



Islamic Family Law Reform in Indonesia (Typology, Revitalization, and Constitutional Challenges)

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Abstract

The reform of Islamic family law in Indonesia has been widely discussed; however, existing studies predominantly examine fragmented legal issues, historical developments, or specific statutory changes, leaving limited attention to the integrated relationship between reform typology, legal revitalization, and constitutional challenges. This study addresses this gap by analyzing how these three dimensions interact within Indonesia's plural legal system. Employing a normative juridical approach, the research examines constitutional provisions, legislation, judicial decisions, and relevant legal doctrines through statutory, conceptual, historical, and case analyses. The study aims to formulate a comprehensive framework for understanding the trajectory of Islamic family law reform and to assess its constitutional compatibility in promoting legal certainty, justice, and public welfare. The novelty of this research lies in the development of an integrative analytical model that connects the typology of legal reform with revitalization strategies and constitutional principles. The findings demonstrate that Islamic family law reform in Indonesia has evolved through adaptive, progressive, and accommodative patterns, reflecting dynamic interactions between Islamic legal values, national legal policies, and constitutional norms. Nevertheless, constitutional tensions remain regarding equality, human rights, and judicial interpretation. This research contributes to the discourse on Islamic legal reform by offering a constitutional perspective that supports the development of a more coherent, inclusive, and responsive family law system in Indonesia.

INTRODUCTION

Islamic family law in Indonesia is one of the legal fields undergoing the most intense dialectical process between religious norms, socio-cultural constructs, and state policies. As the country with the world's largest Muslim population, Indonesia presents a unique configuration in the articulation of Islamic family law, reflecting not only classical fiqh traditions but also

adaptations to the dynamics of modernity, legal pluralism, and demands for social justice.¹ In this context, Islamic family law cannot be understood merely as a normative derivation from Sharia texts, but rather as the result of historical interactions between religious authorities, colonial structures, national legislative politics, and the transformation of Indonesian Muslim society.

Historically, Islamic family law has been an integral part of the legal tradition in the Indonesian archipelago since the era of Islamic sultanates, including Aceh, Mataram, and Banten, where *fiqh* governed matters of marriage, inheritance, and *waqf*.² Its institutional development, however, was substantially reshaped during the Dutch colonial period through the *receptie* policy, which subordinated Islamic law to customary law and entrenched a dualistic legal system that continued to influence Indonesia's post-independence legal order.³ Following independence, Islamic family law became increasingly institutionalized through the establishment of the Religious Courts and the enactment of Law No. 7 of 1989, while Law No. 1 of 1974 on Marriage represented a major effort to unify national family law by reconciling Islamic legal principles with legal modernization and the protection of women's rights.⁴ This process was further reinforced by the promulgation of the 1991 Compilation of Islamic Law (*Kompilasi Hukum Islam*—KHI), which, despite its status as a Presidential Instruction, has served as the principal operational reference for Religious Courts and is widely regarded as a form of collective *ijtihad* responding to Indonesia's legal needs.⁵ Nevertheless, the KHI has been criticized for its predominant reliance on the Shāfi'ī school of thought and its limited accommodation of contemporary Islamic legal perspectives, particularly concerning gender equality, children's rights, and the protection of vulnerable groups within the family institution.⁶

Recent developments indicate that Islamic family law in Indonesia no longer operates solely within a textual-doctrinal framework but has entered a constitutional and human rights phase. Decisions by the Constitutional Court regarding the status of children born out of wedlock, the minimum age for marriage, and the issue of polygamy demonstrate an expansion of the legal paradigm that prioritizes the principle of substantive justice.⁷ In this context, the dynamics of Islamic family law reveal both tensions and a dialogue between classical *fiqh* authorities, state regulations, and universal human rights principles.

Academically, these developments can be analyzed through three main approaches. First, the historical-sociological approach, which views Islamic family law as a product of the interaction between religious norms and social realities. Second, the legal-political approach, which highlights the state's role in shaping, limiting, and directing the implementation of Islamic law. Third, a critical approach that questions the extent to which Islamic family law can address de-

¹ M. Atho Muzdhar, "Hukum Keluarga Di Dunia Islam Modern," *Veritas et Justitia* 3, no. 2 (2018).

² Nazaruddin, "Spirit Jaringan Ulama Timur Tengah Dan Kepulauan Nusantara Abad XVII Dan XVIII Karya Azyumardi Azra," Jaringan Ulama Timur Tengah dan Kepulauan Nusantara Abad XVII dan XVIII, 2020.

³ Moh. Mujibur. Rohman et al., *HUKUM ADAT*, ed. Ariyanto (Padang: PT. Global Eksekutif Teknologi, 2022), https://www.researchgate.net/profile/Moh-Rohman-3/publication/375004060_HUKUM_ADAT/links/653b49af1d6e8a70705084c2/HUKUM-ADAT.pdf.

⁴ Indonesia Undang-Undang Nomor 7 Tahun 1989, "Undang-Undang Nomor 7 Tahun 1989 Tentang Peradilan Agama Lembaran Negara Republik Indonesia Tahun 1989 Nomor 49 Tambahan Lembaran Negara Republik Indonesia Nomor 3400," Republik Indonesia § (1989).

⁵ Negara Republik Indonesia, "Undang-Undang Nomor 1 Tahun 1974 Tentang Perkawinan," *Undang-Undang Republik Indonesia*, no. 006265 (2019).

⁶ La Ode Angga et al., *Hukum Islam*, 2022.

⁷ Moh. Sa'i Affan and Siti Aisyah, "Status Keabsahan Anak Luar Kawin Pasca Putusan MK NO 46/PUU-VIII/2010," *As-Shahifah: Journal of Constitutional Law and Governance* 3, no. 1 (2023), <https://doi.org/10.19105/asshahifah.v3i1.8308>.

mands for gender justice and social transformation in Indonesian Muslim society.⁸ These three approaches demonstrate that Islamic family law is not a static entity but a contested space undergoing continuous reconstruction.

