

**The Evolution of Islamic Civil Law in Indonesia: Developments,
Contemporary Challenges, and Future Directions**

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Abstract: This article explores the development of Islamic civil law in Indonesia, focusing on the areas of marriage and inheritance. It traces how Islamic legal norms have evolved during the reform era, examining both their practical implementation and the intellectual discussions that accompany them. The development of Islamic civil law reflects Indonesia's ongoing efforts to harmonize Islamic legal values with the country's plural legal system, which accommodates religious, customary, and state laws. The study uses a normative juridical method with a historical and conceptual approach. It analyzes primary and secondary legal materials, including statutory regulations, judicial decisions, and academic literature, to understand how Islamic civil law has been interpreted and adapted in the Indonesian context. Key issues discussed include the legal status of children born out of wedlock, marriage registration, polygamy, mandatory wills (*wasiat wajibah*), substitute heirs (*ahli waris pengganti*), and other aspects related to marriage and inheritance. The findings show that the development of Islamic civil law in Indonesia represents both continuity and change. While it maintains the essence of Islamic legal principles, it also responds to contemporary social realities, gender equality concerns, and the need for legal certainty. This adaptation demonstrates the dynamic nature of Islamic law and its capacity to evolve in line with societal transformation. Academically, this research contributes to the discourse on Islamic legal reform and legal pluralism by providing a comprehensive understanding of how Islamic civil law functions within Indonesia's modern legal framework. It also offers new insights into the process of contextualizing Islamic law to ensure its relevance and effectiveness in a pluralistic and evolving society.

Keywords: Islamic Civil Law; Marriage; Inheritance; Legal Reform; Legal Pluralism.

Abstrak: Artikel ini mengkaji perkembangan hukum perdata Islam di Indonesia dengan fokus pada bidang perkawinan dan kewarisan. Kajian ini menelusuri bagaimana norma-norma hukum Islam berkembang sepanjang era reformasi, baik dari sisi penerapan praktiknya maupun dinamika wacana intelektual yang menyertainya. Perkembangan hukum perdata Islam mencerminkan upaya berkelanjutan Indonesia dalam mengharmonisasikan nilai-nilai hukum Islam dengan sistem hukum nasional yang bersifat plural, yang memadukan unsur hukum agama, adat, dan negara. Penelitian ini menggunakan metode yuridis normatif dengan pendekatan historis dan konseptual. Analisis dilakukan terhadap bahan hukum primer dan sekunder, meliputi peraturan perundang-undangan, putusan pengadilan, serta literatur akademik untuk memahami bagaimana hukum perdata Islam ditafsirkan dan diadaptasi dalam konteks hukum Indonesia. Beberapa isu utama yang dikaji meliputi status hukum anak di luar nikah, pencatatan perkawinan, praktik poligami, wasiat wajibah, ahli waris pengganti, serta aspek-aspek lain yang berkaitan dengan hukum perkawinan dan kewarisan Islam. Hasil penelitian menunjukkan bahwa perkembangan hukum perdata Islam di Indonesia mencerminkan adanya kesinambungan sekaligus pembaruan. Di satu sisi, hukum Islam tetap mempertahankan nilai-nilai dasarnya; di sisi lain, ia menunjukkan kemampuan beradaptasi terhadap perubahan sosial, isu kesetaraan gender, dan tuntutan kepastian hukum. Adaptasi tersebut menegaskan sifat dinamis hukum Islam serta kemampuannya untuk tetap relevan dalam konteks masyarakat modern yang terus berkembang. Secara akademik, penelitian ini memberikan kontribusi terhadap wacana pembaruan hukum Islam dan pluralisme hukum di Indonesia dengan menawarkan pemahaman yang lebih komprehensif mengenai peran hukum perdata Islam dalam sistem hukum nasional. Penelitian ini juga memberikan perspektif baru tentang pentingnya kontekstualisasi hukum Islam agar tetap responsif terhadap kebutuhan sosial dan tantangan hukum di masa kini.

Kata kunci: Hukum Perdata Islam; Perkawinan; Kewarisan; Pembaruan Hukum; Pluralisme Hukum.

