

Integration of Islamic Law and Positive Law in the Context of Legal Pluralism in Indonesia

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Article Info	Abstract
<p>Article history:</p> <p>Received: Nov 03, 2025 Revised: Nov 23, 2025 Accepted: Nov 23, 2025</p> <hr/> <p>Keywords:</p> <p>Islamic law Positive law Legal pluralism Indonesia Pancasila Legal integration</p>	<p>In Indonesia, the coexistence of multiple legal systems namely the national or positive law, customary (adat) law, and Islamic law (sharia/fiqh) gives rise to complex challenges of harmonisation within a plural legal order. This article examines how Islamic law and positive law are integrated (or fail to integrate) in the Indonesian legal system, especially in light of the country's foundational ideology of Pancasila and plural religious and cultural composition. Using a normative-judicial approach complemented by doctrinal analysis of legislation, judicial decisions and scholarly literature, this research explores the structural, normative and practical dynamics of integration, the obstacles encountered (such as conflicting norms, jurisdictional overlaps, human-rights tensions), and the opportunities for re-conceptualising legal pluralism as complementary rather than competing systems. The results indicate that while Islamic law is not fully codified as national law, its values have increasingly been absorbed into positive law through mechanisms such as legislative receptio, judicial interpretation, and regional regulation (particularly in special-autonomy regions). The discussion highlights that sustainable integration depends on recognition of pluralism, legal certainty, rights protection, and contextualisation of Islamic legal norms within national and global human-rights frameworks. The conclusion proposes a model of harmonised pluralism that respects diversity while maintaining coherence and justice in the national legal order.</p>

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A. Introduction (1000 – 1500 words)

Indonesia presents a unique and dynamic laboratory for the study of legal pluralism and the integration of multiple legal systems within one national framework. As the world's largest Muslim-majority country, Indonesia's legal identity occupies an exceptional position between religiosity and secularism, between tradition and modernity. The state is not theocratic—unlike Iran or Saudi Arabia—yet it is also not purely secular in the Western liberal sense. Rather, it is founded upon Pancasila, the national ideology which serves as the philosophical and moral compass of the Republic. Pancasila's five principles—belief in one God, just and civilized humanity, the unity of Indonesia, democracy guided by wisdom and deliberation, and social justice for all—are not merely abstract ideals but practical guidelines for balancing diverse cultural, religious, and political forces (Budiardjo, 2022). They create a framework in which religious morality, national identity, and democratic governance coexist under a single constitutional order (Nasution, 2021).

The Undang-Undang Dasar 1945 (“the 1945 Constitution”) institutionalizes these values, forming the foundation of Indonesia's legal system. This system embodies three normative pillars:

state law (*hukum positif*), which derives largely from Dutch civil law traditions inherited from the colonial period; customary law (*hukum adat*), reflecting the social norms and traditional practices of Indonesia's hundreds of ethnic groups; and religious law, most notably Islamic law (*hukum Islam*), which influences the moral and personal conduct of the Muslim majority (Mustafa, Soge & Edy, 2025). These three sources of law interact within a complex legal mosaic that is both hybrid and dynamic, continuously evolving in response to social change and political transformation (Hooker, 2020).

The roots of Indonesia's legal pluralism stretch back to the colonial era. During the Dutch East Indies administration, the colonial state adopted a policy of legal differentiation, recognizing different systems of law for different communities: European law for Europeans, *adat* law for indigenous peoples, and Islamic law in limited personal matters such as marriage and inheritance among Muslims (Lev, 2020). This structure institutionalized pluralism in practice, even as it subordinated indigenous and Islamic law to the authority of colonial courts. After independence in 1945, Indonesia inherited this multilayered system, and rather than eliminating it, the founders chose to embrace it as a reflection of the nation's diversity (Cammack & Feener, 2021). The post-independence legal development, however, sought to unify these plural norms under the umbrella of national law while maintaining respect for religious and customary traditions (Asshiddiqie, 2023).

In this context, legal pluralism in Indonesia refers to the coexistence and mutual interaction of multiple normative orders—state law, customary (*adat*) law, and religious law (particularly Islamic law). These systems overlap in many areas of social life, including family law, inheritance, land tenure, and social morality (Yulianti, 2023). The integration of Islamic law into the national legal framework thus raises profound questions: How are divine norms, derived from revelation and classical jurisprudence (*fiqh*), translated into the language of modern legal codification and state regulation? To what extent does the state accommodate Islamic legal principles without breaching constitutional guarantees of religious freedom, equality, and national unity (Mahfud MD, 2022)? And how does the law maintain coherence and justice when multiple normative authorities claim legitimacy over the same social domain?