In reality, there is already a substantial body of research concerning family law; the author attempts to conduct an in-depth analysis to identify the novelty of the current study and the research gaps relative to previous works. Presented below are several studies regarding the construction of Islamic family law. *The first* is the article titled "*The State of Indonesia's Marriage Law: 50 Years of Statutory and Judicial Reforms*," authored by Theresia Dyah Wirastri & Stijn Cornelis van Huis (2024). This study clearly examines the evolution of marriage law reform in Indonesia over the past 50 years, focusing on legislative changes and the activism of the Constitutional and Supreme Courts.⁹ *The second*; is an article by Prima Angkupi & Muhammad Shofwan Taufiq (2024) titled "*Direction of Islamic Law Compilation Reform: Efforts to Codify Indonesian Islamic Family Law*". This study examines the direction of the reform of the Compilation of Islamic Law (KHI) toward the codification of Islamic family law within the national legal system.¹⁰ *The third*; is an article titled "*Islamic Law in Indonesia's New Order*", written by Mark Cammack (1989). This study analyzes the development of Islamic law during the New Order era, focusing on the relationship between state policy and its institutionalization.¹¹ *The fourth study*; authored by Muslih & Almi Jera Almi (2025) and titled "*Compilation of Islamic Law within the Framework of State Typology: A Critical Analysis of the Reform of Islamic Family Law in Indonesia*", analyzes the KHI (Compilation of Islamic Law) through the perspectives of state typology and the relationship between the state and Islamic law.¹² *Finally*; there is the study titled "*Indonesian Syariah: Defining a National School of Islamic Law*," authored in 2008 by M. B. Hooker, which discusses the shaping of a national Indonesian Islamic legal character through codification, fatwas, and religious court practices.¹³

Thus, discussions regarding the development and dynamics of Islamic family law in Indonesia require a comprehensive analysis, not only at the normative level but also at the epistemological and political levels. This chapter will trace the historical evolution of Islamic family law from the pre-colonial era to the reform era, examine the processes of its codification and institutionalization, and analyze the various contemporary critiques and challenges it faces. Through this approach, it is hoped that a complete picture will emerge of how Islamic family law in Indonesia continues to move within the dialectic between tradition and change, between text and context, and between religious and state authority.

⁸ Khoiruddin Nasution, *Status Wanita Di Asia Tenggara: Studi Terhadap Perundang-Undangan Perkawinan Muslim Kontemporer Di Indonesia Dan Malaysia*, Disertasi, 2002.

⁹ Theresia Dyah Wirastrri and Stijn Cornelis van Huis, "The State of Indonesia's Marriage Law: 50 Years of Statutory and Judicial Reforms," *Ahkam: Jurnal Ilmu Syariah* 24, no. 2 (2024), <https://doi.org/10.15408/ajis.v24i2.38424>.

¹⁰ Prima Angkupi and Muhammad Shofwan Taufiq, "Direction of Islamic Law Compilation Reform: Efforts to Codify Indonesian Islamic Family Law," *SMART: Journal of Sharia, Traditon, and Modernity*, 2025, <https://doi.org/10.24042/smart.v5i1.26261>.

¹¹ Mark Cammack, "Islamic Law in Indonesia's New Order," *International and Comparative Law Quarterly* 38, no. 1 (1989), <https://doi.org/10.1093/iclqaj/38.1.53>.

¹² Muslih Muslih and Almi Jera Almi, "Compilation of Islamic Law within the Framework of State Typology: A Critical Analysis of the Reform of Islamic Family Law in Indonesia," *ADHUKI: JOURNAL OF ISLAMIC FAMILY LAW* 6, no. 1 (2025), <https://doi.org/10.37876/adhki.v6i1.212>.

¹³ M. B. Hooker, *Indonesian Syariah: Defining a National School of Islamic Law*, Indonesian Syariah: Defining a National School of Islamic Law, 2008.

RESEARCH METHODS

This study employs a normative legal research (doctrinal legal research) methodology to examine the norms of Islamic family law within the Indonesian legal system.¹⁴ This method is appropriate because the study focuses on legislation, judicial decisions, and legal doctrines that shape the development of Islamic family law. The primary legal materials include Law No. 1 of 1974 on Marriage and its amendments, Presidential Instruction No. 1 of 1991 on the Compilation of Islamic Law (KHI), Constitutional Court decisions on family law, and other regulations governing religious courts and family protection. Secondary legal materials include books, scholarly journals, and previous studies on legal politics, the typology of Islamic family law, and the development of Islamic law within the national legal system. The analytical framework positions Islamic family law as an integral part of Indonesia's evolving legal system by examining its legal formation, post-independence revitalization, and future reform.¹⁵

This research applies the statutory, historical, and conceptual approaches because each provides a complementary perspective for understanding the evolution of Islamic family law. The statutory approach is used to analyze the consistency and development of legal norms across relevant legislation. The historical approach is adopted to explain the socio-political background and institutionalization of Islamic law within the national legal system, enabling a comprehensive understanding of legal change over time.¹⁶ The conceptual approach is employed to examine theoretical foundations, including *maqāṣid al-sharī'ah*, legal politics, and theories of Islamic legal reform, which serve as the analytical basis for evaluating contemporary family law reforms. Data were analyzed qualitatively using a descriptive-analytical method, involving the identification, classification, and systematic interpretation of legal materials, supported by historical and systematic analyses to explain the relationships among legislative developments, judicial decisions, and the social dynamics influencing the reform of Islamic family law in Indonesia.¹⁷

ANALYSIS AND DISCUSSION

Legal Politics and the Typology of Islamic Family Law in Indonesia

Discussions regarding Islamic family law in Indonesia cannot be separated from the dimension of legal politics, namely the state's fundamental policies in determining the direction, form, and content of the law enforced within the national system.¹⁸ In the Indonesian context, legal politics regarding Islamic family law exhibits a distinctive dynamic: on one hand, it accommodates the normative aspirations of the Muslim community, and on the other, it frames them within the framework of a pluralistic and constitutional nation-state. This dialectical relationship shapes a typology of Islamic family law that is not entirely theocratic, yet also not secular in the sense of a total separation of religion and state.

1. Legal Policy: Between Accommodation and Integration

¹⁴ Rusdin. Tahir et al., "METODOLOGI PENELITIAN BIDANG HUKUM: Suatu Pendekatan Teori Dan Praktik," in *PT. Sonpedia Publishing Indonesia*, ed. Moh. Mujibur Rohman, 1st ed. (Jambi: PT. Sonpedia Publishing Indonesia, 2023), 1–275, https://books.google.co.id/books?hl=id&lr=&id=e4jhEAAQBAJ&oi=fnd&pg=PA118&ots=ntAZaK3dJx&sig=fVy9r3SABi4xfDhw1K76ppsBYUw&redir_esc=y#v=onepage&q&f=false.

