

An Interdisciplinary Study Of Fiqh And Social Institutions: Islamic Family Law In Indonesia

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Abstract

Fikih constitutes a fundamental component of Islamic jurisprudence, regulating both religious obligations and the social interactions that shape Muslim communities. Rapid social transformation driven by globalization, technological advancement, and cultural change requires Islamic legal thought to remain faithful to the Shari'ah while responding to contemporary realities. This article examines the contribution of interdisciplinary approaches to the study of fiqh, focusing on the development of Islamic family law in Indonesia. Using qualitative library research, it analyzes classical and contemporary works on Islamic jurisprudence alongside insights from sociology, anthropology, legal studies, and related disciplines. The study finds that interdisciplinary perspectives enrich juristic reasoning by situating Islamic legal norms within their broader social, cultural, and institutional contexts. This approach enhances the relevance of fiqh to contemporary issues, including family law reform, gender relations, digital transformation, and evolving patterns of social interaction, while remaining consistent with the objectives of Islamic law (*maqāṣid al-sharī'ah*). It further demonstrates that interdisciplinary inquiry expands the analytical framework of Islamic legal studies and supports the development of Islamic family law that is more contextual, adaptive, and responsive to the needs of contemporary Indonesian society.

Keywords

Fikih; Interdisciplinary Studies; Social Institutions; Islamic Family Law; Indonesia

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1. INTRODUCTION

Islam is a comprehensive religion whose teachings extend beyond the spiritual relationship between human beings and God to regulate social life in its various dimensions. It not only prescribes acts of worship but also provides a normative framework governing interpersonal relationships, economic activities, political affairs, education, and family life. This reflects Islam's holistic worldview, in which religious and social responsibilities are regarded as inseparable aspects of human existence. (Zayyadi et al., 2023)



Within this normative framework, fiqh occupies a central position as the product of juristic interpretation (*ijtihād*) derived from the primary sources of Islamic law. Rather than being a static body of legal doctrine, fiqh has developed through the interaction of revealed texts, legal methodology, and the changing realities of Muslim societies. Its evolution shows that Islamic jurisprudence not only preserves legal tradition but also ensures the continuing relevance of Islamic law to the needs of each generation. (Zayyadi et al., 2023)

Historical experience shows that the development of fiqh has always been shaped by the socio-cultural context in which Muslim jurists lived. The emergence of different schools of Islamic jurisprudence (*madhāhib*) reflected not only variations in legal methodology but also differences in political, economic, cultural, and social conditions. Accordingly, diverse legal opinions on marriage, inheritance, commercial transactions, and governance reflect the interaction between Islamic legal principles and the social realities in which they were formulated. (Musarrofa, 2024)

This historical reality challenges the view that fiqh should be understood solely from a textual or doctrinal perspective. Although scriptural sources remain the primary basis of Islamic legal reasoning, legal principles are applied within evolving social contexts. Therefore, Islamic jurisprudence cannot be separated from social realities but should be understood as a living legal tradition that continually balances normative teachings with social change. (Febri & Saputra, 2025)

The need for a broader analytical perspective has become increasingly evident in contemporary society. Globalization, digitalization, technological innovation, demographic mobility, and changing social values have reshaped Muslim communities and generated new legal issues involving family relations, digital transactions, reproductive technologies, gender roles, child protection, and the administration of justice, many of which fall beyond the scope of classical fiqh. These developments require Islamic legal scholarship to engage with contemporary social realities while remaining grounded in its normative foundations. (Febri & Saputra, 2025)

It is within this complex legal and social landscape that an interdisciplinary approach becomes essential. Rather than viewing fiqh solely as a doctrinal discipline, it draws on sociology, anthropology, legal studies, psychology, economics, and political science to examine how Islamic legal norms function in society. This approach extends Islamic legal inquiry beyond textual interpretation to the social processes through which legal norms are interpreted, negotiated, and implemented in everyday life. (Fatahillah et al., 2024)