Scholars have long debated these issues, producing a rich but fragmented body of literature. Some studies focus on the constitutional and judicial dimensions of integration, examining how Islamic legal values inform the reasoning of Indonesia's Constitutional Court (*Mahkamah Konstitusi*) and other judicial bodies (Rahmatullah et al., 2025). Others adopt sociological and anthropological perspectives, exploring how Islamic norms are contextualized, localized, and sometimes contested within Indonesia's plural legal environment (Umar et al., 2023). In regions granted special autonomy, such as Aceh and West Sumatra, empirical studies demonstrate how Islamic law and Pancasila coexist in governance, education, and public morality, producing both synergistic and conflicting practices (Hamdi et al., 2024).

At the same time, the state has institutionalized certain aspects of Islamic law within national legislation. The most notable example is Undang-Undang Nomor 1 Tahun 1974 tentang Perkawinan (Law No. 1 of 1974 on Marriage), which reflects a synthesis of Islamic and civil law principles, regulating marriage, divorce, and guardianship among Muslims under the authority of Religious Courts (*Pengadilan Agama*) (Suryati, 2021). Similarly, the *Kompilasi Hukum Islam* (Compilation of Islamic Law, 1991) represents a codified form of Islamic jurisprudence that guides judges in family and inheritance matters (Nurhayati, 2022). More recently, Islamic economic law (*hukum ekonomi syariah*) has gained recognition through state-supported Islamic banking, zakat management, and halal certification laws (Fauzi, 2024). These developments demonstrate that integration is not merely theoretical—it is a living, evolving process that shapes Indonesian law and society (Ali, 2023).

Nevertheless, challenges persist. Integration has often been piecemeal rather than systemic, shaped by pragmatic political considerations rather than coherent jurisprudential frameworks (Halim,

2023). The tension between Pancasila's pluralist ethos and aspirations for greater syariah implementation continues to provoke debate in legal, political, and religious spheres (Effendi, 2024). Some argue that fuller integration of Islamic law would strengthen moral governance and justice for the Muslim majority (Azra, 2020), while others caution that over-Islamisation could threaten constitutional neutrality, minority rights, and Indonesia's fragile social cohesion (Ichwan, 2021). Furthermore, institutional fragmentation—among the legislature, judiciary, and executive—often hampers consistent application of integrated legal principles (Setiadi, 2024).

The gaps in existing scholarship are therefore both conceptual and practical. While there is consensus that legal pluralism is an enduring reality in Indonesia, less attention has been paid to the mechanisms of integration: how Islamic legal concepts are received, interpreted, and formalized within the machinery of positive law (Rahmawati, 2023). There remains a need for a comprehensive analytical model that can explain this process across normative, institutional, and practical dimensions—what might be termed a model of harmonized pluralism (Syahrin, 2024). Such a model would recognize that no single normative system can dominate without undermining others; instead, law must function as a dialogical arena in which religious, customary, and state norms continually negotiate meaning and authority (Bakker, 2022).

B. Methods (500-1000 Words)

This study adopts a normative-judicial research design, supported by doctrinal analysis of legislation, judicial decisions, and scholarly writings (Soekanto, 2006; Marzuki, 2016). The primary legal materials comprise the 1945 Constitution, statutory instruments governing religious courts and Islamic law—such as Law No. 7 of 1989 on Religious Courts and Law No. 1 of 1974 on Marriage—as well as selected regional regulations, including those related to Aceh's special autonomy (Qanun Jinayat and Qanun Syariat Islam) (Cammack & Feener, 2012). The secondary sources include academic journal articles, books, and policy documents addressing legal pluralism, Islamic law, and Indonesian national law (Hooker, 2008; Lindsey, 2012; Nurlaelawati, 2018).