Introduction

The evolution of Islamic civil law in Indonesia reflects a long and dynamic process of negotiation between religion, state, and society. As the country with the largest Muslim population in the world, Indonesia has developed a distinctive legal framework that accommodates Islamic legal principles within a pluralistic national system. Islamic civil law—particularly in the domains of marriage, inheritance, and endowment (*waqf*)—has transformed significantly from its early application in local customary settings to its current form as part of state-recognized law. This transformation shows Indonesia's consistent effort to maintain harmony between Islamic values and the principles of modern governance.¹

¹ Suwarjin, 'Contextualization of Employment of Zakat Form The Perspective of Mafhum Muwafaqah', *NUSANTARA: Journal Of Law Studies* 2, no. 1 (March 2023): 1.

The integration of Islamic civil law into the national legal system represents a unique model compared to other Muslim-majority countries. Instead of enforcing Islamic law as a single legal authority, Indonesia applies it through the Religious Courts (Peradilan Agama), which specifically handle matters involving Muslims. These courts operate alongside the General Courts within a unified national judiciary system, demonstrating Indonesia's model of legal pluralism that allows Islamic, customary, and state laws to coexist. Such pluralism not only strengthens Indonesia's legal identity but also provides flexibility in addressing diverse social realities.²

Historically, the development of Islamic civil law in Indonesia was deeply shaped by colonial and post-independence politics. During the Dutch colonial era, Islamic law was recognized only in limited areas and often subordinated to colonial regulations. After independence, the Indonesian government gradually restored and institutionalized Islamic law through various legislative measures. The enactment of the Religious Courts Law (Law No. 7 of 1989, later revised by Laws No. 3 of 2006 and No. 50 of 2009) significantly enhanced the authority of Islamic civil law and affirmed its position as an integral part of the national legal system.³

A major milestone in this development was the issuance of the Compilation of Islamic Law (Kompilasi Hukum Islam or KHI) in 1991. The KHI codified the diverse Islamic legal traditions practiced throughout Indonesia, providing standardized guidelines for judges and legal practitioners. It bridged the gap between classical fiqh and the needs of contemporary Indonesian society. However, the KHI also attracted criticism for being overly traditional and less responsive to modern issues such as gender equality, the rights of women, and interfaith relations. These debates signaled the beginning of a new phase in the reinterpretation of Islamic civil law within a reformist framework.⁴

In the contemporary era, Islamic civil law continues to face challenges arising from social transformation, globalization, and technological advancement. The emergence of digital marriage registration, the recognition of children born out of wedlock, inheritance disputes involving adopted children, and the growing role of women in the public sphere have all necessitated reinterpretations of Islamic legal doctrines. These developments reflect the need to balance the stability of religious principles with the flexibility required to respond to changing social realities.⁵

² Arifki Budia Warman, 'Dinamika Perkembangan Hukum Keluarga Islam di Indonesia', *IJTIHAD* 35, no. 2 (2019): 2, <https://journals.fasya.uinib.org/index.php/ijtihad/article/view/14>.

³ Edi Gunawan, 'Eksistensi Kompilasi Hukum Islam Di Indonesia', *Jurnal Ilmiah Al-Syir'ab* 8, no. 1 (June 2016): 1, <https://doi.org/10.30984/as.v8i1.39>.

⁴ Yulkarnain Harahap and Andy Omara, 'Kompilasi Hukum Islam Dalam Perspektif Hukum Perundang-Undangan', *Old Website of Jurnal Mimbar Hukum* 22, no. 3 (2010): 3, <https://doi.org/10.22146/jmh.16245>.

⁵ Ellies Sukmawati, 'FILOSOFI SISTEM KEKERABATAN MATRILINEAL SEBAGAI PERLINDUNGAN SOSIAL KELUARGA PADA MASYARAKAT MINANGKABAU', *EMPATI: Jurnal Ilmu Kesejahteraan Sosial* 8, no. 1 (June 2019): 12–26, <https://doi.org/10.15408/empati.v8i1.16403>.