From this perspective, fiqh should function not only as a basis for legal rulings but also as a

framework for understanding the relationship between Islamic law and social institutions. The family, as the primary social institution, provides an important context for this relationship by shaping moral education, social cohesion, and the transmission of religious values across generations (Abdul Haq Syawqi, 2022). Consequently, changes in family structures influence wider social transformation, making Islamic family law a key area for interdisciplinary research. (Azra, 2000)

Against this background, this study examines the relationship between fiqh and social institutions through the lens of Islamic family law in Indonesia. By integrating insights from multiple disciplines, it argues that an interdisciplinary approach provides a more comprehensive understanding of Islamic jurisprudence and strengthens its ability to address increasingly complex legal and social challenges. Ultimately, this approach supports the development of Islamic legal thought that remains faithful to the objectives of the Shari'ah while responding to ongoing social change. (Zayyadi et al., 2023)

2. METHOD

This study employs a qualitative library research design, using a conceptual approach, to examine the relationship among fiqh, social institutions, and the development of Islamic family law in Indonesia. Library research is appropriate because the study focuses on legal concepts, juristic theories, and scholarly discourse rather than empirical field data. It explores how Islamic legal thought has evolved in response to social change and how interdisciplinary perspectives contribute to the development of contemporary Islamic family law. (Fuady & Arafah, 2023)

The study is grounded in classical and contemporary scholarship on fiqh, *uṣūl al-fiqh*, *maqāṣid al-sharī'ah*, sociology of law, and interdisciplinary Islamic studies. By combining normative legal analysis with social science perspectives, it provides a broader understanding of the interaction between Islamic legal norms and evolving social institutions in Indonesia. This approach views Islamic family law not simply as a body of legal doctrine but as a dynamic legal system that adapts to changing social realities. (Anwar, 2023)

The research relies on both primary and secondary sources. Primary sources include authoritative works on classical fiqh, *uṣūl al-fiqh*, *maqāṣid al-sharī'ah*, and *ijtihād*, as well as juristic writings from the major schools of Islamic jurisprudence. These sources provide the normative and theoretical foundation for analyzing the development of Islamic family law. (Harry et al., 2024)

Secondary sources include peer-reviewed journal articles, academic books, previous studies, conference proceedings, and legal documents on Islamic family law in Indonesia. Particular attention is given to Indonesian legal instruments, including the Compilation of Islamic Law (*Kompilasi Hukum Islam/KHI*), Law No. 1 of 1974 on Marriage as amended by Law No. 16 of 2019, and other regulations and judicial developments that have shaped contemporary Islamic family law. (Anwar, 2023)

Data were collected through documentary research by systematically identifying, selecting, classifying, and reviewing literature relevant to the study. Each source was evaluated for its academic credibility, relevance, methodological rigor, and contribution to the discussion of fiqh, social institutions, and Islamic family law. This process ensured that the analysis was based on reliable and authoritative sources (Abdurrahman, 2024).

The data were analyzed using descriptive and interpretative methods. Descriptive analysis explained the main concepts of fiqh, social institutions, and the development of Islamic family law. In contrast, interpretative analysis examined the views of Muslim jurists, Indonesian legal regulations, and previous studies through the framework of *maqāṣid al-sharī'ah* and interdisciplinary legal scholarship. This process clarified the interaction between Islamic jurisprudence and social institutions and demonstrated the continuing relevance of fiqh to contemporary developments in Indonesian Islamic family law.

3. FINDINGS AND DISCUSSION

3.1. The Relationship Between Fiqh and Social Institutions

Fiqh, as the product of juristic interpretation (*ijtihād*) of the *Sharī'ah*, has an inherently social character. It has evolved in response to the practical needs and changing conditions of Muslim societies. Legal rulings on *zakat*, commercial transactions, marriage, inheritance, and other social matters illustrate that fiqh functions not only as a system of religious obligations but also as a normative framework for regulating social institutions. Accordingly, its development has remained closely linked to the social realities in which it operates. (Fariduddin, 2022)

As societies evolve, the institutions that shape social life also change. Industrialization, urbanization, modernization, and globalization have transformed family organization, patterns of social interaction, and economic relationships. One notable example is the shift from extended to nuclear family structures, particularly in urban communities. These changes influence the application of Islamic family law, requiring jurists to reconsider legal interpretations concerning the rights and responsibilities of family members in light of contemporary realities. This illustrates that the relationship between fiqh and social institutions is dynamic rather than static. (Ramelan, Irfan Fahmi, 2025; Ritonga, 2025; Wahyudi, Oyo Sunaryo Mukhlas, 2025)