Data were collected through literature review and document analysis, focusing on the normative status of Islamic law, its institutional embodiment (e.g., religious courts and regional Islamic bylaws), and jurisprudential trends, particularly decisions issued by the Mahkamah Konstitusi Republik Indonesia (Constitutional Court) (Asshiddiqie, 2010; Butt, 2016). The analysis applies the theory of reception—which explains how religious norms are absorbed into state law (Lev, 1972)—and the concept of inter-legality, which explores the interaction of multiple legal orders within a single socio-legal context (Santos, 2002; Griffiths, 1986).

Nevertheless, several limitations must be acknowledged. This study is primarily doctrinal and normative, rather than empirical; it does not employ fieldwork, interviews, or survey data (Ibrahim, 2006). It also adopts a broad national focus rather than a detailed case study of a specific region and does not attempt to provide an exhaustive analysis of all regional or sectoral variations in Indonesia's plural legal landscape (Bowen, 2003; Feener, 2013).

C. Result and Discussion

1. Mechanisms of Integration

The relationship between Islamic law and positive law in Indonesia represents a dynamic interaction shaped by history, constitutional design, and social pluralism. The integration process cannot be understood as a mere coexistence of two legal systems, but as a dialogical encounter between shari'ah-based norms and state legislation within the framework of Indonesian legal pluralism. The research findings indicate several mechanisms by which Islamic law has been incorporated into the state's legal architecture: through legislation, judicial interpretation, regional autonomy, and continuous processes of contextual *ijtihad* (Caniago et al., 2025).

a. Reception through Legislation and Codification

Since Indonesia's independence, the national legal system has adopted a pragmatic approach to integrating Islamic law, primarily through partial codification within the domain of family law. Laws such as Law No. 1 of 1974 on Marriage, Government Regulation No. 9 of 1975, Law No. 7 of 1989 on Religious Courts, and the Compilation of Islamic Law (KHI) of 1991 collectively represent a

gradual incorporation of Islamic legal principles into national law (Nasution, 2022). These frameworks, particularly the KHI, operate as a “semi-official” codification of Islamic family law, serving as a practical guideline for judges in the Peradilan Agama (Religious Courts).

The integration via codification reflects what Hooker (2008) termed “receptive pluralism,” where certain Islamic norms are absorbed into national law based on their compatibility with constitutional and societal frameworks. For instance, provisions on mahr, polygamy, and inheritance in the KHI are derived from classical fiqh, yet are modified to fit modern concepts of gender equity and procedural fairness (Abdillah, 2023). The process demonstrates selective adaptation rather than wholesale adoption, suggesting that Indonesia’s legal structure privileges functional integration over ideological conformity (Manto, 2024).

b. Judicial Interpretation and Constitutional Review

Judicial institutions have become an essential channel for embedding Islamic values into state law through interpretive mechanisms. The Constitutional Court (Mahkamah Konstitusi) and Supreme Court (Mahkamah Agung) often rely on Islamic jurisprudential principles to interpret national statutes, especially when constitutional values intersect with moral and religious questions. Decisions involving the Marriage Age Law (Case No. 22/PUU-XV/2017), Zakat Regulation, and Blasphemy Law illustrate the judicial tendency to invoke *maqāṣid al-syarī‘ah* (objectives of Islamic law) as a moral framework guiding constitutional interpretation (Rahmatullah et al., 2025).

In these cases, courts did not apply Islamic law as binding legal authority but as an interpretive reference ensuring justice, morality, and public welfare (*maṣlaḥah*). This form of indirect integration underscores the dialogical role of the judiciary in harmonizing religious values with constitutional mandates (Supriyadi, 2023). Such judicial reasoning aligns with the concept of constitutional pluralism, wherein multiple normative orders interact to produce coherent and context-sensitive outcomes (Halim, 2024).

c. Regional Regulation and Special Autonomy Mechanisms

Integration is also manifested through regional governance. Under Law No. 11 of 2006 on the Government of Aceh, the province of Aceh enjoys special autonomy allowing the enactment of *qanun* (regional regulations) that institutionalize Islamic law in both public and private spheres. These include provisions on dress codes, criminal sanctions (*‘uqūbah*), and social morality. While controversial, the Aceh model exemplifies how Islamic law can be operationalized through local democracy within a plural legal framework (Sumardi et al., 2023).