The growing demand for gender-sensitive interpretations has further expanded the discourse of Islamic legal reform. Many Muslim scholars and progressive jurists have emphasized the importance of contextual readings of *qiwamah* (male guardianship), *ṭalāq* (divorce), and inheritance laws in light of *maqāṣid al-sharī'ah*—the higher objectives of justice, welfare, and equality. This shift represents not merely a legal reform but also an epistemological renewal in the understanding of Islamic law, moving from a rigid textualist orientation to a more dynamic and purpose-driven approach that resonates with contemporary life.⁶

At the institutional level, the state has made continuous efforts to modernize Islamic legal practice through codification, judicial training, and the digitalization of Religious Court systems. These initiatives aim to enhance transparency, accessibility, and legal certainty. Nevertheless, implementation challenges remain—ranging from inconsistencies in interpretation to resistance from conservative groups who view reform as a threat to religious authenticity. Balancing the demands of modernity and tradition thus remains a central issue in the ongoing development of Islamic civil law in Indonesia.⁷

This article seeks to examine the trajectory of Islamic civil law in Indonesia by tracing its historical roots, analyzing its contemporary challenges, and exploring its future directions. Employing a normative juridical method supported by historical and conceptual approaches, this study argues that the strength of Islamic civil law lies in its ability to evolve while remaining grounded in its ethical and spiritual foundations. By doing so, this research contributes to the academic discourse on Islamic legal reform and offers insights for policymakers in building an adaptive, just, and inclusive legal system that reflects both Islamic principles and Indonesia's plural social realities.

Method

This study employs a normative juridical approach to examine the principles, doctrines, and legal norms governing Islamic civil law in Indonesia. The method focuses on analyzing how Islamic legal concepts—particularly those related to marriage and inheritance—have been formulated, interpreted, and institutionalized within the framework of national law. To provide contextual depth, the research integrates historical and conceptual approaches, tracing the evolution of Islamic civil law from the colonial and early independence periods to the present reform era. This combination allows the study to capture both the doctrinal foundations of Islamic civil law and the socio-political dynamics that influence its development within Indonesia's plural legal system.

The data used in this study consist of primary and secondary legal materials. Primary materials include statutory regulations such as the Marriage Law, the Religious Courts Law, and the Compilation of Islamic Law (KHI), as well as relevant judicial decisions from the Religious Courts and the Supreme Court. Secondary materials encompass academic books, journal articles, and legal commentaries discussing the reform and implementation of Islamic civil law

⁶ Dede Kania, 'Hak Asasi Perempuan Dalam Peraturan Perundang-Undangan Di Indonesia', *Jurnal Konstitusi* 12, no. 4 (2015): 4, <https://doi.org/10.31078/jk1243>.

⁷ Taufiqurrahman Taufiqurrahman, 'Kompilasi Hukum Islam: Suatu Formalisasi Syariat Islam Di Indonesia', *AL-IHKAM: Jurnal Hukum & Pranata Sosial* 1, no. 2 (2006): 2, <https://doi.org/10.19105/al-lhkam.v1i2.2559>.

in Indonesia. The collected data are analyzed qualitatively through descriptive and analytical interpretation, emphasizing coherence between legal texts and their practical application. Through this method, the study seeks to provide a comprehensive understanding of how Islamic civil law evolves in response to contemporary challenges while maintaining its foundational principles rooted in maqāṣid al-sharīʿah and the broader ideals of justice and legal certainty.

Results and Discussion

The Development of Islamic Civil Law in Indonesia

The development of Islamic civil law in Indonesia reflects a long and dynamic journey shaped by the interaction between religious teachings, state authority, and local traditions. Since the arrival of Islam in the archipelago, Islamic law has influenced many aspects of social life, especially in family, inheritance, and economic matters. When Dutch colonial rule was established, the implementation of Islamic law was restricted and placed under the shadow of Western legal systems. Even so, Islamic values continued to live among Muslim communities and served as the moral foundation for resolving personal and communal issues.⁸

During the colonial period, the Dutch recognized Islamic law only in limited areas, particularly in family matters such as marriage and inheritance. This recognition was regulated through the Regeeringsreglement (RR) of 1855 and the Indische Staatsregeling (IS) of 1925. However, in practice, Islamic law was often subordinated to customary (adat) law or colonial courts. The Dutch scholar Snouck Hurgronje even advised that Islamic influence should be restricted to religious and private affairs, excluding politics and law. This policy left a deep imprint, shaping the position of Islamic law in Indonesia for decades to come.⁹

After Indonesia gained independence in 1945, the new nation faced the challenge of harmonizing Islamic aspirations with the secular principles of the state. Although the 1945 Constitution did not explicitly adopt Islamic law, it guaranteed religious freedom and allowed space for the development of Islamic institutions. The establishment of the Ministry of Religious Affairs in 1946 became a crucial milestone, showing that the state recognized the important role of Islam in guiding personal and social life, including in matters of marriage, divorce, inheritance, and endowment (waqf).

