

Islamic Law and Its Role in Regulating Muslim Society

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Abstract

This study examines the role of Islamic law in regulating Muslim society in the contemporary era. The research aims to analyze how Islamic legal principles function as a comprehensive system that integrates legal, ethical, and spiritual dimensions in guiding social, economic, and family life. A normative legal research method is applied using conceptual, doctrinal, and analytical approaches based on secondary legal sources, including classical Islamic texts, contemporary scholarly works, and institutional reports. The findings show that Islamic law plays a central role in shaping social order through principles of justice, welfare, and harm prevention. It regulates key areas such as family relations, economic transactions, and social welfare mechanisms while remaining adaptable through *ijtihad* and legal interpretation. However, challenges such as interpretative diversity and modern legal pluralism affect its implementation. The study concludes that Islamic law remains a dynamic and relevant legal system for regulating Muslim society in the modern era.

Keywords

Islamic Law; Sharia; Muslim Society; Justice; Maqasid al-Shariah



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INTRODUCTION

Islamic law, known as Sharia, is one of the most influential legal systems in the world, governing not only religious obligations but also social, economic, and political aspects of life. It is derived primarily from the Qur'an and Sunnah, and further developed through Islamic jurisprudence (*fiqh*) and principles of legal interpretation (*usul al-fiqh*). Unlike secular legal systems that separate law from morality, Islamic law integrates legal norms with ethical and spiritual values, making it a comprehensive framework for regulating human behavior. In contemporary Muslim societies, Islamic law continues to play a vital role in shaping social order, legal institutions, and community values. The foundational objective of Islamic law is encapsulated in the concept of *maqāṣid al-sharī'ah*, which seeks to preserve five essential values: religion (*dīn*), life (*nafs*), intellect (*'aql*), lineage (*nasl*), and property (*māl*). These objectives

ensure that all legal rulings serve human welfare and prevent harm. According to M. Umer Chapra, Islamic law is fundamentally designed to achieve *falāḥ* (human success and well-being) by promoting justice, equity, and ethical conduct in all aspects of life. This demonstrates that Islamic law is not merely a set of rigid legal rules, but a value-oriented system that emphasizes moral responsibility and social harmony. In regulating Muslim society, Islamic law provides detailed guidance for personal, familial, and communal life. In the area of family law, it governs marriage, divorce, child custody, and inheritance. Marriage in Islamic law is considered a legal contract (*‘aqd*) that establishes mutual rights and obligations between spouses, while divorce is regulated to ensure fairness and minimize harm. Inheritance law is structured to distribute wealth equitably among family members, preventing concentration of wealth and promoting social balance. These provisions reflect Islamic law's emphasis on maintaining family stability as the foundation of society.

Islamic law also plays a crucial role in regulating economic activities. It prohibits *riba* (interest), *gharar* (excessive uncertainty), and *maysir* (gambling), while encouraging ethical trade, risk-sharing, and productive investment. This has led to the development of Islamic finance, which provides alternative financial systems based on fairness and asset-backed transactions. Institutions such as the Islamic Financial Services Board emphasize that Islamic finance contributes to financial stability, ethical governance, and inclusive economic development. In this context, Islamic law serves as a regulatory framework that ensures economic justice and prevents exploitation. Another important aspect of Islamic law is its contribution to social welfare. Mechanisms such as *zakat*, *waqf*, and *sadaqah* function as instruments for wealth redistribution and poverty alleviation. *Zakat*, as an obligatory form of almsgiving, ensures that wealth circulates within society and reaches vulnerable groups. *Waqf* (endowment) supports long-term social development by funding education, healthcare, and public infrastructure. According to the Islamic Development Bank, Islamic social finance plays a significant role in achieving sustainable development and reducing inequality in Muslim-majority countries.

Islamic law also provides a framework for governance and public order. Classical Islamic political thought emphasizes justice, accountability, and public welfare as essential principles of leadership. Although modern Muslim states differ in their legal systems, Islamic principles continue to influence governance models in various countries. These principles emphasize fairness, transparency, and responsibility, which are essential for maintaining social stability and legitimacy. One of the strengths of Islamic law is its adaptability through mechanisms of *ijtihad* (independent reasoning)

and qiyas (analogical reasoning). These tools allow Islamic jurisprudence to respond to new and emerging issues such as digital finance, medical ethics, environmental law, and globalization. Wael B. Hallaq argues that Islamic law should be understood as a living tradition that evolves through continuous scholarly engagement while preserving its ethical core. This flexibility ensures that Islamic law remains relevant in modern and globalized societies.