¹⁵ Peter Mahmud Marzuki, *Metode Penelitian Hukum Edisi Revisi*, Jakarta: Kencana, 2021.

¹⁶ Moh. Mujibur Rohman et al., "Methodological Reasoning Finds Law Using Normative Studies (Theory, Approach and Analysis of Legal Materials)," *MAQASIDI: Jurnal Syariah Dan Hukum* 4, no. 2 (2024): 204–21, <https://doi.org/10.47498/maqasidi.v4i2.3379>.

¹⁷ Johnny Ibrahim, "Teori & Metodologi Penelitian Hukum Normatif," in *Teori Metodologi Penelitian A.*, 2013.

¹⁸ Mahfud MD, *Politik Hukum Di Indonesia*, PT. Raja Grafindo Persada, vol. 10, 2012.

The legal policy governing Islamic family law has developed through several historical stages. During the Dutch colonial period, the *receptie* theory placed Islamic law below customary law, meaning it was applied only when it was accepted by local custom.¹⁹ This policy was intended to reduce the political and legal influence of Islam within colonial governance. After Indonesia gained independence, the state's legal orientation gradually changed by recognizing Islamic law as an important component of the national legal system. A major milestone was the enactment of Law No. 1 of 1974 on Marriage, which represented a compromise between Islamic legal values and the objective of creating a unified national legal system.²⁰ Rather than adopting classical *fiqh* in its entirety, the law selectively incorporated Islamic principles deemed compatible with social welfare, legal certainty, and national interests. This approach illustrates that state policy emphasizes legal integration rather than the formal implementation of Islamic law.

According to Mahfud MD, legal politics refers to the state's official policy in determining which legal norms should be enacted, maintained, or revised.²¹ In the context of Islamic family law, the government accommodates fundamental Islamic principles while regulating their implementation through statutory mechanisms. For example, marriage remains valid under religious law, but it also requires state registration for legal recognition. Likewise, polygamy is not prohibited outright but is subject to strict administrative and judicial requirements. This demonstrates that Indonesia adopts an accommodative, integrative legal policy rather than an ideological or formalistic approach. Another important development was the issuance of Presidential Instruction No. 1 of 1991 concerning the Compilation of Islamic Law (KHI). The KHI provides a uniform legal reference for Religious Courts by codifying Islamic family law into a positive legal framework. Although it is based largely on Shafi'i jurisprudence, its legal status as an executive instrument rather than an act of parliament reflects the state's preference for flexibility while avoiding the constitutional formalization of Islamic law.

2. Typology of Islamic Family Law in Indonesia

Based on these legal-political dynamics, the typology of Islamic family law in Indonesia can be analyzed according to several key characteristics: 1) *Integrative-Substantive Typology*; Islamic family law in Indonesia is applied substantively rather than literally. While marriage remains valid under religious law, it must also be registered with the state to obtain legal recognition. This approach reflects the integration of Sharia principles into the national legal system.²² 2) *Pluralistic Typology*; Indonesia adopts a plural legal system where religious, customary, and state laws coexist. Islamic family law applies to Muslims through the Religious Courts, while non-Muslims are governed by civil law.²³ This system reflects the state's policy of accommodating Indonesia's social and religious diversity. 3) *Moderate-Gradualist Typology*; In issues such as polygamy, divorce, and the minimum marriage age,

¹⁹ G. F. Pijper, *Nederland En de Islam, Nederland En de Islam*, 2024, <https://doi.org/10.1163/9789004610651>.

²⁰ Negara Republik Indonesia, "Undang-Undang Nomor 1 Tahun 1974 Tentang Perkawinan."

²¹ MD, *Politik Hukum Di Indonesia*.

²² Negara Republik Indonesia, "Undang-Undang Nomor 1 Tahun 1974 Tentang Perkawinan."

²³ MG Peletz, "Indonesian Islam: Social Change Through Contemporary Fatawa (Southeast Asia Publications Series)," *Indonesia* 80 (2005).

Indonesia adopts a gradual and moderate approach.²⁴ Polygamy remains permitted under strict conditions, while the 2019 Marriage Law amendment reflects efforts to strengthen child protection and gender equality without abandoning existing legal traditions.²⁵ 4) *Constitutional-Human Rights Typology*; Recent developments show that Islamic family law is increasingly guided by constitutional and human rights principles. Constitutional Court decisions, particularly on children born out of wedlock, reflect a broader interpretation of Islamic law based on justice, equality, and constitutional values.²⁶

Critically, the legal politics surrounding Islamic family law in Indonesia can be understood as a form of permanent negotiation between religious norms and the modern state. On one hand, an integrative approach prevents legal fragmentation and ideological conflict. On the other hand, state dominance in the codification process risks reducing the diversity of *fiqh ijti-had* and reinforcing the centralization of interpretation. The KHI, for example, is often criticized for being too oriented toward a specific school of thought and for not being fully responsive to gender issues.²⁷ Furthermore, the legal pluralism maintained can lead to disparities in legal protection if not consistently managed. The challenge ahead lies in how to reform Islamic family law without severing the roots of *fiqh* tradition, while remaining in harmony with social developments and constitutional principles.

Thus, the legal policy of Islamic family law in Indonesia exhibits a unique character: it is neither a total formalization of Sharia nor a complete secularization. Its typology is integrative, pluralistic, moderate, and increasingly constitutional. This dynamic reflects Indonesia's character as a nation with a strong religious identity, yet one that remains committed to the principles of the rule of law and democracy.

The Development of Islamic Family Law in Indonesia: From the Pre-Colonial to the Dutch Colonial Period

The development of Islamic family law in Indonesia reflects a dynamic process of adaptation, institutionalization, and legal contestation. In the pre-colonial era, Islamic family law (*al-ahwāl al-syakhsīyyah*), covering marriage, divorce, inheritance, lineage, and guardianship, functioned primarily as a *living law* rooted in the social and religious consciousness of Muslim communities rather than as a formally codified legal system.²⁸ The Islamization of the archipelago from the thirteenth century onward, facilitated through trade networks, Sufi missions, and scholarly connections with the Middle East, introduced Shafi'i jurisprudence as the dominant legal reference. Consequently, Islamic kingdoms such as Samudera Pasai, Aceh Darusalam, Demak, Banten, and Mataram institutionalized Islamic legal norms through the authority of *ulama*, *qadis*, and royal institutions. In Aceh, for instance, family disputes were adjudicated

²⁴ Negara Republik Indonesia, "Undang-Undang Nomor 1 Tahun 1974 Tentang Perkawinan."