Beyond regulating individual conduct, fiqh provides a normative foundation for social institutions. In the family, for example, it governs marriage, spousal rights and responsibilities, child custody, inheritance, and other legal relationships that shape Muslim family life. These legal norms not only define religious obligations but also provide institutional and ethical frameworks that promote social cohesion and stability. As Darna argues, the development of *fiqh sosial* (social fiqh) reflects an effort to

reinterpret Islamic law in response to contemporary social needs while remaining faithful to the objectives of the *Shari'ah* (*maqāṣid al-shari'ah*), particularly justice, public welfare, and the protection of individual rights. (Darna, 2021)

The dissemination of fiqh is facilitated by various social institutions that serve as channels for religious learning and community engagement. Islamic study circles (*pengajian*), *majelis taklim*, mosques, and community-based religious organizations play an important role in transmitting Islamic legal values and encouraging their application in everyday life. Their activities often extend beyond ritual instruction to include discussions of family relations, economic ethics, civic responsibility, and other social issues. A study by Afrilianti and Gunartati in Aur Cina Village found that *pengajian* functions not only as a medium of Islamic education but also as a social institution that strengthens community solidarity and reinforces shared religious values. This finding highlights the role of social institutions in translating fiqh into lived social practice. (Afrilianti & Gunartati, 2021)

Rapid social transformation has reinforced the need for a more contextual understanding of Islamic jurisprudence. In this context, *fiqh sosial* has emerged as a response to the growing complexity of contemporary Muslim societies. Rather than relying solely on literal readings of scriptural texts, it emphasizes the ethical objectives and social values underlying Islamic legal norms. Adibah and Chasanah argue that this approach encourages Muslims to appreciate the substantive spirit of Islamic law, enabling fiqh to respond more effectively to contemporary challenges. Its practical relevance is reflected in initiatives such as Islamic social finance, productive *zakat* management, and public policies that promote social justice and community welfare. (Adibah & Chasanah, 2024)

The incorporation of sociological and anthropological perspectives has enriched contemporary *ijtihad*. Rather than relying solely on textual analysis, these disciplines enable jurists to examine the empirical realities of legal issues and assess the social consequences of legal interpretations. For example, the rising divorce rate in urban areas, driven by economic pressures, changing employment patterns, and women's increasing participation in the labor market, provides valuable evidence for developing more responsive legal approaches to protecting the rights of women and children after divorce. Such findings do not alter the normative principles of the *Shari'ah*; instead, they help determine how those principles can be applied to achieve the objectives of Islamic law, particularly justice and public welfare. (Nafisah et al., 2024; Manna et al., 2021; Hasibuan & Asridiyani, 2024)

Anthropology contributes another important dimension by illuminating the relationship between Islamic law and local cultural traditions. One frequently discussed example is the practice of *uang panai* in Bugis society, often perceived as a religious obligation despite being rooted in local custom (*'urf*) rather than Islamic legal doctrine. Anthropological inquiry enables jurists to distinguish between cultural practices that support the objectives of Islamic law and those that may generate social hardship,

such as excessive financial demands that delay marriage or impose economic burdens on prospective spouses. Through this framework, fiqh can engage constructively with local customs while preserving its normative foundations. This interaction demonstrates that Islamic jurisprudence possesses the flexibility to accommodate Indonesia's socio-cultural diversity without compromising the essential principles of the *Shari'ah*. (Rasyid et al., 2024)

Taken together, these observations demonstrate a reciprocal relationship between fiqh and social institutions. While fiqh provides normative guidance for the organization of social life, social institutions simultaneously shape the development, interpretation, and application of Islamic legal norms. Understanding this relationship, therefore, requires an interdisciplinary perspective that integrates Islamic jurisprudence with insights from sociology, anthropology, legal studies, and related disciplines. Through such integration, fiqh continues to function as a living legal tradition capable of responding to social transformation while remaining anchored in the ethical objectives of Islamic law. (ZTF, 2022)(Tohari et al., 2022)(Mashduqi, 2024)