The most important turning point came with the enactment of Law No. 7 of 1989 on the Religious Courts (Peradilan Agama). This law placed the Religious Courts within the national judicial system and gave them clear authority over family and inheritance disputes among Muslims. From this moment, decisions made by Religious Courts gained equal legal status with those issued by general courts. The law marked a

⁸ Nur Ali, 'Transformasi Hukum Keluarga Islam Sebagai Sumber Hukum di Indonesia', *Khuluqiyya: Jurnal Kajian Hukum dan Studi Islam*, ahead of print, 25 July 2021, <https://doi.org/10.56593/khuluqiyya.v3i1.67>.

⁹ Sulfanwandi Sulfanwandi, 'The Kompilasi Hukum Islam in Indonesia: Compilation and Its Relation to Islamic Jurisprudence [Kompilasi Hukum Islam di Indonesia: Penyusunan dan Kaitannya dengan Ushul Fikih]', *Legitimasi: Jurnal Hukum Pidana dan Politik Hukum* 9, no. 2 (December 2020): 2, <https://doi.org/10.22373/legitimasi.v9i2.8513>.

significant step toward formal recognition of Islamic law as part of Indonesia's unified legal structure.¹⁰

Another major milestone was the issuance of the Compilation of Islamic Law (Kompilasi Hukum Islam or KHI) in 1991 through Presidential Instruction No. 1. The KHI served as a comprehensive reference for judges in Religious Courts and helped unify diverse interpretations of Islamic jurisprudence across Indonesia. Although it was not enacted as a formal law, the KHI became a *de facto* legal guide in practice. It successfully blended classical Shafi'i jurisprudence with modern legal concepts and Indonesian social realities, demonstrating the adaptability of Islamic law to contemporary contexts.¹¹

The KHI also reflected Indonesia's creative effort to modernize Islamic law without losing its foundational principles. Its articles on marriage, divorce, and inheritance tried to balance traditional norms with modern demands for justice, gender equality, and legal certainty. This pragmatic approach illustrated that Islamic law in Indonesia was not static, but responsive to the needs of a changing society.¹² The use of *ijtihad* (independent reasoning) and the principle of *maslahah* (public benefit) became essential in ensuring that Islamic law remained relevant and humane. In the reform era, Islamic civil law continued to evolve in line with democratic and social transformations. The Religious Courts have been strengthened institutionally through professional training, transparent procedures, and the introduction of digital judicial systems. Current legal discussions also address more contemporary issues such as women's rights, child protection, and equality within family law. These ongoing changes show a growing awareness of the need to interpret Islamic law in a way that upholds both justice and gender sensitivity.¹³

Looking ahead, the future of Islamic civil law in Indonesia depends on maintaining a balance between religious authenticity and social adaptability. The ongoing discourse on revising the KHI and expanding the jurisdiction of Religious Courts shows the government's effort to make Islamic law more responsive to contemporary realities. Indonesia's experience demonstrates that Islamic legal traditions can coexist harmoniously with modern governance, democracy, and cultural diversity. This unique

¹⁰ Nur Qomari and Roihanah Roihanah, 'Sketsa Historis Posisi Kitab Kuning Dalam Legislasi Hukum Islam di Indonesia', *Jurnal Pusaka* 4, no. 1 (2016): 54–68, <https://doi.org/10.35897/ps.v4i1.50>.

¹¹ Khairul Umam, 'Penyerapan Fiqh Madzhab Syafi'i Dalam Penyusunan Kompilasi Hukum Islam', *De Jure: Jurnal Hukum Dan Syar'iah* 9, no. 2 (December 2017): 2, <https://doi.org/10.18860/j-fsh.v9i2.6991>.

¹² Satrio Alpen Pradanna, Muhammad Mona Adha, and Edi Siswanto, 'Kearifan Lokal dalam Tradisi Manjau Maju Masyarakat Lampung Saibatin Pekon Kedaloman Kabupaten Tanggamus', *Journal of Social Science Education* 2, no. 2 (November 2021): 2.