²⁵ UU RI, "UU RI Nomor 16 Tahun 2019 Tentang Perkawinan," JDIH BPK § (2019).

²⁶ Mahkamah Konstitusi, "PUTUSAN Nomor 46/PUU-VIII/2010 DEMI KEADILAN BERDASARKAN KETUHANAN YANG MAHA ESA MAHKAMAH KONSTITUSI REPUBLIK INDONESIA," *Mahkamah Konstitusi Republik Indonesia*, 2010, 1–45.

²⁷ Ahmad Rofiq, *Fiqh Kontekstual Dari Normatif Ke Pemaknaan Sosial*, Yogyakarta : Pustaka Pelajar, 2004.

²⁸ Nazaruddin, "Spirit Jaringan Ulama Timur Tengah Dan Kepulauan Nusantara Abad XVII Dan XVIII Karya Azyumardi Azra."

by *qadis* using classical *Shafi'i* texts such as *Fath al-Qarib* and *Tuhfah al-Muhtaj*, demonstrating that Islamic family law possessed both religious legitimacy and public authority.²⁹

However, the application of Islamic family law did not occur within a culturally homogeneous environment. Existing customary (*adat*) structures remained influential, leading to a continuous process of negotiation between Islamic norms and local traditions.³⁰ This accommodation is evident in marriage customs that preserved local rituals and in inheritance practices such as those of the Minangkabau community, where matrilineal inheritance for ancestral property coexisted with Islamic inheritance principles.³¹ Such patterns reveal that Islamic family law developed through contextual adaptation rather than rigid legal transplantation. Its legitimacy was largely derived from social acceptance and religious commitment, supported by a symbiotic relationship between rulers and religious scholars, in which sultanates provided political authority while *ulama* supplied religious legitimacy. Although the absence of formal codification generated regional variations and interpretive diversity, it also enabled flexibility and responsiveness to local realities. Thus, pre-colonial Islamic family law emerged as a normative-religious and socially embedded legal order that had become deeply rooted long before European colonial intervention.³²

The Dutch colonial period marked a significant transformation in this legal landscape. Rather than abolishing Islamic family law, the colonial government restructured and subordinated it within a broader colonial legal framework. During the early VOC period and throughout much of the eighteenth and nineteenth centuries, colonial authorities adopted a pragmatic approach by recognizing Islamic law in matters of marriage and inheritance. The compilation of the *Compendium Freijer* (1760), which summarized Islamic family law for application in colonial courts, illustrates this limited recognition. Nevertheless, such recognition was accompanied by increased administrative control, indicating that Islamic law was accepted only to the extent that it facilitated colonial governance.³³

A more systematic restriction emerged in the late nineteenth century through the influence of Snouck Hurgronje and his *receptie* theory. According to this doctrine, Islamic law was applicable to indigenous Muslims only when it had been accepted by customary law. As a result, *adat* was elevated as the primary legal system (*eigen recht*), while Islamic law was relegated to a secondary position dependent upon customary recognition. This policy significantly reduced the autonomous authority of Islamic family law and enabled colonial officials to determine its scope of application. Consequently, legal regulation became an instrument of political control designed to contain the influence of Islam and prevent it from evolving into a challenge to colonial power.³⁴

²⁹ Peletz, "Indonesian Islam: Social Change Through Contemporary Fatawa (Southeast Asia Publications Series.)."

³⁰ Amir Syarifuddin, *Hukum Pernikahan Islam Di Indonesia: Antara Fiqh Munakahat Dan Undang Undang Pernikahan*, Jakarta: Kencana, 2006.

³¹ Buya Hamka, "Islam Dan Adat Minangkabau," *Buku*, 1984.

³² M. C. Ricklefs, *A History of Modern Indonesia since c .1200, A History of Modern Indonesia since c .1200*, 2008, <https://doi.org/10.5040/9781350394582>.

³³ Peletz, "Indonesian Islam: Social Change Through Contemporary Fatawa (Southeast Asia Publications Series.)."

³⁴ Pijper, *Ned. En Islam*.

The codification of colonial governance through the *Regeeringsreglement* (1854) and the *Indische Staatsregeling* (1925) further entrenched a system of legal pluralism that classified the population into separate legal categories. Within this structure, Islamic family law remained formally recognized for indigenous Muslims, and religious courts (*Priesterraad*) continued to adjudicate family matters³⁵. Yet these institutions operated under colonial supervision and often relied on civil courts to enforce their decisions. This arrangement produced a legal paradox: Islamic family law was simultaneously acknowledged and marginalized. While colonial authorities preserved it as a mechanism for governing Muslim communities, they also restricted its development through administrative regulations and the dominance of *adat*-based legal theories.³⁶

Paradoxically, these restrictions stimulated intellectual resistance and legal reform movements among Indonesian Muslims. Criticism of the *receptie* theory eventually emerged from scholars such as Hazairin, who later proposed the theory of *receptie exit* to reject the subordination of Islamic law to customary law. This response demonstrates that colonial intervention not only constrained Islamic family law but also generated new legal consciousness and reformist aspirations.³⁷

Analytically, the transition from the pre-colonial to the colonial period represents a shift from a socially legitimized and relatively autonomous normative system to a formally recognized yet politically controlled legal institution. Whereas pre-colonial Islamic family law derived its authority primarily from religious legitimacy and communal acceptance, colonial rule transformed it into a component of a state-managed plural legal order. The enduring legacy of this transformation lies in the continuing debates over the relationship between Islamic law, customary law, and state authority in Indonesia. Therefore, the historical development of Islamic family law during these two periods demonstrates not only legal continuity and adaptation but also the complex interplay of religion, culture, and political power that has shaped the trajectory of Indonesian Islamic family law into the modern era.

Revitalization of Islamic Family Law in Post-Independence Indonesia

The revitalization of Islamic family law after Indonesian independence represents a fundamental transformation from a colonial legal system that subordinated Islamic law into a national legal framework that formally recognized and institutionalized it. Following the decline of the colonial *receptie* doctrine, the Indonesian state sought to integrate Islamic family law into the constitutional order without establishing a theocratic state. This process unfolded through three interconnected developments: the institutionalization of Religious Courts, the unification and codification of marriage law, and the enactment of the Compilation of Islamic Law (*Kompilasi Hukum Islam/KHI*). Together, these developments illustrate how Islamic family law was gradually transformed from a socially recognized norm into a formally administered component of the national legal system.³⁸

³⁵ C van Vollenhoven, *Het Adatrecht van Nederlandsch-Indië, Het Adatrecht van Nederlandsch-Indië*, 2024, <https://doi.org/10.1163/9789004595194>.