3.2. The Role of an Interdisciplinary Approach in Fiqh Studies

An interdisciplinary approach to the study of fiqh seeks to broaden the analytical framework through which Islamic legal texts are interpreted and applied (ZTF, 2022; Halim, 2022). Although interdisciplinary scholarship has gained renewed attention in contemporary Islamic studies, its intellectual foundations can be traced to the classical Islamic scholarly tradition, in which juristic reasoning engaged with philosophy, logic, linguistics, and other fields of knowledge. This historical legacy shows that Islamic scholarship has long embraced cross-disciplinary engagement in its pursuit of a more comprehensive understanding of religious knowledge. (Maulidi, 2019)

In contemporary Muslim societies, the relevance of interdisciplinary scholarship has become increasingly apparent as legal questions grow more complex and interconnected (Halim, 2022). Issues arising from biotechnology, artificial intelligence, digital finance, environmental sustainability, migration, and changing family structures cannot be adequately addressed through textual interpretation alone. Instead, Islamic legal scholarship must engage with empirical evidence and theoretical perspectives developed in the social sciences, humanities, and applied sciences. Contemporary scholars argue that integrating interdisciplinary perspectives enriches legal reasoning, enabling fiqh to remain faithful to the objectives of the *Shari'ah* (*maqāṣid al-shari'ah*) while responding effectively to contemporary social realities. (Agustar & Arafah, 2024)(HANNANI, 2023)

The practical significance of this approach becomes particularly evident when Islamic

jurisprudence addresses emerging legal issues that classical jurists could not have anticipated. Questions concerning genetic engineering, digital financial transactions, environmental degradation, biomedical ethics, and character education require insights that extend beyond conventional legal methodology. In these contexts, disciplines such as bioethics, economics, psychology, environmental studies, and education provide essential analytical tools for assessing the broader social consequences of legal rulings. Consequently, legal opinions are formulated not solely on textual interpretation but also on careful consideration of ethical principles, empirical realities, and public welfare. (Halim, 2022)

The integration of social scientific perspectives has also transformed the methodological orientation of contemporary fiqh studies. Classical instruments of Islamic legal reasoning, including *qiyās*, *istihsān*, *istiṣhāb*, and other principles of *uṣūl al-fiqh*, continue to provide indispensable normative foundations. However, their application increasingly benefits from complementary approaches drawn from sociology, anthropology, legal studies, and political science. Sociology helps explain how Islamic law operates within changing social structures, while anthropology examines the role of local customs and cultural practices in shaping the implementation of legal norms. Comparative legal studies, meanwhile, facilitate dialogue between Islamic legal principles and contemporary legal systems, enabling more contextual and socially responsive interpretations. (El Ayyubi et al., 2023)(Fuady & Arafah, 2023)(Akbar et al., 2023)

The institution of *zakat* illustrates the practical value of such interdisciplinary integration. Traditionally understood as an act of religious obligation, *zakat* may also be examined through sociological and economic perspectives as an instrument of social redistribution and poverty alleviation. Rather than viewing *zakat al-fiṭr* solely as the distribution of staple food, interdisciplinary analysis highlights its broader function in reducing socio-economic inequality, strengthening social solidarity, and promoting inclusive community development. This broader perspective enriches the understanding of Islamic legal institutions by demonstrating their continuing relevance to contemporary social challenges. (Isman et al., 2023)

An interdisciplinary perspective further enables scholars to explain why certain legal norms remain resilient while others adapt to changing social circumstances. Integrating anthropological inquiry into the study of Islamic family law, for example, shows that marriage customs, including the form and value of *mahr* (dower), often evolve in accordance with local cultural traditions without undermining the fundamental principles of Islamic law. These findings suggest that legal continuity and social change are not mutually exclusive; rather, Islamic jurisprudence has sufficient flexibility to accommodate cultural diversity while preserving its normative foundations. (Ardli & Luayyin, 2026)

Despite its considerable contributions, the interdisciplinary approach is not without challenges.