¹³ Muji Mulia, 'PEMBAHARUAN HUKUM ISLAM DI INDONESIA (Analisis Historis Tentang Kompilasi Hukum Islam)', *Jurnal Ilmiah Islam Futura* 7, no. 1 (April 2018): 1, <https://doi.org/10.22373/jiif.v7i1.3056>.

synthesis has positioned Indonesia as one of the most successful examples of how faith, law, and national identity can be integrated in a modern Muslim-majority society.¹⁴

Contemporary Challenges: Between Tradition and Modern Legal Reform

Although the institutionalization of Islamic civil law in Indonesia has achieved remarkable progress, its implementation still faces a range of contemporary challenges. These challenges reflect the ongoing effort to balance the values of Islamic tradition with the demands of modern society. One of the most prominent debates revolves around how Islamic family law should respond to current social realities, especially regarding gender equality, justice, and the evolving roles of women in family and public life. While the Compilation of Islamic Law (KHI) has brought legal clarity and uniformity, it is often viewed as needing renewal to better reflect the principles of fairness and equality that are increasingly emphasized in Indonesia's legal and social discourse.¹⁵

Gender issues continue to be among the most sensitive and widely discussed aspects of Islamic civil law. The legal status of children born out of wedlock, women's rights in divorce, and the regulation of polygamy remain topics of both scholarly and public debate. Traditional interpretations often uphold patriarchal norms that favor male authority, while contemporary Islamic scholars and activists advocate for reinterpretations rooted in the *maqāṣid al-sharī'ah*—particularly the principles of justice (*al-'adl*) and public welfare (*al-maṣlaḥah*). This approach calls for understanding Islamic legal rulings within the context of present-day social conditions, emphasizing the spirit of justice and compassion rather than rigid literalism.¹⁶

Another key challenge lies in the tension between traditional flexibility and modern legal codification. The codification of Islamic law, as seen in the KHI, was intended to create consistency and legal certainty. However, it has also reduced the space for *ijtihād*—independent reasoning that has historically allowed Islamic law to adapt dynamically to changing circumstances. When judges are bound by codified texts, their ability to apply interpretive reasoning or address local cultural nuances becomes limited. This has sparked an important question: how can the vitality of *ijtihād* be preserved while ensuring stability and uniformity in legal practice?¹⁷

The tension between religious tradition and state authority further complicates this issue. The modern state, through its legislative and judicial structures, now plays the

¹⁴ Muhammad Daud Ali, *Hukum Islam Dan Peradilan Agama* (PT Raja Grafindo Persada, 1997).

¹⁵ Ahmad Rusyaid Idris, Muhammad Khusaini, and Syaiful Anwar Al-Mansyuri, 'Contemporary Islamic Law in Indonesia: The Fulfillment of Child Custody Rights in Divorce Cases Caused by Early Marriage', *MILRev: Metro Islamic Law Review* 3, no. 1 (April 2024): 1, <https://doi.org/10.32332/milrev.v3i1.8907>.

¹⁶ Dewi Anandita Khifadlul Khilmi et al., 'MULTIKULTURALISME DALAM KEHIDUPAN SOSIAL MASYARAKAT INDONESIA', *JOURNAL SAINS STUDENT RESEARCH* 2, no. 2 (April 2024): 2, <https://doi.org/10.61722/jssr.v2i2.1193>.

¹⁷ Hamdi Gugule and Romi Mesra, 'Analisis Sosiologis Terhadap Video Viral Tiktok Tentang Penegakan Hukum Di Indonesia', *Ideas: Jurnal Pendidikan, Sosial, Dan Budaya* 8, no. 3 (August 2022): 3, <https://doi.org/10.32884/ideas.v8i3.956>.

dominant role in defining and enforcing Islamic law. This shift has diminished the traditional authority of ulama, who once held autonomous interpretive power. As Islamic law becomes increasingly institutionalized within state bureaucracy, concerns emerge that its spiritual and moral essence may be overshadowed by administrative formalities. Ensuring that legal reform remains grounded in ethical and spiritual values is therefore an ongoing concern among scholars and practitioners.¹⁸

Technological transformation has added another layer of complexity. The use of digital platforms for marriage registration, online divorce applications, and electronic court services has modernized the Religious Courts and made legal processes more accessible. Yet, these innovations also bring new challenges—ranging from questions about procedural validity and data security to ensuring that digitalization does not erode the personal and ethical dimensions of justice. The adaptation of Islamic legal institutions to the digital era requires a careful balance between efficiency, accessibility, and adherence to sharia principles.¹⁹