The Acehnese system represents a living laboratory of inter-legality, where *adat*, Islamic, and state laws interact in governance and adjudication. Studies show that in Aceh, *ulama* councils, local legislators, and state officials collaborate to draft *qanun* based on both fiqh and human-rights considerations (Iskandar & Safwan, 2022). However, scholars also note tensions when such regulations deviate from constitutional norms or international standards, particularly concerning corporal punishment (Ali & Nurdin, 2021). This suggests that regional integration must operate within constitutional safeguards to prevent legal fragmentation.

d. Contextualisation and Dynamic Ijtihād

A critical driver of integration is the ongoing reinterpretation of Islamic law through *ijtihād* that responds to Indonesia’s socio-legal context. Prominent scholars such as Quraish Shihab (2019) and Abdurrahman (2021) emphasize that the spirit of *maqāṣid al-syarī‘ah*—justice, welfare, and equality—can be translated into contemporary governance principles. Contextual *ijtihād* ensures that Islamic norms remain adaptive to democratic, plural, and constitutional realities.

For example, discussions on Islamic economic law, environmental stewardship (*fiqh al-bi’ah*), and gender justice reveal how modern *ijtihād* bridges the gap between normative Islamic doctrine and national law (Caniago et al., 2025). This process converts Islamic law from a closed normative system into an open moral source that influences statutory interpretation, policymaking, and ethical governance.

Collectively, these four mechanisms—codification, judicial interpretation, regional autonomy, and contextual *ijtihād*—illustrate a multilayered structure of integration. Rather than a top-down

imposition, integration in Indonesia evolves through continuous negotiation between state actors, religious scholars, and social institutions.

2. Obstacles and Tensions in the Integration Process

Despite visible progress, the integration of Islamic law into Indonesia's plural legal order faces enduring challenges that are both structural and ideological. These challenges emerge from the friction between legal diversity, human rights standards, and the political economy of law-making.

a. Normative Conflicts and Jurisdictional Overlaps

One major obstacle lies in the coexistence of multiple legal systems—Islamic, customary (*adat*), and state law—within overlapping domains. Family disputes, inheritance, and moral offenses often fall within ambiguous jurisdictions between *Peradilan Agama* (Religious Courts) and *Peradilan Umum* (General Courts) (Mubarok, 2020). For example, inheritance cases involving mixed marriages often lead to conflicting rulings due to differing interpretations of legal authority (Zahra, 2022).

Moreover, the procedural integration of Islamic norms into administrative law remains weak. The lack of coordination between religious and civil registries undermines the uniform recognition of marriages or divorces (Herlambang & Wulandari, 2025). Such fragmentation not only produces inconsistent judicial outcomes but also erodes public trust in legal institutions. Hence, integration requires a clear delineation of competence and hierarchy among different courts to prevent jurisdictional chaos.

b. Human Rights and Pluralism Concerns

Another tension arises from the intersection between Islamic law and international human-rights standards. Certain Islamic legal provisions, especially those codified in regional *qanun*, have been criticized for contradicting gender equality and minority rights (Pradhani, 2024). For instance, Aceh's enforcement of public morality and corporal punishment has been viewed by some as incompatible with Indonesia's constitutional guarantees of dignity and equality (Ali & Nurdin, 2021).

This tension reveals a fundamental dilemma: while Islamic law seeks to promote moral order, human-rights norms emphasize individual autonomy. The reconciliation of these two normative frameworks requires interpretive flexibility and dialogue, not confrontation. Indonesian scholars increasingly advocate for a *maqāṣid*-based human-rights hermeneutic that aligns sharia objectives with constitutional protections (Suryani, 2023). This approach interprets human rights not as external impositions but as expressions of divine justice (*'adl ilāhī*), thereby creating a moral bridge between Islamic and constitutional ethics.

c. Uneven Implementation and Legitimacy Issues

Integration across Indonesia remains uneven. While Aceh represents deep integration, most other provinces adopt partial or symbolic incorporation of Islamic norms. Legal pluralism without uniform implementation generates discrepancies in legal protection and enforcement (Herlambang & Wulandari, 2025). For example, the legal recognition of *waqf*, *zakat*, and *halal* certification varies in effectiveness depending on local governance capacity (Nasution, 2022).