One of the main difficulties lies in reconciling the differing epistemological assumptions that characterize various academic disciplines. Whereas Islamic jurisprudence derives its authority primarily from revelation and juristic methodology, the social sciences emphasize empirical observation and critical interpretation. These differing paradigms may generate tensions in legal analysis, particularly among scholars committed to exclusively textual approaches. Moreover, the effective implementation of interdisciplinary scholarship requires researchers with sufficient competence across multiple fields of knowledge. This condition has not yet been fully realized in many Islamic higher education institutions. (Asni et al., 2022)

Nevertheless, these challenges should not be regarded as obstacles to the development of Islamic legal scholarship. On the contrary, they underscore the importance of strengthening interdisciplinary dialogue to produce legal interpretations that are intellectually rigorous, socially responsive, and normatively grounded. By integrating insights from Islamic legal sciences and contemporary academic disciplines, *fiqh* is better equipped to address the increasingly complex realities of modern Muslim societies while remaining oriented toward the realization of justice, public welfare, and the higher objectives of the *Sharī'ah*.

3.3. The Adaptation of Fiqh to Changes in Social Institutions

The adaptation of *fiqh* through *maqāṣid al-sharī'ah*, contemporary *ijtihād*, and *ijmā'* is inseparable from a comprehensive understanding of social realities. Accordingly, a multidisciplinary approach should not be viewed merely as a complementary element in *ijtihād*; rather, it constitutes an essential prerequisite for ensuring that legal rulings genuinely serve the public good (*maṣlaḥah*). A *mujtahid* is expected not only to master the normative sources of Islamic law but also to possess empirical knowledge of the social conditions in which rulings are applied. In this regard, sociology offers insights into patterns of social change, family dynamics, and economic transformation, while economics provides information on the impact of public policies on social welfare. Such empirical evidence forms an important basis for assessing whether existing legal rulings continue to fulfill the objectives of Islamic law (*maqāṣid al-sharī'ah*) or whether new formulations are required through *ijtihād*. (Adib, 2022; Tohari et al., 2022)

This multidisciplinary perspective is particularly evident in the development of *fiqh al-mu'āmalāt* in the digital era. The emergence of financial technology (*fintech*), *Sharī'ah*-compliant digital wallets, peer-to-peer lending platforms, and Islamic crowdfunding cannot be adequately understood through a purely textual reading of classical *fiqh* literature. Muslim jurists are required to understand technological mechanisms, digital business models, transactional risks, and consumer behavior, as well as their implications for financial inclusion. Equipped with such knowledge, *ijtihād* can identify the most

appropriate contractual arrangements, determine whether elements such as *gharar*, *ribā*, and *maysir* are present, and ensure that innovations in the digital economy remain consistent with the objectives of Islamic law. Consequently, legal rulings become not only normatively valid but also capable of responding effectively to the needs of contemporary society. (Zuzanti, 2024; HANNANI, 2023)

The same principle applies to Islamic family law. Changes in family structures, increasing female participation in the workforce, and new forms of social relations resulting from urbanization are social realities that must be carefully understood before issuing legal opinions (*fatwas*). Sociological analysis of these developments enables scholars to assess their implications for financial maintenance (*nafaqah*), child-rearing responsibilities, and the protection of family members' rights. Consequently, *ijtihād* extends beyond the mere reproduction of classical legal opinions and becomes an effort to formulate rulings that remain grounded in the Qur'an and the Sunnah while effectively responding to contemporary social transformations. Through this approach, fiqh preserves the substantive values of Islamic law without losing its relevance in modern social life. (Hidayati et al., 2022; Tohari et al., 2022)

3.4. The Compilation of Islamic Law as a Form of Fiqh Adaptation in Indonesian Islamic Family Law

The Compilation of Islamic Law (*Kompilasi Hukum Islam/KHI*) represents a concrete manifestation of the adaptation of fiqh within Indonesia's Islamic family law system. Its promulgation was intended not only to codify Islamic legal principles for the Religious Courts but also to bridge the classical fiqh tradition with the evolving social realities of Indonesian society. Prior to its enactment by Presidential Instruction No. 1 of 1991, judges of the Religious Courts relied on various classical fiqh texts, which often led to inconsistent decisions in similar cases. Through the KHI, the Indonesian government sought to enhance legal certainty while preserving the substantive principles of Islamic jurisprudence on which it is based. (Indonesia, 1991)

