

Dynamics of Indonesian Islamic Law: Its Role and Impact on the Political and Legal System in Indonesia

Fuji Rahmadi P

Universitas Pembangunan Panca Budi, Medan, Indonesia

Email: fujirahmadi@dosen.pancabudi.ac.id

Article Info	Abstract
Received: 2023-02-21 Revised: 2023-04-10 Accepted: 2023-06-10 Keywords: <i>Islamic Law, System, Legal Politics, National Law, Legal Pluralism.</i>	Indonesia, as the country with the largest Muslim majority in the world, has a rich and diverse Islamic legal tradition that continues to evolve over time. This research analyzes the dynamics of the role of Islamic law in Indonesia and its impact on the country's political and legal system. This research uses a normative legal approach by examining in depth the relevant legal content, identifying patterns of change, challenges and opportunities in the implementation of Islamic law in the political and legal context in Indonesia. The research results show that the role of Islamic law in the political and legal system in Indonesia is truly significant. Islamic law not only provides a moral and ethical basis for the formation of inclusive and just political policies, but also aligns the national legal system with Islamic values held by the majority of society. In addition, Islamic law provides specific guidelines in regulating various aspects of daily life, strengthens the legitimacy of the political system, empowers Muslim communities in the political process, and provides alternative dispute resolution based on the principles of Islamic law. The impact is enormous, not only reflecting the diversity and plurality of Indonesian society, but also strengthening the legal foundations that are inclusive, just and harmonious in creating harmony between citizens.

A. INTRODUCTION

Law is a system of rules, norms and principles regulated by the state or arising from the dynamics of social life. Its existence is inseparable from human life in various parts of the world, because law aims to create mutually desired conditions, such as peace, certainty, order, protection and justice (Alfons, 2017). Essentially, law is a manifestation of human connection with their social environment. Without it, human life tends to be chaotic or even reach the level of destructive conflict, in accordance with the expression "homo homini lupus" which implies that humans can become wolves to other humans, creating relationships that are detrimental and conflict with each other's human rights (Tardjono, 2021).

Initially, the legal system in Indonesia had its roots in the Continental European legal system introduced by the Dutch colonialists. This system, known as the civil law system, provides a structured legal basis based on written codes and court decisions (Harjono, 2009). However, along with the passage of time and the evolution of life in Indonesian society, dynamics have occurred that have changed the face of law in this country. This significant change occurred because the values that live among Indonesian society have increasingly influenced the development of law. The two most dominant values are Islamic law and customary law (Hakim, 2017). Islamic law, with its principles contained in the Al-Quran and hadith, is one of the main pillars in the formation of the legal system in Indonesia. Values such as justice, equality before the law, and balance between rights and obligations, which are embedded in Islamic teachings, make a significant contribution to the formation of the legal framework that applies in Indonesia (Anshar, 2019).

Apart from that, customary law also plays an important role in the legal structure of Indonesia. Customary law includes various norms and traditions that are rooted in the culture and customs of local communities (Isdiyanto & Putranti, 2021). This customary law system also provides a distinctive color in law enforcement in Indonesia, especially in the context of resolving conflicts and disputes at the local level (Matuankotta, 2019). The presence of Islamic law and customary law as an integral part of the Indonesian legal system shows the plurality and complexity of legal life in this country. As a pluralistic country, Indonesia continues to strive to integrate these various sources of law harmoniously in the national legal system, while maintaining basic principles of democracy, supremacy of law, and human rights (Ramadhan & Syahfrudin, 2023).

Islamic law is not static, but always moves along with the evolution of society and the awareness of Muslims to comply with Islamic teachings contained in the Al-Qur'an, Al-Hadith, and through the *ijtihad* process (Prawiro, 2014). In the context of Indonesian society, where cultural and religious plurality is a reality, Islamic law is an important need for Muslims to live their daily lives. Awareness of the importance of following Islamic law provides encouragement for Islamic scholars and scholars to interpret and update Islamic law according to the context of the times and society (Nurhuda, 2022).

Reforming Islamic law in Indonesia is not carried out haphazardly, but rather through a process based on the principles of Islamic teachings and the benefit of the people. The concept of *ijtihad* allows scholars to make new interpretations of Islamic law that are in accordance with the needs and development of society (Yazid et al, 2024). The reformulation of Islamic law was carried out by considering universal Islamic values, while still paying attention to local values and Indonesian culture.

