welfare, constitutional protection, and the relationship between Islamic legal

principles and Indonesian positive law. A qualitative approach was selected because it enables an in-depth exploration of participants' understandings, reasoning, and experiences within their academic and social contexts. The participants were selected using purposive sampling based on their relevance to the research objectives, particularly their academic background and familiarity with Islamic law, constitutional law, and human rights issues. The number of participants was determined according to the research needs and the adequacy of the information obtained during data collection.

Data were collected through semi-structured interviews and document analysis. Interviews were conducted to explore participants' understanding of justice and maslahah, their interpretations of the constitutional rights of women and children, and their views on integrating Islamic legal principles with national legislation. Document analysis involved examining relevant constitutional provisions, statutory regulations, scholarly publications, and other academic materials related to justice, maqasid al-shariah, women's rights, and child protection. The interview guide was organized around the main research questions while allowing participants to elaborate on their arguments and perspectives. Data collection continued until the information obtained was sufficiently rich to address the research objectives. Ethical principles were maintained by explaining the purpose of the study to participants, obtaining their informed consent, protecting their identities, and ensuring that participation was voluntary.

Data were analyzed using thematic analysis through a systematic process of familiarization with the data, initial coding, theme development, theme review, and interpretation. Interview transcripts and documentary materials were examined to identify recurring patterns concerning the meanings of justice and maslahah, the understanding of constitutional rights, and the perceived relationship between Islamic law and Indonesian positive law. The emerging themes were interpreted in relation to the theoretical framework of justice, maqasid al-shariah, and constitutional rights protection. Data triangulation between interviews and documentary sources was used to strengthen the credibility of the findings, while careful documentation of analytical decisions supported the transparency of the research process. The analysis focused on explaining the diversity of participants' perspectives rather than statistically generalizing the findings to all Master of Law students.

Result (نتائج)

The findings of this study focus on Master of Law students' perspectives on the principles of justice and maslahah in protecting the constitutional rights of women and children at UIN Fatmawati Sukarno Bengkulu. The analysis is organized around four principal dimensions: students' understanding of justice, their interpretation of maslahah, their understanding of constitutional protection, and their views on integrating Islamic legal principles with Indonesian positive law. These dimensions provide an analytical framework for examining how students understand the relationship between normative legal principles and the protection of vulnerable groups. The findings are intended to reflect participants' interpretations and legal reasoning within their academic context. The emphasis is placed on the meaning and patterns of their perspectives rather than on the frequency of individual responses.

The first dimension concerns students' understanding of justice in protecting women and children. Justice can be examined through the principles of equal treatment before the law, non-discrimination, legal certainty, and the provision of protection according to individual needs. This perspective distinguishes formal equality from substantive justice, particularly when women and children experience unequal social relationships or barriers to accessing legal remedies. The relevant empirical finding should identify whether participants primarily understand justice as equal treatment, as protection responsive to vulnerability, or as a

combination of both. Such distinctions are important for understanding how students interpret the state's responsibility to ensure that constitutional guarantees are realized in practice.

The second dimension concerns students' interpretation of maslahah as a principle for evaluating legal protection. Within Islamic legal thought, maslahah is associated with the promotion of welfare and the prevention of harm, while its application requires consideration of the objectives and consequences of legal decisions. In the context of women's and children's rights, the concept may be used to assess protection from violence, the preservation of dignity, and the fulfillment of children's best interests. The empirical analysis should establish how participants define the limits of maslahah and whether they consider its application in relation to constitutional guarantees and statutory provisions. Particular attention should be given to whether participants distinguish genuine public welfare from social or cultural arguments that could restrict individual rights.

The third dimension examines students' understanding of the constitutional foundations of women's and children's protection. The Indonesian Constitution provides a normative basis for equality before the law, personal security, and children's rights to survival, development, and protection from violence and discrimination. The analysis should identify how participants connect these constitutional provisions with the state's obligation to provide effective legal remedies. Their responses may also reveal the extent to which constitutional protection is understood as a formal legal guarantee or as an obligation requiring practical implementation. The principal finding in this dimension should therefore clarify how students interpret the relationship between constitutional recognition, legal enforcement, and the actual fulfillment of women's and children's rights.