One provision that clearly illustrates this adaptive process is Article 80 of the KHI, which regulates the rights and obligations of spouses. The article stipulates that a husband is responsible for guiding his wife, protecting the family, providing financial maintenance, covering household expenses, financing healthcare, and ensuring his children's education within his financial capacity. Normatively, these obligations are grounded in the Shāfi'ī school of jurisprudence, particularly *Al-Umm* by Imam al-Shāfi'ī and *Mughnī al-Muhtāj* by al-Khaṭīb al-Shirbīnī, both of which regard financial maintenance (*nafaqah*) as a legal consequence of marriage. However, Article 80 does not merely reproduce the classical juristic position. The phrase "according to his financial capacity" reflects an adaptation to changing social conditions in Indonesian society at the time of the KHI's formulation, including increasing female participation in education and the labor market. Consequently, the marital relationship is framed as a

partnership that retains the husband's primary responsibility as the main provider while allowing room for the wife's economic contribution based on mutual agreement within the family. (Inpres No 1, 1999)(Al-Syafi'i, tth)(Al-Syarbini,tth)(Ahmad Rofiq,2019)

The drafting process of the KHI also demonstrates a distinctly interdisciplinary character. In addition to Islamic scholars and fiqh experts, its formulation involved collaboration among the Supreme Court, the Ministry of Religious Affairs, judges of the Religious Courts, legal academics, and practitioners with extensive knowledge of Indonesia's family law system. Rather than relying exclusively on classical fiqh literature, the drafting committee also examined judicial practices in the Religious Courts, national legislation, and prevailing social conditions in Indonesian society. National workshops and the compilation of judicial precedents from the Religious Courts constituted important elements of this process. This approach illustrates that, from its inception, the KHI integrated both sociological and juridical considerations, ensuring that its provisions not only conform to the principles of Islamic law but are also effectively implementable within Indonesia's legal framework. (Atho Mudzhar,1998)(KHI)

Recent scholarship further shows that the KHI continues to be reinterpreted in response to contemporary social transformations, particularly regarding the distribution of responsibilities between spouses, the protection of women's and children's rights, and the broader development of Islamic family law in the modern era. These studies emphasize that reform of Islamic family law cannot rely solely on a textual reading of classical fiqh; rather, it requires meaningful engagement with sociology, anthropology, family psychology, and gender studies. Empirical evidence on changing family structures, rising divorce rates, and evolving marital relations provides an essential basis for *ijtihad*, enabling Islamic legal rulings to remain oriented toward the realization of *maṣlahah*, the primary objective of the *Sharī'ah*. In this respect, the KHI stands as a compelling example of how fiqh in Indonesia continues to evolve through an ongoing dialogue among textual sources, social realities, and interdisciplinary approaches. (Angkupi & Taufiq, 2025; Wirastri & van Huis, 2024)

4. CONCLUSION

Fiqh, as one of the fundamental institutions in Islam, is inherently dynamic and adaptable. Rapid social transformations require fiqh to continuously renew and contextualize its legal interpretations in light of the objectives of Islamic law (*maqāṣid al-sharī'ah*). A multidisciplinary approach to Islamic studies enables fiqh to remain relevant amid ongoing social, cultural, economic, and political changes at both national and global levels. Such an approach not only strengthens the methodological foundations of Islamic legal scholarship but also enriches its substantive content, allowing fiqh to offer more practical and responsive solutions to the needs of contemporary Muslim societies.

The integration of fiqh with the social sciences and humanities has therefore become increasingly essential for the development of contemporary Islamic law. Looking ahead, further empirical research is needed to examine the implementation of fiqh in addressing various issues of Islamic family law in Indonesia. Such studies will ensure that processes of *ijtihad* and legal reform are informed not only by normative legal reasoning but also by the evolving social realities and lived experiences of the communities they are intended to serve.

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