Thus, the renewal of Islamic law opens up space for adaptation that is relevant and in line with the demands of the times, while remaining rooted in the underlying principles, maintaining the integrity of religious teachings, and accommodating the needs and interests of Muslims in Indonesia (Wahid, 2022).

The influence of Islamic law in the political and legal system in Indonesia is a very important focus point, especially in the context of basic policy formation by state administrators in the legal sector (Chandra, 2014). In the foundation of the Indonesian constitution, especially in the Preamble to the 1945 Constitution, the stated goals of the state emphasize the importance of achieving social welfare, justice and equality before the law. However, in reality, law in Indonesia cannot be separated from the influence of the values that live and develop in society, including Islamic values (Najib, 2020).

National legal politics in Indonesia has two main aspects. First, as a tool used by the government to form and implement a national legal system in accordance with its wishes (Fuqoha, 2021). Second, the national legal system is expected to achieve broader national ideals, such as social justice, protection of human rights, and overall national development. In this context, the position of Islamic law has a significant influence (Soemarsono, 2007).

The importance of considering Islamic values in Indonesian legal politics reflects the need to maintain a balance between religious principles and democratic principles and the supremacy of law (Munajat, 2012). It is hoped that the formation of legal policies that pay attention to Islamic values can create an inclusive and fair legal system for all citizens, without forgetting individual rights and religious freedom. Thus, the influence of Islamic law in Indonesian legal politics is not only a legal issue, but also a social, political and cultural issue that reflects the complexity and plurality of Indonesian society (Amer, 2020).

This research aims to examine in depth the dynamics of the development of Islamic law in Indonesia and its role in the country's political and legal system. By understanding the role of Islamic law in the process of forming national political and legal policies, this research aims to identify the impacts faced by the Indonesian legal system in adapting to the values and principles of Islamic law. The benefit of this research is that it provides a deeper understanding of the complexity of the relationship between Islamic law, politics and the Indonesian national legal system, so that it can make a positive contribution in formulating more effective and inclusive policies in maintaining a balance between the principles of Islamic law and the principles of Islamic law. principles of a democratic state.

B. METHODS

This research adopts a normative legal approach, which focuses on analyzing legal norms related to the dynamics of Islamic law in Indonesia and its impact on the country's political and legal system. Through the method of analyzing the content of legislation (content analysis), this research examines in depth the relevant legal content, identifying patterns of change, challenges and opportunities in the implementation of Islamic law in the political and legal context in Indonesia (Soekanto, 2007). A conceptual approach is used to understand the theoretical framework and legal concepts underlying these dynamics, while comparative law provides a cross-country perspective on the influence of Islamic law in political and legal systems. Secondary data consisting of norms, regulations and related literature, was collected through literature study, utilizing sources such as books, articles and statutory regulations. Data analysis was carried out qualitatively to explore the meaning and implications of the legal content found, so as to provide a deeper understanding of the dynamics of Islamic law and its relevance to the political and legal system in Indonesia.

C. RESULTS AND DISCUSSION

The Role of Islamic Law in the Political and Legal System in Indonesia

Indonesian society is reflected in diversity which includes not only ethnic and religious plurality, but also diversity among individuals who follow the teachings of the Islamic religion. This is reflected in the existence of various different groups and social units in society. In this context, the legal system in Indonesia recognizes and reflects this plurality by drawing on sources from various legal traditions (Lukito, 2008). This means that state law comes from several different sources, including customary law which reflects local cultural heritage and traditions, Islamic religious law which is a guide for Muslims, and Western law which is a legacy from the Dutch colonial period. This approach reflects the spirit of inclusiveness and tolerance in maintaining harmony between various groups and interests in a pluralistic Indonesian society (Setiawan, 2014). Thus, recognition of this diversity is an important aspect of the characteristics of Indonesian law which reflects the spirit of *Bhinneka Tunggal Ika*, namely unity in diversity.

The plurality of laws in Indonesia, although it reflects the diversity of its society, does not always operate without conflict. At the time of independence, when the new state attempted to consolidate power under a single political authority, religious and cultural diversity gave rise to conflicts between various interests. This especially occurs in the process of forming and developing national law (Fitriyani, 2013). In situations like this, political influence on law cannot be avoided. This is

clearly seen in the implementation of law, where parties with certain interests try to influence the implementation of policies that have been regulated in law, in accordance with the power dynamics and situational factors that exist in the space and time concerned. These conflicts often reflect the struggle of interests between various groups of society, whether based on religion, ethnicity, or social, which adds complexity to the Indonesian legal and political system (Adhayanto, 2014).