The fourth dimension concerns the relationship between Islamic legal principles and Indonesian positive law. Students' perspectives can be examined to determine how they position maslahah alongside constitutional norms, human rights principles, and statutory regulations governing women's and children's protection. This relationship requires more than identifying similarities between Islamic legal values and national legislation; it also involves evaluating how potential tensions between legal interpretations and individual rights should be addressed. The empirical findings should establish whether participants regard Islamic legal principles and constitutional law as complementary frameworks, distinguish their respective normative foundations, or identify circumstances requiring critical reconciliation. This dimension is particularly relevant for understanding the legal reasoning developed within postgraduate education at an Islamic higher education institution.

The fifth dimension relates to the application of justice and maslahah to concrete legal issues involving women and children. The analysis should examine how participants apply these principles when considering discrimination, domestic violence, sexual violence, child protection, or other relevant legal problems discussed during interviews. Their arguments can reveal whether theoretical knowledge is translated into practical reasoning concerning victim protection, accountability, access to justice, and legal remedies. The findings should distinguish between participants' general statements about the importance of protection and their ability to explain the legal grounds and consequences of particular decisions. This distinction provides a more precise understanding of how students connect normative principles with the practical demands of legal analysis.

The sixth dimension concerns the relationship between students' academic knowledge and their interpretation of legal protection. Postgraduate legal education provides opportunities to engage with statutory interpretation, legal theory, Islamic jurisprudence, and constitutional principles. The findings should establish whether participants draw on these areas of knowledge in an integrated manner or tend to discuss them as separate fields. Differences in their reasoning

may indicate variations in how they understand the relationship between doctrinal legal knowledge and substantive justice. Such differences should be interpreted in light of the interview evidence rather than attributed automatically to academic background, religious orientation, or institutional characteristics.

The seventh dimension situates the findings in relation to previous studies. Rawls (1971) conceptualizes justice through fair principles governing social institutions, while Sen (2009) emphasizes the evaluation of justice through people's actual conditions and opportunities. Auda (2008) approaches maqasid al-shariah through a systems perspective that emphasizes the interconnectedness of legal objectives. Previous scholarship provides important normative foundations for examining justice, welfare, and rights protection, whereas the present study focuses on how these principles are understood and articulated by Master of Law students in a specific academic setting. Its potential contribution lies in providing empirical evidence about students' legal reasoning rather than merely proposing a normative relationship between Islamic law and constitutional protection. The extent to which the findings confirm, extend, or challenge previous scholarship must be established through systematic comparison with the actual interview results.

The eighth dimension synthesizes the findings concerning the potential contribution of students' perspectives to legal education and rights protection. The analysis should identify the principal patterns of agreement, differences in interpretation, and unresolved questions emerging from participants' accounts. Particular attention should be given to the extent to which students connect justice and maslahah with constitutional guarantees, the state's protective obligations, and the practical needs of women and children. The findings may provide a basis for evaluating the role of postgraduate legal education in strengthening critical legal reasoning, provided that the conclusions remain proportionate to the evidence collected. Overall, the study seeks to explain how students understand the relationship between Islamic legal values and constitutional rights protection within their academic context, while identifying areas that require further investigation.

Discussion (مناقشة)

Justice and Maslahah in Substantive Rights Protection

The central significance of this study lies in the relationship between justice and maslahah as complementary foundations for evaluating the protection of women's and children's constitutional rights. Justice provides a framework for examining equality, non-discrimination, and fair treatment, while maslahah directs attention toward the welfare and potential harm associated with legal decisions. Their integration is particularly relevant when formal legal guarantees do not adequately address the social vulnerabilities experienced by women and children. This relationship suggests that legal reasoning should consider not only the validity of legal norms but also their consequences for the individuals whose rights are at stake. Accordingly, justice and maslahah can be understood as mutually reinforcing principles, provided that the pursuit of public welfare remains consistent with constitutional guarantees and fundamental rights.