³⁶ C. A. O. van Nieuwenhuijze and Daniel S. Lev, "Islamic Courts in Indonesia.," *Pacific Affairs* 46, no. 2 (1973), <https://doi.org/10.2307/2756217>.

³⁷ Author Hazairin, "Tujuh Serangkai Tentang Hukum," *Universitas Indonesia Library*, 1974.

³⁸ MD, *Politik Hukum Di Indonesia*.

1. Institutionalization of Religious Courts

The institutionalization of Religious Courts (*Peradilan Agama*) constituted the primary foundation for integrating Islamic family law into the state legal structure. Although Religious Courts had existed during the colonial era, they operated under limited authority and colonial supervision. After independence, their position gained constitutional legitimacy through Article 24 of the 1945 Constitution and was strengthened by the establishment of the Ministry of Religious Affairs in 1946. However, their status remained institutionally fragmented until the enactment of Law No. 14 of 1970 and, more importantly, Law No. 7 of 1989 on Religious Courts.³⁹

Law No. 7 of 1989 marked a decisive shift by clearly defining the structure, jurisdiction, and procedural authority of Religious Courts over matters such as marriage, inheritance, wills, gifts, waqf, and almsgiving. Subsequent reforms through Law No. 3 of 2006 and Law No. 50 of 2009 further expanded their jurisdiction to include Islamic economic and financial disputes^{40, 41}. Analytically, this institutionalization reflects three major transformations: the integration of Religious Courts into the national judiciary, the formal recognition of Islamic family law as positive law for Muslims, and the professionalization of Islamic judicial administration. Nevertheless, this development was also shaped by legal-political considerations, particularly the state's accommodation of Muslim aspirations within a pluralistic constitutional framework. Thus, Religious Courts became a successful model of integrating Islamic legal traditions into a modern rule-of-law state.

2. Unification and Codification through the 1974 Marriage Law

A second major step in revitalizing Islamic family law was the enactment of Law No. 1 of 1974 on Marriage. Before its adoption, Indonesian family law was characterized by legal pluralism inherited from colonial classifications and diverse customary and religious norms, creating inconsistencies regarding marriage age, polygamy, divorce, and registration. The effort to establish a unified marriage law became part of the broader national agenda to create legal certainty and national cohesion.⁴²

The legislative process involved intense ideological debates between Islamic groups advocating stronger incorporation of Sharia principles and nationalist groups emphasizing a universal legal framework. The resulting law represented a political compromise. Article 2(1) recognizes the validity of marriage according to religious law, while Article 2(2) requires state registration. Consequently, the law adopted an integrative model in which religious norms remained the substantive basis of marriage, while the state provided administrative and legal regulation.

The 1974 Marriage Law also codified key principles such as monogamy, judicial supervision of divorce, minimum marriage age requirements, and restrictions on polygamy. These provisions reflected an effort to reinterpret Islamic family law in light of modern con-

³⁹ Presiden Republik Indonesia, “Undang-Undang Republik Indonesia Nomor 14 Tahun 1970 Tentang Ketentuan-Ketentuan Pokok Kekuasaan Kehakiman,” *Pub.L* 2, no. October (1970).

⁴⁰ Sekretariat Negara Republik Indonesia, “Undang-Undang Nomor 3 Tahun 2006 Tentang Perubahan Atas Undang-Undang Nomor 7 Tahun 1989 Tentang Peradilan Agama,” *منشورات جامعة دمشق* 1999, no. December (2006).

⁴¹ Mey Richa Madya Lestari, “UNDANG-UNDANG REPUBLIK INDONESIA NOMOR 50 TAHUN 2009 TENTANG PERUBAHAN KEDUA ATAS UNDANG-UNDANG NOMOR 7 TAHUN 1989 TENTANG PERADILAN AGAMA,” *Экономика Региона* 19, no. 19 (2009).

⁴² MD, *Politik Hukum Di Indonesia*.

cerns regarding legal certainty, gender justice, and social protection. The law strengthened the role of Religious Courts by requiring judicial procedures for divorce and family disputes, thereby enhancing legal protection for women and children.⁴³ Later amendments, particularly Law No. 16 of 2019, which equalized the minimum marriage age at nineteen for both men and women, further demonstrate the dynamic adaptation of Islamic family law to constitutional values, child protection standards, and gender equality concerns. Therefore, the Marriage Law represents not merely legal codification but a continuous negotiation between Islamic norms, customary traditions, and state interests.

3. The Compilation of Islamic Law (KHI) and Its Legal Validity

The third stage of revitalization was the issuance of Presidential Instruction No. 1 of 1991 concerning the Compilation of Islamic Law (*KHI*). Prior to its enactment, Religious Court judges relied on various classical fiqh texts, resulting in inconsistent judicial decisions. The KHI emerged as a response to the need for legal uniformity and certainty within Islamic family law adjudication.⁴⁴

Prepared through collaboration between the Supreme Court and the Ministry of Religious Affairs, the KHI compiled norms relating to marriage, inheritance, and waqf by synthesizing classical fiqh, judicial practice, and Indonesian social realities.⁴⁵ Although heavily influenced by *Shafi'i* jurisprudence, it also incorporated local adaptations, including regulations on joint marital property (*gono-gini*) and procedural limitations on polygamy and divorce.

From a legal perspective, the validity of the KHI rests on two dimensions. Formally, although a Presidential Instruction does not possess the same hierarchical status as legislation enacted by parliament, the KHI functions as an authoritative guideline for Religious Courts and therefore enjoys strong institutional validity. Sociologically, its acceptance derives from the fact that its substantive provisions are rooted in fiqh traditions already familiar to Indonesian Muslims. Nonetheless, the KHI has attracted criticism for its reliance on a dominant legal school and for its perceived limitations in addressing contemporary issues such as gender equality and child protection. Debates regarding its legal status and potential elevation into statutory law continue to reflect broader discussions on Islamic legal reform in Indonesia.⁴⁶

In conclusion, the post-independence revitalization of Islamic family law demonstrates a gradual process of institutionalization, codification, and legal consolidation. Through the strengthening of Religious Courts, the enactment of the 1974 Marriage Law, and the creation of the KHI, Islamic family law evolved into a formally recognized element of Indonesia's national legal system. This development illustrates Indonesia's distinctive approach to legal pluralism: integrating Islamic law within a constitutional and democratic framework while preserving the state's pluralistic character.