Globalization and the rise of social media have also reshaped how Islamic law is understood and practiced. The public now has access to a vast array of religious interpretations from across the world—some progressive, others highly conservative. This plurality has enriched public discourse but has also created confusion and fragmentation in legal understanding. As a result, strengthening the role of national institutions in promoting moderate, contextual, and culturally grounded interpretations of Islamic law has become increasingly important.²⁰

In addition, Indonesia's plural legal system—which includes state law, Islamic law, and customary (adat) law—presents its own set of challenges. Overlapping jurisdictions and differing principles often cause inconsistencies, especially in cases of inheritance, marriage, or child custody. These intersections require careful coordination and harmonization so that Islamic law can operate in synergy with national law, rather than in tension with it. The integration of these legal traditions is crucial to achieving justice and coherence within Indonesia's diverse legal landscape. In facing these contemporary challenges, the reform of Islamic civil law in Indonesia must go beyond technical amendments. It needs to revitalize the ethical and philosophical foundations of Islamic jurisprudence. By emphasizing *maqāṣid al-sharī'ah* as a guiding framework and encouraging dialogue between ulama, judges, and policymakers, Indonesia can continue to develop a model of Islamic law that is both faithful to its spiritual roots and responsive to modern realities. This inclusive and adaptive approach will ensure that

¹⁸ Wahyu Donri Tinambunan and Galih Raka Siwi, 'Dinamika Kedudukan Hukum Jaksa Sebagai Pengacara Negara Pasca Undang-Undang Kejaksaan', *Ajudikasi: Jurnal Ilmu Hukum* 6, no. 2 (December 2022): 2, <https://doi.org/10.30656/ajudikasi.v6i2.4586>.

¹⁹ Achmad Robita, Fauzi Fauzi, and Dakir Dakir, 'Transformation of Quality Culture in Improving the Quality of Islamic Education Institutions', *International Journal of Education, Culture, and Society* 3, no. 2 (April 2025): 2, <https://doi.org/10.58578/ijecs.v3i2.5397>.

²⁰ Syamsul Hadi et al., 'The Impact of Islamic Work Ethics and Organizational Justice on Organizational Citizenship Behavior: The Mediating Role of Organizational Commitment', *Al-Iqtishad: Jurnal Ilmu Ekonomi Syariah* 15, no. 2 (December 2023): 2, <https://journal.uinjkt.ac.id/index.php/iqtishad/article/view/33375>.

Islamic civil law remains relevant, just, and harmonious within Indonesia's evolving social context.²¹

Conclusion

The evolution of Islamic civil law in Indonesia reflects a long and dynamic process of harmonizing religious values with the framework of a modern nation-state. From its limited role during the colonial era to its formal recognition through the establishment of the Religious Courts and the issuance of the Compilation of Islamic Law (KHI), Islamic civil law has developed into an essential pillar of Indonesia's legal system. This journey demonstrates Indonesia's ability to integrate Islamic principles into the national legal order while upholding pluralism, justice, and social harmony. Over time, Islamic civil law in Indonesia has shown great flexibility in responding to social and political changes. The codification of the KHI in 1991 marked an important milestone, offering a unified reference for judges and legal practitioners across the country. More than just a legal document, the KHI represents a collective effort (*ijtihad jamā'i*) to adapt classical Islamic jurisprudence to modern realities. By situating *fiqh* within Indonesia's socio-cultural context, the state has succeeded in transforming Islamic law into a system that is both spiritually grounded and practically relevant. Nevertheless, several challenges remain. Issues surrounding gender equality, women's rights, and the balance between codified law and interpretive freedom continue to shape contemporary discussions. Many scholars argue that these challenges must be addressed through a renewed understanding of *maqāṣid al-sharī'ah*—especially the values of justice (*al-'adl*), welfare (*al-maṣlaḥah*), and equality (*al-musāwah*). Through this approach, Islamic law can remain true to its foundational ethics while being inclusive and responsive to modern social dynamics.

The influence of globalization and digital transformation also presents new opportunities and obstacles. The implementation of online marriage registration, electronic court services, and digital dispute resolution shows that Islamic legal institutions are capable of embracing technological change. However, these innovations also require careful regulation to maintain procedural integrity, data security, and the human values at the heart of justice. At the same time, the spread of diverse interpretations of Islamic law through social media and transnational networks underscores the importance of maintaining Indonesia's moderate and contextual approach to Islamic jurisprudence. Moving forward, the future of Islamic civil law in Indonesia will depend on its ability to maintain a constructive dialogue between tradition and reform. Legal reform should not only focus on technical aspects but also on revitalizing the ethical and spiritual foundations of Islamic law. Collaboration among *ulama*, legal scholars, judges, and policymakers is essential to ensure that Islamic civil law continues to serve as a source of justice, compassion, and social balance.