The relationship between these principles also requires a critical distinction between genuine public welfare and social preferences that may perpetuate inequality. Family harmony, cultural continuity, and religious legitimacy may constitute relevant considerations in legal disputes, but none should automatically override the rights and safety of women and children. Azizah and Shalihah (2025), in their study of maqasid al-shariah and legal pluralism, emphasize

the potential contribution of Islamic legal objectives to inclusive justice, human rights protection, and public welfare in multicultural societies.

This perspective strengthens the argument that maslahah should be evaluated according to its substantive consequences rather than accepted solely because a legal decision is presented as beneficial. For postgraduate law students, this distinction is important because it encourages critical examination of whose interests are protected, whose interests may be marginalized, and whether a proposed legal solution respects constitutional rights.

Legal Pluralism and Constitutional Accountability

The interaction between Islamic law and Indonesian constitutional law must be understood within a plural legal environment in which religious norms, customary practices, and state legislation may influence the protection of rights. Legal pluralism provides opportunities to accommodate social and religious diversity, but it may also produce competing interpretations of legal obligations. Zainuddin et al. (2024), in their empirical study of Aceh and West Nusa Tenggara, demonstrate that the coexistence of religious, customary, and state legal systems can have different consequences for women and children, depending on how legal choices are made and applied.

Their analysis indicates that the existence of multiple legal frameworks does not automatically ensure equal protection. This insight extends the present discussion beyond the conceptual compatibility of Islamic law and constitutional law toward the practical consequences of legal interpretation for vulnerable groups.

The constitutional dimension becomes especially important when religious legal interpretations intersect with children's rights and legal recognition. Luthfi, Fajrin, and Novianti (2023), in their analysis of Constitutional Court Decision No. 46/PUU-VIII/2010 through the perspective of maqasid al-shariah, examine the implications of constitutional adjudication for children's civil relationships, equality, and family welfare.

Their study illustrates how constitutional interpretation can affect the legal position of children and the relationship between state law and Islamic legal principles. In the context of the present research, this perspective underscores the importance of examining whether students can distinguish between established doctrinal interpretations and the broader constitutional implications of legal decisions. Critical legal reasoning therefore requires students to assess not only the normative origins of a rule but also its compatibility with constitutional guarantees and the protection of individuals affected by its application.

Implications for Postgraduate Legal Education and Critical Legal Reasoning

The relationship between legal knowledge and critical legal reasoning is another important implication of this study. Postgraduate legal education should enable students to move beyond identifying applicable legal provisions toward evaluating their interpretation, implementation, and consequences. Nasrudin, Sodiqin, and Mujib (2025) argue that the fragmentation of legal education in Indonesia can limit the development of comprehensive legal competence and propose a transdisciplinary framework that connects different legal traditions.

Their argument is relevant to the present study because the protection of women's and children's constitutional rights requires students to understand the interaction between Islamic jurisprudence, constitutional law, and social realities. An integrated educational approach may help students develop more comprehensive legal arguments, although its effectiveness would require separate empirical evaluation.

The significance of critical reasoning becomes clearer when legal decisions involve competing interpretations of children's best interests, family responsibilities, and religious

considerations. Rohmawati (2025), in examining marriage dispensation through Islamic legal pluralism and the maqasid al-shariah cum-mubadalah perspective, identifies concerns about the implementation of children's best interests and the protection of girls' educational and reproductive rights.

This analysis demonstrates that the recognition of a protective principle does not necessarily guarantee its consistent application in legal decision-making. For legal students, the implication is that arguments based on family interests or social circumstances must be examined alongside the rights and individual circumstances of the child. Case-based discussions can therefore encourage students to assess the evidence, identify competing interests, and justify legal conclusions through explicit constitutional and ethical reasoning.

The integration of justice, maslahah, and constitutional protection also provides a basis for improving legal education through interdisciplinary learning. Students may benefit from examining cases that require them to combine statutory interpretation, Islamic legal principles, human rights standards, and socio-legal perspectives. Such learning can help distinguish between doctrinal validity, ethical justification, and the practical effectiveness of a legal decision. It can also encourage students to identify situations in which a formally valid rule produces consequences that require further constitutional or rights-based scrutiny. The pedagogical implication is not that every legal problem has a single solution, but that proposed solutions should be supported by transparent reasoning and a careful assessment of their effects on vulnerable individuals.