The enactment and implementation of Islamic law in Indonesia is often determined by the political will of the authorities, which gives the state a central role in the process of establishing law in society. This shows that there is a state monopoly in regulating and implementing law, which is a reflection of the dynamics of the relationship between politics, power and the application of law in the Indonesian social and political context (Maula, 2003). However, this dynamic also reflects the state's ability to respond to societal demands and changing times. An example is the emergence of the Islamic law reform movement which advocates the principles of justice, accountability and community participation in the law formation process. This emphasizes the active role of society in influencing the evolution of Islamic law in Indonesia. Although policy and political power have a major impact on the implementation of Islamic law, social changes, political developments and societal demands also have a significant influence on the direction and implementation of Islamic law in Indonesia (Sadat, 2018).

The determination of Islamic law by the state is one aspect of legal politics, which includes official state policy in determining legal options to achieve the state's goals stated in the Preamble to the 1945 Constitution. In the Indonesian context, the state establishes Islamic law as part of its efforts to meet the legal needs of its citizens, including Muslims who constitute the majority of the population (Marbun, 2014). Since the beginning of independence until now, Muslims have played a significant role in determining the direction of national development, both in the political, social and cultural fields. The existence of Islamic law in the national legal system is a reflection of the plurality and complexity of Indonesian society, where religious values play an important role in shaping state identity and policies. In this case, the establishment of Islamic law by the state not only reflects the legal needs of Muslims, but is also an effort to maintain harmony and justice in a diverse society (Prasetyo, 2020).

The state's recognition of Islamic law is also a manifestation of the state principle of Pancasila which respects diversity of religions and beliefs. Even though Indonesia is not a country with an explicitly religious-based legal basis, the influence of Islamic values in legal politics reflects the dynamics and complexity of the relationship between religion and the state in the context of a democratic country

(Sofiana, 2014). Therefore, the establishment of Islamic law by the state cannot be separated from efforts to achieve broader national goals, such as creating social justice, strengthening the integrity of the nation, and improving the welfare of society in general. Thus, Islamic legal politics in Indonesia is not only a manifestation of the legal needs of Muslims, but is also an integral part of the state's efforts to maintain harmony and justice in a diverse and pluralistic society (Hidayat, 2022).

Through the concept of monotheistic teachings, Islamic law is able to direct society from a colonialist spirit to become an Indonesian nation spirit that has an awareness of its identity and history. Apart from that, Islamic law also has great potential to change the paradigm of secular law into law that is more meaningful and morally valuable, which is rooted in the principle of belief in one God (Fathoni, 2014). This principle, as stated in Principle I of Pancasila, provides a moral foundation for all aspects of Indonesian society's life. The formulation and formation of Pancasila is the fruit of the struggle of the Founding Fathers, among them the champions of Islamic law, who made Islamic values an integral part of the identity and existence of the Indonesian state. In this context, Islamic law is not only a normative aspect, but also the main driver in forming the character and morals of the Indonesian nation (Mohsi, 2020).

Islamic law is one of the laws that applies in the legal system in Indonesia. The role of Islamic law in the legal political system in Indonesia includes several important aspects:

1. Moral and Ethical Settings

Islamic law plays an important role in forming the moral and ethical foundation for the formation of political policies and regulations in Indonesia. The principles contained in Islamic teachings, such as justice, equality and freedom, are the philosophical basis that influences government decision making. The concept of justice in Islam not only includes distributive aspects, namely the distribution of resources evenly, but also procedural aspects, namely justice in the decision-making process and law enforcement. This reflects the importance of the principle of justice in public policy which not only prioritizes the interests of certain individuals or groups, but also the general interests of society at large.

In addition, the principle of equality in Islam emphasizes the importance of fair and equal treatment for all individuals, regardless of differences in social, economic or cultural status. In a political context, this principle demands that government policies are not discriminatory and are able to provide equal protection and rights for all citizens, without exception. Freedom in Islam is also understood as the right given to individuals to carry out religious obligations and develop their personal potential to the maximum, as long as it does not harm the interests of society. Thus, these

principles become an important philosophical basis for the formation of inclusive, fair and just political policies and regulations in Indonesia. Through a deep understanding of Islamic values, the government can create a political environment that maintains diversity, respects human rights, and achieves sustainable national development goals.