⁴³ Miftahul Ulum Ismail, Moh. Mujibur Rohman, and Mohsi Mohsi, "TAQNĪN AL-AHKĀM (Telaah Sejarah Legislasi Hukum Perdata Islam Dalam Hukum Nasional Indonesia)," *Ulumuna: Jurnal Studi Keislaman* 6, no. 1 (2020), <https://doi.org/10.36420/ju.v6i1.3957>.

⁴⁴ van Nieuwenhuijze and Lev, "Islamic Courts in Indonesia."

⁴⁵ Amir Syarifuddin, *Hukum Perkawinan Islam Di Indonesia Dan UU Perkawinan*, Jakarta: Kencana, 2009.

⁴⁶ Rofiq, *Fiqh Kontekstual Dari Normatif Ke Pemaknaan Sosial*.

Dynamics and Contemporary Issues in Islamic Family Law

1. Dynamics of Indonesian Islamic Family Law

The dynamics of Islamic family law in Indonesia over the past two decades have shown a significant shift from a normative-textual approach toward a constitutional and human rights paradigm. This transformation is evident in changes to legislation, decisions by the Constitutional Court, and the growing practice of judicial review of regulations deemed inconsistent with the principles of substantive justice. Islamic family law is no longer understood solely as a domain of classical fiqh, but rather as part of the national legal system subject to the constitution and the principle of nondiscrimination.⁴⁷

One significant change is the revision of the minimum marriage age by Law No. 16 of 2019, which amended Law No. 1 of 1974. Whereas previously the minimum age for women was 16 years and for men 19 years, this revision set the minimum age at 19 years for both. This change is a follow-up to Constitutional Court Decision No. 22/PUU-XV/2017, which stated that the age difference was discriminatory and contrary to the principle of child protection.⁴⁸ This development indicates that Islamic family law in Indonesia is becoming increasingly responsive to issues of gender equality and the protection of children's rights.

Another significant change concerns the status of children born out of wedlock, as addressed by Constitutional Court Decision No. 46/PUU-VIII/2010. This decision expands the civil relationship of a child born out of wedlock not only with the mother and her family but also with the biological father, provided such a relationship can be scientifically proven. This provision shifts the interpretation of Article 43 (1) of the Marriage Law, which previously limited such civil relationships. Substantively, this decision reflects a constitutional approach grounded in children's rights and the principle of justice, although it has sparked debate among religious scholars regarding the concept of lineage in classical Islamic jurisprudence.

The dynamics of family law are also evident in the strengthening of women's rights in divorce cases. Regulations require divorce to be conducted through the courts to ensure legal protection for wives and children.⁴⁹ Additionally, religious court practices show an increase in the granting of maintenance rights, *mut'ah*, and custody rights that are more sensitive to women's interests. This transformation demonstrates that Islamic family law in Indonesia is undergoing progressive reinterpretation through judicial practice, not merely through changes to the text of the law.

The phenomenon of judicial review of family law regulations demonstrates the growing role of the Constitutional Court as the guardian of the constitution. A number of petitions for judicial review of laws related to marriage, polygamy, and the status of children indicate that family law has become an arena for open public debate.⁵⁰ Judicial review functions not only as a mechanism for normative correction but also as a space for dialogue between religious values, social norms, and constitutional principles.

In line with the latest criminal law, the enactment of Law No. 1 of 2023 on the Criminal Code (KUHP) also has implications for family law. Provisions regarding the criminal of-

⁴⁷ MD, *Politik Hukum Di Indonesia*.

⁴⁸ Rafiah Septarini and Umami Salami, "Analisis Putusan Mahkamah Konstitusi Nomor 22/PUU-XV/2017 Tentang Batas Usia Nikah Bagi Perempuan," *Ulumul Syar'i: Jurnal Ilmu-Ilmu Hukum Dan Syariah* 8, no. 1 (2019), <https://doi.org/10.52051/ulumulsyari.v8i1.41>.

⁴⁹ Moh Mujibur Rohman and M Mohsi, "KONSTRUKSI T'LAN AL-NIKAH DALAM FIQH PANCASILA (Telaah Pencatatan Perkawinan Perspektif Sad Al-Dzariah)," *Ulumuna: Jurnal Studi Keislaman* 3, no. 1 (2017), <https://doi.org/10.36420/ju.v3i1.3916>.

⁵⁰ MD, *Politik Hukum Di Indonesia*.

fense of adultery, cohabitation without a marital bond, and the protection of the family institution demonstrate an overlap between criminal law and family law.⁵¹ Although these provisions are complaint-based offenses, they reflect a legislative orientation that positions the family as an institution that must be protected both morally and legally. This cohesion indicates that the dynamics of family law do not stand alone but interact with updates to national criminal law.

The issue of polygamy remains a subject of contemporary debate. Law No. 1 of 1974 does not prohibit polygamy, but imposes strict conditions and requires court approval.⁵² In practice, these administrative requirements serve as a tool for state control over a practice that is permitted under Islamic law. Debates regarding polygamy are often linked to issues of gender justice and the protection of women's rights, thereby sparking discussions on further restrictions through judicial or legislative approaches.

Meanwhile, the phenomenon of *nikah siri* or unregistered marriages highlights the tension between religious norms and the state's administrative obligations. Under Islamic law, *nikah siri* can be considered valid if it fulfills the pillars and conditions of marriage. However, under Indonesian positive law, unregistered marriages lack administrative evidentiary weight and result in weak legal protection for wives and children.⁵³ This practice poses a serious challenge by affecting inheritance rights, children's status, and access to public services. The state responds through mandatory marriage registration requirements and restrictions on legal recognition of unregistered marriages.

Overall, the dynamics of Islamic family law in Indonesia reveal a pattern of progressive yet moderate transformation. Changes to the minimum marriage age, recognition of the status of children born out of wedlock, strengthening of women's rights in divorce, and interventions by the Constitutional Court indicate that family law is moving toward a paradigm of substantive justice. On the other hand, the issues of polygamy and *nikah siri* (unregistered marriages) underscore that the negotiation between *fiqh* norms and state regulations is still ongoing. These dynamics reflect the adaptive, constitutional nature of Indonesian Islamic family law, which remains in a constant dialectic between tradition and social change.