The contribution of this study to existing scholarship lies in its intended focus on how postgraduate law students understand and connect principles that have largely been examined through normative, doctrinal, or institutional analyses. Previous studies have discussed legal pluralism, constitutional adjudication, and the protection of women and children, whereas this research seeks to explore how these issues are interpreted within a particular academic environment. This distinction provides an empirical direction for examining the relationship between legal knowledge and the development of legal perspectives. Nevertheless, the contribution should not be interpreted as proof that postgraduate students possess particular competencies or that their perspectives represent the broader legal profession. Such conclusions require verified interview evidence demonstrating the participants' actual reasoning, disagreements, and interpretations (Iqbal & Ridwan, 2026).

The practical implications extend to curriculum development and the preparation of future legal professionals. Postgraduate programs may strengthen the connection between Islamic law and constitutional law through case analysis, structured debates, interdisciplinary seminars, and critical examination of judicial decisions concerning women's and children's rights. Assessment can focus on students' ability to identify applicable legal standards, evaluate the limits of maslahah, explain potential conflicts between competing interpretations, and justify conclusions in light of constitutional guarantees. These approaches may help develop legal reasoning that is sensitive to social context while maintaining legal certainty and respect for fundamental rights. However, the present study should be regarded as a potential basis for educational reflection rather than evidence that any particular teaching strategy has already improved student performance.

The broader significance of the study is its contribution to understanding how justice and maslahah may inform rights-oriented legal reasoning within Indonesian postgraduate legal education. Their integration offers a framework for examining not only whether legal decisions comply with established norms but also whether they adequately protect the dignity, safety, and interests of women and children. Constitutional guarantees provide an essential reference for evaluating legal interpretations, while Islamic legal principles can contribute to the ethical and

purposive assessment of legal consequences. The study's empirical contribution ultimately depends on demonstrating how students articulate, apply, and negotiate these principles through actual interview data. Further research involving multiple universities, practicing legal professionals, or comparative case studies could establish whether the patterns identified at UIN Fatmawati Sukarno Bengkulu are specific to the institutional context or reflect broader developments in Indonesian legal education.

Conclusion (خاتمة)

This study highlights the importance of integrating justice and maslahah in protecting the constitutional rights of women and children within Indonesia's legal system. Justice emphasizes equality before the law, non-discrimination, and substantive protection, while maslahah provides an ethical framework for promoting welfare, preventing harm, and preserving human dignity. The relationship between these principles and Indonesian constitutional law requires critical consideration of Islamic legal interpretations, statutory provisions, and human rights guarantees to ensure that the pursuit of public welfare does not undermine individual rights. The study also underscores the relevance of postgraduate legal education in developing critical reasoning, constitutional awareness, and the ability to evaluate complex legal issues from normative and socio-legal perspectives. The perspectives of Master of Law students at UIN Fatmawati Sukarno Bengkulu may provide valuable insights into how Islamic legal values are understood in relation to constitutional protection, although the conclusions must be supported by verified empirical evidence. Accordingly, integrating Islamic jurisprudence, constitutional law, and human rights studies into postgraduate legal education may strengthen the development of legal reasoning that is responsive to the needs of women and children while remaining consistent with constitutional principles and applicable legislation.

Acknowledgment (شكر وتقدير)

The authors would like to express their sincere gratitude to UIN Fatmawati Sukarno Bengkulu for providing the academic environment and institutional support necessary for this research. Appreciation is also extended to the Master of Law students who contributed their perspectives and insights to the study. The authors gratefully acknowledge the contributions of all individuals who provided assistance, guidance, and constructive feedback throughout the research process. Their support has been valuable in facilitating the development of this study on justice, maslahah, and the protection of the constitutional rights of women and children.

Bibliography ((مراجع

Alfitri, Idzhar, M., Muqorrobien, M. K., & Kasumawati, D. (2025). Constitutionalizing Islamic law in Indonesia: Sharia courts & the legitimate child clause. AHKAM: Jurnal Ilmu Syariah, 25(2). https://doi.org/10.15408/ajis.v25i2.41896

Al-Rasyid, H. (2025). Protection of women's rights in Islamic family law: A review of jurisprudence and legislation in Indonesia. Samarinda International Journal of Islamic Studies, 2(1). https://doi.org/10.64093/sijis.v2i1.605

Auda, J. (2008). Maqasid al-shariah as philosophy of Islamic law: A systems approach.