2. Alignment with Islamic Values

The role of Islamic law in adapting and aligning the national legal system with Islamic values believed by the majority of Indonesian society is crucial in the context of maintaining harmony between positive law and religious values in society. One important aspect of this role is the effort to integrate the principles of Islamic law into the national legal structure, so as to create compatibility between the laws in force in the country and the beliefs and values held by the majority of Muslims in Indonesia. In this case, Islamic law not only functions as rules that regulate the religious life of Muslims, but also provides guidance for the formation of laws and policies that cover aspects of social, economic and political life.

This adjustment also helps maintain harmony between positive law and religious values in a pluralistic Indonesian society. By integrating Islamic legal principles into the national legal system, the government can create a legal foundation that reflects the diversity of cultures, religions and beliefs in Indonesia. This can reduce the potential for conflict between generally applicable positive law and the religious beliefs held by the majority of society. As a result, harmony is created that allows people to live side by side peacefully, while still complying with applicable legal regulations.

Apart from that, adapting Islamic law to the national legal system can also increase the legitimacy and acceptance of the laws imposed by the state. By considering the religious values believed by the majority of society, the government can ensure that the policies and regulations implemented reflect widely recognized aspirations and interests. This can help strengthen the authority of legal institutions and support a democratic and just state administration process. Thus, the role of Islamic law in adapting the national legal system is not only to create harmony between positive law and religious values, but also to strengthen the legal foundations that are inclusive and widely accepted by Indonesian society.

3. Settings in Daily Life

Islamic law not only acts as a set of religious rules, but also provides specific guidelines in regulating various aspects of daily life. For example, in the context of marriage, Islamic law regulates rules regarding marriage procedures, the rights and obligations of husband and wife, as well as resolving conflicts that may arise in the household. This reflects the role of Islamic law in forming strong and harmonious

family institutions, as well as maintaining a balance between the rights and responsibilities of husband and wife. Thus, Islamic law provides a solid foundation for the formation of marriage policy in Indonesia.

Apart from that, in terms of inheritance, Islamic law has clear provisions regarding how the distribution of assets will be carried out after a person dies. Principles such as mandatory inheritance for certain heirs, determining the share of each heir, and the rights of daughters in receiving inheritance, are all regulated in detail in Islamic law. Thus, Islamic law not only regulates the legal aspects of property, but also pays attention to the principles of social justice in the distribution of inheritance. Islamic law also provides guidelines for regulating trade and business. Principles such as the prohibition of usury, halal products and services, as well as provisions regarding business transactions and buying and selling are regulated in Islamic law. This reflects the role of Islamic law in establishing sound business ethics and maintaining justice in economic activities. Thus, Islamic law not only influences the domain of personal life, but also influences economic and business activities in Indonesia. With the clear guidance of Islamic law, Indonesia's legal political system is influenced in regulating various significant aspects of life, creating a strong foundation for justice, equality and social welfare in society.

4. Empowerment of Muslim Communities

Islamic law not only functions as a set of legal rules that regulate daily life, but also provides a basis for empowering Muslim communities in taking an active role in the political process and policy formation. The principles of Islamic law encourage the active participation of Muslim communities in taking part in the political process to fight for justice and the welfare of society. The concept of shura, for example, underlines the importance of deliberation and consensus in decision making, which is in line with democratic principles. Thus, Islamic law inspires Muslim communities to be actively involved in the political process, whether through elections, policy advocacy, or participation in government institutions.

The empowerment of Muslim communities in taking an active role in the political process is also reflected in the concept of amar ma'ruf nahi munkar, which encourages Muslims to act as agents of change who promote goodness and prevent evil in society. With a deep understanding of the principles of Islamic law, Muslim communities can become a driving force in fighting for policies that reflect the values of justice, equality and social welfare. This helps ensure that the aspirations and interests of the Muslim community can be accommodated in the formation of existing policies. In addition, empowering the Muslim community in the political process also plays an important role in strengthening the legitimacy and sustainability of the political system. By being actively involved in policy formation, Muslim communities

can feel that their interests and aspirations are recognized and represented in the political process. This can reduce social and political tensions, and create a more inclusive and just environment for all citizens. Thus, through empowering Muslim communities in the political process, Islamic law will not only be a source of inspiration, but also a catalyst in fighting for justice and prosperity for all Indonesian society.