²¹ Ahmad Ash Shiddieqy, Padlan Padil Simamora, and Dinda Difia Madina, 'Contemporary Islamic Politics in Tunisia: The Journey of Islamic Democracy Post-Arab Spring', *MILRev: Metro Islamic Law Review* 3, no. 1 (April 2024): 1, <https://doi.org/10.32332/milrev.v3i1.8976>.

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Authors Contributions

Dewi Fransiska Mamonto contributed to the conceptualization of the study, research design, and overall supervision of the project. Selfrinda Rezkita Mahmud was responsible for data collection, literature review, and drafting the initial manuscript. Risnawati Utina contributed to data analysis, interpretation, and critical revisions of the manuscript for intellectual content. Geya Sukmawati assisted in the synthesis of theoretical frameworks and contributed to the refinement of the discussion section. Fahira Nadra Male was involved in editing, proofreading, and ensuring the manuscript's coherence and alignment with academic standards. All authors read and approved the final version of the manuscript.

Conflict of Interest

The author declares that there is no potential conflict of interest—financial, professional, institutional, or personal—that could have influenced the research process, data interpretation, or conclusions of this article. The study was conducted with full academic independence and adherence to international ethical research standards, reflecting the author's commitment to integrity, objectivity, and scholarly transparency.

References

- Ali, Muhammad Daud. *Hukum Islam Dan Peradilan Agama*. PT Raja Grafindo Persada, 1997.
- Ali, Nur. 'Transformasi Hukum Keluarga Islam Sebagai Sumber Hukum di Indonesia'. *Khuluqiyya: Jurnal Kajian Hukum dan Studi Islam*, ahead of print, 25 July 2021. <https://doi.org/10.56593/khuluqiyya.v3i1.67>.
- Gugule, Hamdi, and Romi Mesra. 'Analisis Sosiologis Terhadap Video Viral Tiktok Tentang Penegakan Hukum Di Indonesia'. *Ideas: Jurnal Pendidikan, Sosial, Dan Budaya* 8, no. 3 (August 2022): 3. <https://doi.org/10.32884/ideas.v8i3.956>.
- Gunawan, Edi. 'Eksistensi Kompilasi Hukum Islam Di Indonesia'. *Jurnal Ilmiah Al-Syir'ah* 8, no. 1 (June 2016): 1. <https://doi.org/10.30984/as.v8i1.39>.

<https://doi.org/10.5281/zenodo.17385985>

- Hadi, Syamsul, Nur Rokhman, Kusuma Chandra Kirana, Naima Andleeb, and Eni Purnasari. 'The Impact of Islamic Work Ethics and Organizational Justice on Organizational Citizenship Behavior: The Mediating Role of Organizational Commitment'. *Al-Iqtishad: Jurnal Ilmu Ekonomi Syariah* 15, no. 2 (December 2023): 2. <https://journal.uinjkt.ac.id/index.php/iqtishad/article/view/33375>.
- Harahap, Yulkarnain, and Andy Omara. 'Kompilasi Hukum Islam Dalam Perspektif Hukum Perundang-Undangan'. *Old Website of Jurnal Mimbar Hukum* 22, no. 3 (2010): 3. <https://doi.org/10.22146/jmh.16245>.
- Idris, Ahmad Rusyaid, Muhammad Khusaini, and Syaiful Anwar Al-Mansyuri. 'Contemporary Islamic Law in Indonesia: The Fulfillment of Child Custody Rights in Divorce Cases Caused by Early Marriage'. *MILRev : Metro Islamic Law Review* 3, no. 1 (April 2024): 1. <https://doi.org/10.32332/milrev.v3i1.8907>.
- Kania, Dede. 'Hak Asasi Perempuan Dalam Peraturan Perundang-Undangan Di Indonesia'. *Jurnal Konstitusi* 12, no. 4 (2015): 4. <https://doi.org/10.31078/jk1243>.
- Khilmi, Dewi Anandita Khifadlul, Rosa Agustina Findy, Putri Salsabila Isviana, and Denny Oktavina Radianto. 'MULTIKULTURALISME DALAM KEHIDUPAN SOSIAL MASYARAKAT INDONESIA'. *JOURNAL SAINS STUDENT RESEARCH* 2, no. 2 (April 2024): 2. <https://doi.org/10.61722/jssr.v2i2.1193>.
- Mulia, Muji. 'PEMBAHARUAN HUKUM ISLAM DI INDONESIA (Analisis Historis Tentang Kompilasi Hukum Islam)'. *Jurnal Ilmiah Islam Futura* 7, no. 1 (April 2018): 1. <https://doi.org/10.22373/jiif.v7i1.3056>.
- Pradanna, Satrio Alpen, Muhammad Mona Adha, and Edi Siswanto. 'Kearifan Lokal dalam Tradisi Manjau Maju Masyarakat Lampung Saibatin Pekon Kedaloman Kabupaten Tanggamus'. *Journal of Social Science Education* 2, no. 2 (November 2021): 2.
- Qomari, Nur, and Roihanah Roihanah. 'Sketsa Historis Posisi Kitab Kuning Dalam Legislasi Hukum Islam di Indonesia'. *Jurnal Pusaka* 4, no. 1 (2016): 54–68. <https://doi.org/10.35897/ps.v4i1.50>.
- Robita, Achmad, Fauzi Fauzi, and Dakir Dakir. 'Transformation of Quality Culture in Improving the Quality of Islamic Education Institutions'. *International Journal of Education, Culture, and Society* 3, no. 2 (April 2025): 2. <https://doi.org/10.58578/ijecs.v3i2.5397>.