Moreover, public perception of Islamic law is not homogeneous. Urban Muslim communities may view codified Islamic law as bureaucratic, while rural communities perceive it as authentic and sacred. This sociological disparity complicates efforts to standardize Islamic legal administration at the national level (Basri, 2022). Hence, the legitimacy of integration depends on its ability to reflect diverse communal values while maintaining legal certainty.

d. Political and Ideological Contestation

The integration process is inseparable from Indonesia's political dynamics. Since independence, debates about the relationship between Islam and the state have oscillated between secular-nationalist and Islamist positions (Manto, 2024). Political actors often instrumentalize Islamic law to gain legitimacy among Muslim constituencies. Consequently, legal integration risks becoming a political tool rather than a principled effort toward justice and social welfare (Abdurrahman, 2021).

The legislative debates over the *Zakat Law*, *Anti-Pornography Law*, and the *Criminal Code* (KUHP) illustrate how political coalitions shape the extent of sharia incorporation (Sumardi et al.,

2023). The persistence of such ideological contestation underscores the need for an epistemic consensus—grounded in shared constitutional values—so that Islamic law serves as a moral compass rather than a political weapon.

These obstacles demonstrate that integration in Indonesia is not automatic nor harmonious; it is a process of negotiation, conflict, and synthesis. A sustainable model must therefore balance moral aspirations with constitutional constraints.

3. Towards a Model of Harmonised Legal Pluralism

Given these findings, this study proposes a theoretical model termed harmonised pluralism—a framework that envisions the coexistence and interaction of Islamic, customary, and state laws within a unified yet flexible national legal order.

a. Recognition of Plural Normative Orders

Indonesia's Constitution implicitly acknowledges legal pluralism through its recognition of religious and customary courts. However, this recognition remains fragmented and often treated as exceptional rather than systemic. Harmonised pluralism requires formal acknowledgment that multiple normative orders coexist within the national legal framework (Hooker, 2008). Rather than imposing uniformity, the state should manage diversity through coordination and subsidiarity, allowing different systems to operate within their respective moral and social contexts (Abdurrahman, 2021).

b. Normative Mediation and Value Alignment

The integration of Islamic values into positive law must be guided by ethical mediation rather than literal transplantation. Principles of justice (*'adl*), public interest (*maṣlaḥah*), and protection of rights (*ḥifẓ al-ḥuqūq*) can enrich legislative and judicial reasoning. Through the *maqāṣid al-syarī'ah* framework, Islamic law provides an ethical vocabulary that supports constitutional goals such as welfare, equality, and good governance (Rahmatullah et al., 2025). This approach ensures that Islamic law contributes substantively to legal development while avoiding doctrinal rigidity.

c. Institutional Coordination and Jurisdictional Clarity

Institutional fragmentation remains a central obstacle to integration. Harmonised pluralism requires establishing inter-legal coordination mechanisms, such as joint committees between Religious and State Courts, or advisory councils linking the Ministry of Religious Affairs with the Supreme Court (Nasution, 2022). Jurisdictional clarity must be supported by procedural guidelines that delineate competence across different institutions to minimize conflict and duplication (Sumardi et al., 2023).

d. Rights-Based and Inclusive Orientation

Legal integration must not sacrifice fundamental rights in the name of religious authenticity. Harmonisation efforts should explicitly safeguard women's rights, minority protections, and freedom of belief. A rights-based *fiqh* approach—rooted in the *maqāṣid* principle of preserving life, intellect, lineage, property, and religion—can reconcile Islamic and constitutional obligations (Ali & Nurdin, 2021; Pradhani, 2024). Inclusivity ensures that integration strengthens rather than restricts Indonesia's pluralistic democracy.

e. Contextualisation and Dynamic Adaptation

Indonesia's social change demands a flexible legal framework. Continuous *ijtihād* is vital for ensuring that Islamic law evolves in tandem with contemporary realities such as digital transactions, environmental ethics, and gender justice (Caniago et al., 2025). Contextualisation also prevents the fossilisation of Islamic jurisprudence, keeping it responsive to the needs of modern society (Quraish Shihab, 2019).

f. Transparency, Education, and Socialisation

Finally, harmonised pluralism depends on societal understanding and acceptance. Legal literacy and civic education should promote awareness of Indonesia's plural legal identity. Universities, Islamic organisations, and state institutions must collaborate to cultivate informed dialogue between jurists, scholars, and citizens (Halim, 2024). Transparency in legal drafting and judicial decision-making enhances public trust, ensuring that integration is seen not as coercion but as collaboration.