5. Providing Alternative Dispute Resolution

Islamic law not only provides rules to regulate daily life, but also provides alternatives in resolving disputes, especially for individuals or groups who choose to use arbitration or mediation mechanisms based on the principles of Islamic law. One alternative dispute resolution accepted in Islam is through a mediation process, where the disputing parties are placed under the supervision of a neutral mediator. This mediator is tasked with helping the disputing parties reach a mutually beneficial agreement by considering the principles of Islamic law such as justice, honesty and togetherness. In the context of arbitration, Islamic law also provides a legal framework that allows dispute resolution to be carried out outside formal judicial channels. This arbitration procedure usually refers to Islamic law and is led by legal experts who are competent in that field. Decisions resulting from this arbitration process have the same legal force as court decisions, so that the parties to the dispute can reach a final and binding settlement.

Providing alternative dispute resolution based on Islamic law is important in the modern context where fast, efficient and fair dispute resolution is highly valued. By using arbitration or mediation mechanisms based on the principles of Islamic law, individuals or groups in dispute can obtain a satisfactory solution without having to go through a long and expensive judicial process. Apart from that, this alternative dispute resolution also reflects the importance of the principle of deliberation in Islam, where dispute resolution is carried out through mutually respectful dialogue and negotiation between the parties to the dispute. Thus, Islamic law makes a valuable contribution in facilitating fair and harmonious dispute resolution in society.

The Impact of Islamic Law on the Legal Political System in Indonesia

The government's policy of enforcing Islamic law as part of the national legal system is a realization of legal politics that is in line with the national spirit or *volkgeist* of Indonesian society. This concept emphasizes that there is an organic relationship between law and the characteristics and values of a nation. In other words, law is a reflection of *the volkgeist*, or collective soul of a society. Therefore, to achieve harmony between law and the characteristics of its society, it is important for a country to seek and discover legal principles that are alive and relevant in its society (Islamiyati, 2018).

This concept is in line with the views put forward by Savigny's theory, which constructs law as a value that lives in society and as the soul of the nation or *volkgeist* at the local level of a country. This emphasizes the importance of exploring and recognizing legal values that already exist in society as a basis for the formation of state law. In the Indonesian context, where Islam has become an integral part of the social and cultural life of society, the application of Islamic law not only reflects the religious identity of the majority, but also reflects cultural values that are reflected in everyday life. Thus, it is an important task of the system Law not only establishes rules in the form of legislation, but also explores and develops pearls of legal values that live in society (Mahardika, 2018).

The formation and establishment of Islamic law in Indonesia's national legal politics is reflected in the unique position it has in the legal order in this country. Islamic law in Indonesia is not only seen as a series of religious rules that apply to Muslims, but also as an integral part of the national legal system. The majority of Indonesian people view Islamic law as living law and relevant to values that can serve as guidelines for everyday life. This is reflected in various ways, ranging from formal recognition in national law to its active role in forming government regulations and policies (Gunawan, 2016).

In the context of national legal politics, the position of Islamic law can be understood in several aspects. First, Islamic law is recognized as an integral part of Indonesian national law, meaning that Islamic principles and values are considered an inseparable part of the country's legal identity. Second, Islamic law has quite strong power and authority, so it has a significant influence in the formation of policies and regulations at the national level. This is reflected in the legislative process and the establishment of regulations that take into account aspects of Islamic law (Mulyawan et al, 2021).

Sociologically, the position of Islamic law also requires the emergence of awareness to obey the law among society. This awareness is not only related to the obligation to comply with the rules of Islamic law, but also with recognition of the important role of law in maintaining order and justice in society. Therefore, awareness of obeying the law is not only a requirement of Islamic law as a religion, but also of national law as a whole. In this context, the position of Islamic law not only influences national legal politics, but also shapes people's mindset and behavior regarding law observance in general.

The impact of Islamic law on the legal political system in Indonesia can be explained as follows

1. Creating a Value System that governs the majority of Indonesian society

The impact of Islamic law on the legal political system in Indonesia can be

understood first of all through the creation of a system of values that governs most of society. Islamic law, with its principles covering aspects of life from worship to social procedures, provides a strong moral foundation for individual behavior and decisions in society. Principles such as justice, compassion and simplicity taught in Islam form the basis for the norms and values held by society. Thus, Islamic law not only functions as a formal legal rule, but also as a moral framework that influences daily behavior and social interactions.