- Shiddieqy, Ahmad Ash, Padlan Padil Simamora, and Dinda Difa Madina. 'Contemporary Islamic Politics in Tunisia: The Journey of Islamic Democracy Post-Arab Spring'. *MILRev: Metro Islamic Law Review* 3, no. 1 (April 2024): 1. <https://doi.org/10.32332/milrev.v3i1.8976>.
- Sukmawati, Ellies. 'FILOSOFI SISTEM KEKERABATAN MATRILINEAL SEBAGAI PERLINDUNGAN SOSIAL KELUARGA PADA MASYARAKAT MINANGKABAU'. *EMPATI: Jurnal Ilmu Kesejahteraan Sosial* 8, no. 1 (June 2019): 12–26. <https://doi.org/10.15408/empati.v8i1.16403>.
- Sulfanwandi, Sulfanwandi. 'The Kompilasi Hukum Islam in Indonesia: Compilation and Its Relation to Islamic Jurisprudence [Kompilasi Hukum Islam di Indonesia: Penyusunan dan Kaitannya dengan Ushul Fikih]'. *Legitimasi: Jurnal Hukum Pidana dan Politik Hukum* 9, no. 2 (December 2020): 2. <https://doi.org/10.22373/legitimasi.v9i2.8513>.
- Suwarjin. 'Contextualization of Employment of Zakat Form The Perspective of Mafhum Muwafaqah'. *NUSANTARA: Journal Of Law Studies* 2, no. 1 (March 2023): 1.
- Taufiqurrahman, Taufiqurrahman. 'Kompilasi Hukum Islam: Suatu Formalisasi Syariat Islam Di Indonesia'. *AL-IHKAM: Jurnal Hukum & Pranata Sosial* 1, no. 2 (2006): 2. <https://doi.org/10.19105/al-lhkam.v1i2.2559>.
- Tinambunan, Wahyu Donri, and Galih Raka Sivi. 'Dinamika Kedudukan Hukum Jaksa Sebagai Pengacara Negara Pasca Undang-Undang Kejaksaan'. *Ajudikasi: Jurnal Ilmu Hukum* 6, no. 2 (December 2022): 2. <https://doi.org/10.30656/ajudikasi.v6i2.4586>.
- Umam, Khairul. 'Penyerapan Fiqh Madzhab Syafi'i Dalam Penyusunan Kompilasi Hukum Islam'. *De Jure: Jurnal Hukum Dan Syar'iah* 9, no. 2 (December 2017): 2. <https://doi.org/10.18860/j-fsh.v9i2.6991>.
- Warman, Arifki Budia. 'Dinamika Perkembangan Hukum Keluarga Islam di Indonesia'. *IJTIHAD* 35, no. 2 (2019): 2. <https://journals.fasya.uinib.org/index.php/ijtihad/article/view/14>.