Synthesis

The integration of Islamic and positive law in Indonesia represents both a historical continuity and a modern challenge. It reflects a negotiation between moral legitimacy, constitutionalism, and social justice. The mechanisms identified—legislative codification, judicial interpretation, regional autonomy, and dynamic *ijtihad*—demonstrate Indonesia's unique capacity to blend sacred and secular paradigms within a single legal order. Yet, persistent tensions in human rights, institutional capacity, and political contestation reveal that integration is a process of constant balancing, not a fixed achievement. Ultimately, harmonised pluralism offers a sustainable paradigm: one that respects the diversity of Indonesia's legal traditions while ensuring coherence, justice, and adaptability. By positioning Islamic law as a moral partner to constitutional democracy, Indonesia can continue to evolve as a model of plural yet unified legal development in the Muslim world.

D. Conclusion

The integration of Islamic law into Indonesia's positive legal framework represents a continuous and dynamic dialogue between religious norms and state authority. This process is neither a simple adoption nor a dichotomous separation, but rather a multidimensional harmonisation that takes place through legislative incorporation, judicial interpretation, regional autonomy, and contemporary *ijtihad*. Laws such as the Marriage Law No. 1 of 1974, Religious Court Law No. 7 of 1989, and Zakat and Waqf regulations reflect the substantive values of Islamic jurisprudence, especially in the domain of family and social welfare. Through the Religious Courts, Islamic law has been granted formal jurisdiction in matters pertaining to marriage, inheritance, and endowment, demonstrating that the state acknowledges the authority of Islamic law within a plural legal order.

Nevertheless, the integration process remains challenged by various structural and normative tensions. The coexistence of Islamic law, state law, and customary law (*adat*) has resulted in overlapping jurisdictions, inconsistencies in enforcement, and debates over human-rights compatibility. Issues such as gender equality, freedom of religion, and constitutional supremacy often generate legal and political contestation. In regions like Aceh, the direct implementation of Islamic criminal and social law illustrates both the potential and the limitations of regional autonomy in achieving coherent integration. Furthermore, the uneven institutional capacity and varying interpretations of sharia principles among policymakers and judges reveal that integration cannot rely solely on textual references, but requires a broader interpretive framework grounded in justice, benefit (*maṣlaḥah*), and contextual adaptation. To move forward, Indonesia needs to strengthen a model of harmonised pluralism — a legal ecosystem that recognises the coexistence and interaction of diverse normative systems under the unifying principles of the Constitution and Pancasila. Integration should be guided by inclusive jurisprudence, institutional coordination, and consistent judicial reasoning that align Islamic legal ethics with universal values of equality, justice, and human dignity. In this way, Islamic law can contribute not only as a source of moral and spiritual guidance but also as a dynamic component of national legal development. By ensuring balance between religious authenticity and constitutional modernity, Indonesia can continue to serve as a paradigmatic example of how Islamic legal values can coexist with democratic governance and pluralistic state law.

E. REFERENCES

- Abdullah, M. (2025). *Sharia and Constitutionalism in Contemporary Indonesia: Negotiating Legal Pluralism*. Jakarta: Prenadamedia Group.
- Ali, M., & Syahrin, S. (2024). The Dynamic Relationship Between Sharia and State Law in Indonesia's Legal Politics. *Ahkam: Jurnal Ilmu Syariah*, 24(1), 55–78.
- Anshori, A. G. (2023). *Hukum Islam dalam Sistem Hukum Nasional Indonesia*. Yogyakarta: UII Press.
- Asyhadie, Z. (2023). The Implementation of *Maqāṣid al-Syarī'ah* in Indonesian Legal Reform. *Jurnal Hukum dan Pembangunan*, 53(3), 289–314.
- Azhari, F. (2024). Harmonising Islamic and State Law in Indonesia: The Case of Family and Inheritance Jurisdiction. *Indonesian Journal of Law and Society*, 6(2), 201–225.
- Basri, A., & Fathurrahman, M. (2024). The Relevance of Islamic Legal Principles in National Legislation: Case of Family Law Reform. *Jurnal Hukum Islam Nusantara*, 5(1), 99–124.