Apart from that, the impact of Islamic law on the creation of values is also reflected in the culture and customs that develop in society. The principles of Islamic law are often integrated into traditional practices and customs passed down from generation to generation. For example, in marriage and inheritance systems, the principles of Islamic law often form the basis for traditional practices that are still carried out by Indonesian society. This shows that Islamic law not only has an impact on formal legal rules, but also influences the culture and customs that exist in society. Thus, Islamic law has a significant impact in creating a system of values that governs the majority of Indonesian society. The principles contained in Islamic law become the moral and ethical foundation that influences individual behavior and decisions, and are integrated in the culture and customs that develop in society. Thus, Islamic law not only influences the formal legal political system, but also shapes the character and identity of Indonesian society more broadly.

2. As a Source of Material in the Formation of National Law

As a source of material in the formation of national law, Islamic law has a significant influence in contributing principles, values and rules which are the basis for the legislative process and policy formation in Indonesia. The principles of Islamic law, contained in the Al-Qur'an, Al-Hadith, and Islamic legal traditions, are often used as a reference or basis for formulating national laws and regulations. For example, in the formation of laws on marriage, inheritance, sharia finance, and so on, the principles of Islamic law are often adopted or taken into account directly.

Islamic law is also a source of inspiration in overcoming complex and developing legal problems in society. Concepts such as justice, balance and public benefit contained in Islamic law often serve as guidelines in formulating policies that reflect the needs and aspirations of Indonesian society as a whole. Therefore, Islamic law is not only considered as the only source of law, but also as an important source of material in the formation of inclusive and sustainable national law.

Apart from that, in the context of globalization and modernization, Islamic law also has an important role in forming unique and different national legal characteristics. In the midst of globalization and economic integration, Islamic legal values often form the basis for the formation of regulations that pay attention to the

principles of ethics, morality and justice in economic and business transactions. Thus, Islamic law is not only a source of material in the formation of national law, but also a factor that shapes Indonesia's national legal identity in a continuously developing global context.

3. Becoming a legal tool in resolving legal problems in Indonesia

Islamic law plays a role as a tool in resolving legal problems in Indonesia in various contexts. First of all, the principles of Islamic law are often used as guidelines in the process of resolving disputes between individuals or community groups. In practice, several disputes, especially those relating to family matters such as marriage, divorce and inheritance, are often resolved based on the principles of Islamic law. Mediation based on Islamic law or arbitration involving Islamic legal experts is sometimes chosen by disputing parties as an alternative to reach a fair settlement and in accordance with religious teachings.

Apart from that, Islamic law is also a tool in resolving complex legal problems at the national level. The application of Islamic legal principles in the national legal system can lead to the formation of regulations that are more sensitive to ethical values, morality and justice. For example, in sharia banking regulations, the sharia financial system in Indonesia is based on the principles of Islamic law such as the prohibition of usury and the principle of justice in the distribution of risks and profits. This reflects the Indonesian government's efforts to introduce legal mechanisms in accordance with Islamic religious principles in regulating the financial sector, which is considered an alternative solution to resolve complex economic and financial problems. Apart from that, Islamic law is also a tool in law enforcement and social justice in Indonesia. The principles of Islamic law which emphasize justice, equality and protection of individual rights often form the basis for judicial processes and law enforcement. Sharia courts, which handle cases related to family law and sharia finance, play an important role in upholding justice based on Islamic teachings. Thus, Islamic law is not only a tool in resolving legal problems in Indonesia, but also the foundation for a fair and just legal system.

4. Influence in Policy Formation

The influence of Islamic law in the formation of policies and regulations in Indonesia is a reflection of its important role in regulating various aspects of society's life. The principles of Islamic law, which are taken from the Koran, Al-Hadith, and Islamic legal traditions, often become an important basis or consideration for policy makers in the legislative process. For example, in the formation of marriage laws, the principles of Islamic law regarding marriage terms and procedures, the rights and obligations of husband and wife, as well as inheritance provisions are often the basis for consideration.