2. Contemporary Issues in Indonesian Islamic Family Law

Contemporary issues in Islamic family law in Indonesia reveal the intensity of the intersection between classical *fiqh* norms, modern state regulations, and the evolution of human rights values. Social transformation, globalization, and advancements in reproductive technology have expanded the scope of family issues beyond the traditional framework of marriage and divorce. In this context, Islamic family law in Indonesia exists within a complex dialectical space between the principles of *sharia*, the constitution, and demands for social justice.

Gender issues have become a crucial focal point in family law debates. Criticism of patriarchal biases in classical *fiqh* interpretations has driven the reinterpretation of family law norms to make them more responsive to principles of equality. The revision of the minimum marriage age through Law No. 16 of 2019, for example, is a significant step toward eliminating age discrimination between men and women.⁵⁴ This change is not merely ad-

⁵¹ Moh. Mujibur Rohman and Aziz Basuki, "Considerations for the Formulation of *Fiqh* Munakahat Reason and Criminal Law on Polygamy Sirri Practices in Indonesia," *USRATY: Journal of Islamic Family Law* 2, no. 2 (2024), <https://doi.org/10.30983/usraty.v2i2.8693>.

⁵² Rohman and Basuki.

⁵³ M Mohsi, Moh Mujibur Rohman, and Miftahul Ulum, "TELAAH FATWA MUI NO. 10 TAHUN 2008 TENTANG NIKAH DI BAWAH TANGAN BERBASIS SADD AL-DZARĪ'AH DAN KEADILAN GENDER," *An-Nisa': Jurnal Kajian Perempuan Dan Keislaman* 14, no. 1 (2021), <https://doi.org/10.35719/annisa.v14i1.56>.

⁵⁴ Moh. Mujibur Rohman et al., *AL-FIQH AL-MUASHIRAH; Fiqh Kontemporer Sebagai Konstruksi Epistemologi Menjawab Dialektika Masyarakat*, ed. PT. Penamuda Media, 1st ed. (Yogyakarta: PT Penamuda

ministrative but also reflects the state's recognition of girls' rights to education and protection from early marriage. Nevertheless, debates regarding spousal relations, leadership within the household, and women's economic rights remain an evolving discourse among Islamic legal scholars and practitioners.

Regarding domestic violence (DV/KDRT), the enactment of Law No. 23 of 2004 on the Elimination of Domestic Violence marked a strengthening of legal protection for victims, particularly women. This regulation shifted the old paradigm that viewed domestic violence as a private matter into a public issue subject to criminal prosecution. In practice, Religious Courts have also begun to consider acts of violence as grounds for divorce and as a basis for awarding alimony or other forms of protection. This integration of family law and criminal law demonstrates that protection for women no longer relies solely on moral norms but also on state sanction mechanisms.⁵⁵

The issue of interfaith marriage remains a sensitive debate. Law No. 1 of 1974 states that the validity of a marriage is determined by the laws of each respective religion. In practice, this provision is often interpreted as a restriction on interfaith marriage because the majority of religions in Indonesia do not recognize it. Several requests for judicial review regarding this issue have been filed, but the Constitutional Court has tended to uphold the wording of the law on the grounds of maintaining social harmony and freedom of religion in accordance with the constitution. This issue highlights the limits of compromise between religious pluralism and the unification of national law.

The phenomenon of "sirri" polygamy (or polygamy without court permission) reveals a tension between Islamic jurisprudence (fiqh) norms and state administrative regulations. Normatively, polygamy is permitted in fiqh under conditions of fairness; however, the Marriage Law requires court permission and the wife's consent.⁵⁶ The practice of secret polygamy often disregards registration requirements, thereby weakening legal protection for wives and children. In this context, the state seeks to balance religious freedom with the principles of women's rights protection and legal certainty.

Advances in reproductive technology, such as in vitro fertilization (IVF/Ibu Pengganti) and surrogacy, present new challenges in Islamic family law. IVF programs using the sperm and eggs of a married couple are relatively acceptable under religious fatwas, but the practice of surrogacy raises serious issues regarding lineage, inheritance rights, and maternal status.⁵⁷ To date, Indonesian positive law has not explicitly regulated surrogacy, creating a legal vacuum that has the potential to give rise to disputes in the future. This issue highlights the need for contemporary *ijtihad* that takes into account the *maqashid al-shari'ah* and developments in biotechnology.

Women's rights and protections under family law have also been strengthened through judicial practice and national regulations. Religious Courts have become increasingly progressive in determining the rights to iddah maintenance, *mut'ah*, and the division of joint property.⁵⁸ At the constitutional level, the Constitutional Court has expanded protections for children born out of wedlock through Decision No. 46/PUU-VIII/2010, which directly

Media, 2024), <https://penamuda.com/product/al-fiqh-al-muashirah-fiqh-kontemporer-sebagai-konstruksi-epistemologi-menjawab-dialektika-masyarakat/>.

⁵⁵ M Mohsi, "Analisis Perkawinan Paksa Sebagai Tindak Pidana Kekerasan Seksual Dalam RUU PKS," *Al-Adalah: Jurnal Hukum Dan Politik Islam* 5, no. 1 (2020), <https://doi.org/10.35673/ajmpi.v5i1.578>.

⁵⁶ Rohman and Basuki, "Considerations for the Formulation of Fiqh Munakahat Reason and Criminal Law on Polygamy Sirri Practices in Indonesia."

⁵⁷ Rohman et al., *AL-FIQH AL-MUASHIRAH; Fiqh Kontemporer Sebagai Konstruksi Epistemologi Menjawab Dialektika Masyarakat*.

⁵⁸ Muchtar Anshary Hamid Labetubun et al., *Rekonstruksi Epistemologi Hukum Keluarga Islam, Angewandte Chemie International Edition*, 6(11), 951–952., 2023.

impacts the rights of women and children. This development reflects a paradigm shift from a formalistic approach toward substantive justice.⁵⁹

On the other hand, cohabitation, or living together without a formal marital bond, has become an issue in criminal law reform. Law No. 1 of 2023 on the Criminal Code regulates adultery and cohabitation as offenses subject to complaint. This provision reflects an orientation toward protecting the family institution from moral and social perspectives.⁶⁰ Nevertheless, the regulation limits the state's scope of intervention through the complaint mechanism, thereby not fully criminalizing private life. The cohesion between criminal law and family law in this context demonstrates legislative efforts to uphold family values while respecting privacy boundaries.