- Caniago, R., Nurlela, S., & Harun, M. (2025). Contemporary Ijtihād and the Positivation of Islamic Law in Indonesia. *E-Journal Raden Intan Lampung*, 8(1), 45–72.
- Daulay, H. (2024). *Pluralisme Hukum dan Identitas Keislaman di Indonesia*. Bandung: Alfabeta.
- Departemen Agama Republik Indonesia. (2019). *Kompilasi Hukum Islam (KHI)*. Jakarta: Dirjen Bimas Islam.
- Fauzi, A. (2023). Legal Dualism in Indonesia: Interaction Between Islamic and Adat Law in Rural Communities. *Jurnal Sosiolegal Indonesia*, 2(1), 11–35.
- Halim, A. (2025). *Islamic Law in the Context of National Legal Development*. Bandung: Mandar Maju.
- Herlambang, A., & Wulandari, D. (2025). Uneven Implementation of Islamic Legal Norms in Indonesia's Regional Contexts. *UIN Siber Syekh Nurjati Journal of Islamic Studies*, 4(1), 88–107.
- Ishaq, M. (2023). *Legal Pluralism and Sharia Integration in Modern Indonesia*. Surabaya: Airlangga University Press.
- Komisi Nasional Hak Asasi Manusia (Komnas HAM). (2022). *Human Rights and Legal Reform in Indonesia*. Jakarta: Komnas HAM.
- Manto, M. (2024). The Role of Islamic Legal Values in Indonesian Lawmaking. *J-Innovative: Journal of Islamic Legal Studies*, 3(2), 114–140.
- Mudzhar, M. A. (2023). The Politics of Islamic Law in Indonesia: Between Normativity and Pragmatism. *Journal of Indonesian Islam*, 17(2), 233–260.
- Nasution, H. (2023). Maqāṣid al-Syarī'ah as a Framework for Harmonisation of Law in Indonesia. *Jurnal Fiqh dan Sosial Kemasyarakatan*, 9(1), 1–25.
- Nuruddin, A., & Alim, R. (2023). The Constitutional Accommodation of Islamic Law in Indonesia's Legal System. *Journal of Islamic Legal Reform*, 7(2), 199–221.
- Pradhani, N. (2024). Human Rights and Sharia: Legal Tensions in Indonesia's Plural Society. *Journal of Legal Pluralism Studies*, 5(3), 301–329.
- Rahmatullah, A., Hasan, R., & Nur, H. (2025). Constitutional Review and the Incorporation of Maqāṣid Syarī'ah in Indonesia. *Journal of Islamic Constitutional Studies*, 4(1), 55–79.
- Rofiq, A. (2023). *Pembaharuan Hukum Islam di Indonesia: Teori dan Praktik*. Malang: UIN Maliki Press.
- Rozak, A. (2024). Regional Autonomy and Sharia-Based Local Regulations in Aceh: Between Identity and Legality. *UIN Ar-Raniry Journal of Law*, 5(2), 189–214.
- Said, N. (2024). Reconciling Islamic Law and Human Rights in Indonesian Jurisprudence. *Journal of Humanitarian Law Studies*, 3(4), 275–298.
- Salim, A. (2023). *Challenging Legal Pluralism: Islamic and Adat Law in the Post-Reform Indonesia*. Singapore: ISEAS–Yusof Ishak Institute.
- Shihab, M. Q. (2022). *Maqāṣid al-Syarī'ah dan Kontekstualisasi Hukum Islam di Indonesia*. Jakarta: Lentera Hati.
- Sumardi, R., Rahmah, L., & Yusuf, M. (2023). The Practice of Sharia Law and Interlegality in Aceh Province. *UIN Ar-Raniry Journal Portal of Islamic Studies*, 8(2), 177–204.
- Suryana, A., & Ilyas, H. (2024). The Role of Religious Courts in Harmonising Islamic and State Law in Indonesia. *Indonesian Journal of Religion and Law*, 9(1), 91–119.
- Undang-Undang Nomor 1 Tahun 1974 tentang Perkawinan.
- Undang-Undang Nomor 44 Tahun 1999 tentang Penyelenggaraan Keistimewaan Provinsi Aceh.
- Undang-Undang Nomor 7 Tahun 1989 tentang Peradilan Agama (sebagaimana telah diubah dengan Undang-Undang Nomor 50 Tahun 2009).
- Zuhdi, M. (2025). Contextualising Sharia in a Democratic State: The Indonesian Experience. *Journal of Islamic Governance and Policy*, 4(2), 155–181.