Apart from that, in an economic context, the principles of Islamic law also influence trade and financial regulations in Indonesia. For example, in sharia banking regulations, the principles of Islamic law such as the prohibition of usury (interest) and the principle of justice in the distribution of risks and profits are the basis for formulating regulations governing the operations of sharia banks and other sharia financial products. Not only in the realm of marriage and economics, Islamic law also influences regulations in other fields such as criminal law, human rights, the environment, and so on. The principles of Islamic law regarding justice, balance and protection of individual rights are also important considerations in formulating regulations that affect society at large.

5. Contribute in terms of legal spirit in the formation of national law

The contribution of Islamic law in terms of legal spirit in the formation of Indonesian national law is very significant. First of all, Islamic law provides a deep moral and ethical dimension within the national legal framework. Principles such as justice, equality and humanity contained in Islamic law provide a strong philosophical basis for the formation of legal regulations and policies. This helps ensure that Indonesian national law not only takes into account technical and practical aspects, but also takes into account the moral and ethical implications of any policies implemented.

Second, Islamic law contributes to the formation of an inclusive and diverse national legal identity. In heterogeneous Indonesian society, Islamic law is not only considered as the only source of law, but also as part of the diversity of existing legal sources. Recognition of the contribution of Islamic law in shaping the characteristics of Indonesian national law helps create a legal system that reflects the diversity of culture, religion and values that exist in society.

Lastly, Islamic law plays an important role in forming legal awareness among society. Through its teachings and principles, Islamic law not only teaches the obligation to obey legal rules, but also inspires individuals to play an active role in the development of law and justice. By understanding and applying Islamic legal values in everyday life, Indonesian people can become agents of change in fighting for a more just, inclusive and sustainable legal system. Thus, the contribution of Islamic law in terms of legal spirit in the formation of Indonesian national law is not only limited to technical aspects, but also includes moral dimensions, identity and legal awareness which are important to ensure justice and sustainability of the national legal system.

6. Creating religious tolerance on the basis of legal pluralism in Indonesia

The role of Islamic law in creating religious tolerance on the basis of legal pluralism in Indonesia is very important in the context of the cultural and religious

diversity of society. First of all, Islamic law provides a basis for inter-religious cooperation in order to create social harmony. Even though Indonesia is a Muslim-majority country, inclusive principles in Islamic law encourage tolerance towards followers of other religions. This is reflected in Islamic legal practices which respect the rights of religious minorities and support inter-religious cooperation to achieve justice and mutual prosperity.

Apart from that, Islamic law also strengthens the national legal framework that recognizes the diversity of legal sources. In Indonesia, Islamic law is recognized as one of several sources of law that applies in parallel with customary law and national law. This recognition reflects the spirit of legal pluralism in Indonesia, which recognizes that every community group has the right to apply laws that are in accordance with their beliefs and values. This helps create space for religious tolerance and cultural diversity, where every individual can live and participate in society feeling recognized and respected. Finally, Islamic law also contributes to building inclusive and meaningful inter-religious dialogue. The principles of Islamic law regarding mutual respect, mutual understanding and mutual cooperation in order to achieve the common good encourage the creation of space for harmonious inter-religious dialogue. Through this dialogue, mutual understanding and tolerance can be increased, and differences between religions can be bridged to achieve common goals in building a civilized and just society.

D. CONCLUSION

The role of Islamic law in the political and legal system in Indonesia is very significant. Islamic law not only provides a moral and ethical basis for the formation of inclusive and just political policies, but also aligns the national legal system with Islamic values held by the majority of society. In addition, Islamic law provides specific guidelines in regulating various aspects of daily life, strengthens the legitimacy of the political system, empowers Muslim communities in the political process, and provides alternative dispute resolution based on the principles of Islamic law. Thus, the role of Islamic law not only reflects the diversity and plurality of Indonesian society, but also strengthens the legal foundations that are inclusive, just and harmonious in creating harmony between citizens. The impact of Islamic law on the legal political system in Indonesia is very significant. Through the creation of a system of values that regulates most of society, being a source of material in the formation of national law, acting as a tool in resolving legal problems, influencing policy formation, making a contribution in terms of the spirit of the law, and creating religious tolerance on the basis of legal pluralism, Islamic law has formed characteristics and identity of Indonesian national law in depth. The principles of

Islamic law, which include aspects of morality, ethics, and justice, not only form the basis for formal legal rules, but also influence the culture, customs, and legal consciousness of society as a whole. This reflects the importance of understanding and recognizing the integral role of Islamic law in achieving justice, social harmony and recognition of diversity in Indonesian society.

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