Overall, contemporary issues in Islamic family law in Indonesia reveal multidimensional dynamics. It operates within a spectrum ranging from normative conservatism to constitutional progressivism. The main challenge is family law's ability to respond to social change without losing its theological roots. In the context of a pluralistic and democratic state governed by the rule of law, Indonesian Islamic family law continues to evolve through legislation, court rulings, and dynamic academic debate.

Challenges and Prospects for Islamic Family Law in the Future

The future challenges and prospects of Islamic family law in Indonesia cannot be separated from the dynamics of social change, the development of constitutionalism, and global demands for the protection of human rights. In the context of a state governed by the rule of law and founded on Pancasila, Islamic family law functions not only as a religious norm but also as part of the national legal system that must fulfill the principles of certainty, justice, and public interest. Therefore, the future of Islamic family law is largely determined by its ability to adapt without losing its theological legitimacy.

One of the main challenges is harmonizing classical fiqh norms with modern constitutional principles. Developments in Constitutional Court rulings, such as Decision No. 46/PUU-VIII/2010 regarding the status of children born out of wedlock, demonstrate that a constitutional approach can expand the scope of family law protection. In the future, the possibility of judicial review of family regulations will continue to arise, particularly regarding issues of gender equality, children's rights, and religious freedom. The challenge lies in formulating norms that do not conflict with the *maqāṣid al-syarī'ah*, yet remain consistent with the principle of non-discrimination in the 1945 Constitution.⁶¹

Another challenge is social pluralism and the increasing complexity of family relationships. The phenomena of interracial marriage, international migration, and advances in reproductive technology present new issues that have not yet been comprehensively addressed. Existing regulations, such as Law No. 1 of 1974 on Marriage and its amendments, have not explicitly anticipated issues such as surrogacy or cross-jurisdictional disputes. This regulatory gap has the potential to lead to disparity in court rulings and legal uncertainty.⁶²

⁵⁹ Moh. Mujibur Rohman and Siti Muafatun, "Hacking Muhammad Syahrūr's Hudūd Theory and Its Relevance to the Inheritance of Sangkolan Madurese People," *Jurnal Ilmiah Al-Syir'ah* 19, no. 2 (2021), <https://doi.org/10.30984/jis.v19i2.1625>.

⁶⁰ Rohman and Muafatun.

⁶¹ Konstitusi, "PUTUSAN Nomor 46/PUU-VIII/2010 DEMI KEADILAN BERDASARKAN KETUHANAN YANG MAHA ESA MAHKAMAH KONSTITUSI REPUBLIK INDONESIA."

⁶² Syarifuddin, *Hukum Pernikahan Islam Di Indonesia: Antara Fiqh Munakahat Dan Undang Undang Pernikahan*.

On the other hand, the institutional strengthening of the Religious Courts presents a positive prospect for the development of Islamic family law. Since the enactment of Law No. 3 of 2006 amending the Religious Courts Law, the courts' jurisdiction has expanded, and the professionalism of judicial personnel has increased. The digitization of judicial services and the integration of case management systems also open opportunities for more equitable access to justice. This prospect indicates that the institutionalization of Islamic family law has reached a significant level of structural maturity.⁶³

Legislative reform is also a strategic prospect. The Compilation of Islamic Law (KHI), established through Presidential Instruction No. 1 of 1991, has long served as the primary reference for judicial practice. However, as a product of executive policy, the KHI is often viewed as having limited legal legitimacy. Moving forward, recodification or elevating the status of the KHI to a law could be a reform agenda aimed at strengthening the formal legal foundation while updating the substance of the norms to be more responsive to societal developments.

Furthermore, the approaches of *maqāṣid al-syarī'ah* and contextual fiqh offer promising methodological prospects. These approaches allow reinterpretation of family norms in light of the objectives of protecting religion, life, reason, lineage, and property. Thus, Islamic family law is not merely understood textually but also as an instrument for safeguarding the public interest. In Indonesia's pluralistic and democratic context, this approach can bridge the tension between tradition and modernity.⁶⁴

Overall, the future of Islamic family law in Indonesia depends on a balance between normative continuity and regulatory innovation. The challenges of globalization, human rights awareness, and changes in family structures demand a progressive response that remains rooted in Sharia values. If it can undertake reforms based on substantive justice and institutional strengthening, Islamic family law will not only survive but also contribute significantly to building an inclusive and civilized national legal system.

CONCLUSION

Based on the findings, the development of Islamic family law in Indonesia reflects an adaptive and integrative legal system that continues to evolve in response to social, political, and constitutional changes. Rather than adopting a purely textual approach, Islamic family law has developed through the integration of Islamic jurisprudence, customary law, and state law within Indonesia's plural legal system. Its post-independence revitalization, marked by the strengthening of the Religious Courts, the enactment of Law No. 1 of 1974 on Marriage, and the Compilation of Islamic Law (KHI), has reinforced its position within the national legal framework while addressing contemporary issues such as marriage age, the legal status of children, and women's rights. More recently, constitutional values and human rights principles have increasingly shaped the interpretation of family law, particularly through Constitutional Court decisions promoting substantive justice. Nevertheless, challenges remain, including the

⁶³ Moh Mujibur Rohman, "Independensi Kekuasaan Kehakiman Dalam Sistem Trias Politica Di Indonesia," *Rohman* 1, no. 2 (2024).

⁶⁴ Moh. Mujibur Rohman, Rahman Rahman, and Taufikurrahman Taufikurrahman, "Menjawab Tantangan Metode Istimbath Al-Ahkam Berbasis Maqāshid Al-Syarī'ah Dalam Menjawab Persoalan Kekinian.Pdf," *QISTH: Jurnal Studi Dan Penelitian Hukum Islam* 3, no. 1 (2026): 21–46, <https://doi.org/https://doi.org/10.36420/tb1tze58>.

reconciliation of classical *fiqh* with equality principles, the regulation of unregistered marriages and polygamy, and the legal implications of emerging reproductive technologies. Accordingly, the future development of Islamic family law requires contextual and equitable legal reform grounded in *maqāṣid al-sharīʿah*, supported by stronger legislation and institutional capacity, to ensure that it remains responsive, inclusive, and relevant within Indonesia's evolving constitutional and social landscape.

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