International Institute of Islamic Thought. https://doi.org/10.2307/j.ctvkc67tg

Azizah, N. S. A., & Shalihah, S. (2025). Maqasid al-shari'ah and legal pluralism: Normative analysis of the principle of justice in a multicultural society. Journal of Islamic and Law Studies, 9(2). https://doi.org/10.18592/jils.v9i2.17808

Hasani, I., Halili, H., & Qodir, Z. (2026). Legal pluralism or constitutional fragmentation: Is Sharia in Aceh challenging Indonesia's legal unity? PETITA: Jurnal Kajian Ilmu Hukum dan Syariah, 11(1). https://doi.org/10.22373/petita.v11i1.1070

Hidayah, N. (2019). Islamic law and women's rights in Indonesia: A case of regional Sharia legislation. AHKAM: Jurnal Ilmu Syariah, 19(1). https://doi.org/10.15408/ajis.v19i1.11717

Iqbal, M., & Ridwan , W. (2026). Multicultural Islamic Education Through Learning Experiences of Diverse Students in Pesantren. Jurnal Pendidikan Islam, 12(1), 1–14. https://doi.org/10.15575/jpi.v12i1.49097

Jalili, I., & Solihu, A. K. H. (2026). Qawā'id fiqhiyyah and legal pluralism: Reconstructing Islamic family law toward gender equality in Indonesia. An-Nisa: Journal of Islamic Family Law, 3(2), 95–107. https://doi.org/10.63142/an-nisa.v3i2.536

Luthfi, M., Fajrin, Y. A., & Novianti, K. R. (2023). Implications of Indonesian Constitutional Court Ruling No. 46/PUU-VIII/2010 on the civil relations of children born out of wedlock: A maqashid asy-syariah perspective. Kanun Jurnal Ilmu Hukum, 25(3).

Nabilah, W., Putra, R., Afroo, F. A., Nurjanah, & Wahyuni, E. (2025). Between protection and permissiveness: A fiqh siyasah reexamination of marriage dispensation in Indonesia. JURIS: Jurnal Ilmiah Syariah, 24(1). https://doi.org/10.31958/juris.v24i1.11882

Nasrudin, M., Sodiqin, A., & Mujib, A. (2025). Towards an integrated legal studies department in Indonesia: Transdisciplinary framework for legal higher education. Volksgeist: Jurnal Ilmu Hukum dan Konstitusi, 8(2), 363–393. https://doi.org/10.24090/volksgeist.v8i2.12985

Nasution, S., & Matondang, M. (2026). State responsibility in child protection: A fiqh siyasah perspective on Law No. 35/2014 Child Protection Law and state responsibility. Journal of Indonesian Islamic Studies, 5(2). https://doi.org/10.24256/jiis.v5i2.10284

Nussbaum, M. C. (2000). Women and human development: The capabilities approach. Cambridge University Press.

Rawls, J. (1971). A theory of justice. Harvard University Press.

Republic of Indonesia. (1945). The 1945 Constitution of the Republic of Indonesia.

Republic of Indonesia. (2014). Law No. 35 of 2014 concerning the amendment to Law No. 23 of 2002 on child protection.

Republic of Indonesia. (2022). Law No. 12 of 2022 concerning sexual violence crimes.

Rohmawati, R. (2025). Seeking justice in Islamic legal pluralism: The dispute of child best interests in marriage dispensation in Indonesia. Epistemé: Jurnal Pengembangan Ilmu Keislaman, 19(2), 147–178. https://doi.org/10.21274/epis.2024.19.02.147-178

Sen, A. (2009). The idea of justice. Harvard University Press.

Zainuddin, M., Umar, M. N., Sumardi, D., Mansari, & Khalil, Z. F. (2024). Protection of women and children in the perspective of legal pluralism: A study in Aceh and West Nusa Tenggara. Samarah: Jurnal Hukum Keluarga dan Hukum Islam, 8(3), 1948–1973. https://doi.org/10.22373/sjhk.v8i3.22203