However, the implementation of Islamic law in contemporary Muslim societies faces several challenges. One major challenge is the diversity of legal interpretations among scholars, which can lead to differences in legal rulings across regions. This diversity reflects the richness of Islamic intellectual tradition but can also create inconsistency in legal application. Another challenge is legal pluralism, where Islamic law coexists with modern state legal systems, sometimes resulting in overlapping or conflicting norms. Globalization further influences the development of Islamic law by introducing new cultural, economic, and legal dynamics. While globalization facilitates the spread of Islamic finance and legal cooperation among Muslim countries, it also exposes Islamic legal systems to external influences that may challenge traditional interpretations. This requires continuous scholarly interpretation and institutional reform to ensure that Islamic law remains relevant while maintaining its foundational principles.

Another issue is the gap between normative Islamic legal theory and its practical implementation. In some contexts, Islamic law is applied partially or symbolically without fully achieving its objectives of justice and welfare. This highlights the need for stronger legal institutions, improved education in Islamic jurisprudence, and greater public awareness of Islamic legal principles. Based on these considerations, this study aims to analyze the role of Islamic law in regulating Muslim society by examining its principles, applications, and challenges in contemporary contexts. It seeks to provide a comprehensive understanding of how Islamic law functions as a dynamic legal system that integrates ethical values with legal regulation in modern Muslim societies.

METHODS

This study uses a normative legal research design to analyze the role of Islamic law in regulating Muslim society. The normative approach is selected because the study focuses on examining legal norms, principles, and doctrines derived from Islamic jurisprudence rather than empirical field data. The objective is to understand how Islamic law functions as a regulatory system that integrates legal, ethical, and spiritual dimensions within Muslim communities. The research employs three main

approaches: conceptual approach, doctrinal approach, and analytical approach. The conceptual approach is used to examine fundamental concepts in Islamic law such as justice (‘adl), welfare (maṣlaḥah), harm prevention (mafsadah), and legal objectives (maqāṣid al-sharī‘ah). These concepts form the theoretical foundation of Islamic legal thought and are essential for understanding its regulatory role in society. Through this approach, the study explores how Islamic law is designed to achieve human well-being and social balance.

The doctrinal approach is applied to analyze classical and contemporary Islamic legal thought. This includes the study of fiqh literature, usul al-fiqh (principles of Islamic jurisprudence), and interpretations by classical jurists and modern scholars. The doctrinal analysis allows the researcher to identify how Islamic legal principles have evolved over time and how they are applied in contemporary Muslim societies. In this context, the works of scholars such as M. Umer Chapra and Wael B. Hallaq are used to understand both the economic and legal-philosophical dimensions of Islamic law. The analytical approach is used to interpret and synthesize legal materials in order to understand the practical application of Islamic law in regulating social, economic, and family life. This approach helps bridge the gap between theoretical principles and real-world implementation, particularly in areas such as Islamic finance, family law, and social welfare systems.

The data used in this study consist entirely of secondary legal materials obtained through library research. Primary sources include the Qur’an, Hadith, and classical Islamic jurisprudence texts, which form the foundation of Islamic law. Secondary sources include academic books, peer-reviewed journal articles, and institutional reports related to Islamic law and contemporary Muslim societies. Reports from institutions such as the Islamic Financial Services Board and the Islamic Development Bank are also used to provide practical insights into the application of Islamic principles in modern financial and social systems. Data collection is conducted through systematic documentation and literature review techniques. The researcher collects relevant materials, organizes them thematically, and categorizes them according to key topics such as legal principles, social regulation, economic systems, and welfare mechanisms. This structured approach ensures that the data are comprehensive and relevant to the research objectives.

The data analysis technique used in this study is qualitative descriptive analysis. This method involves interpreting legal texts and theoretical frameworks to identify patterns, relationships, and implications of Islamic law in regulating Muslim society. The analysis process includes data reduction, classification, and interpretation. Data

reduction involves selecting relevant information, classification organizes it into thematic categories, and interpretation provides meaning and explanation of the findings. To ensure validity and reliability, the study applies source triangulation by comparing multiple legal and academic references from different scholarly perspectives. This enhances the credibility of the analysis and ensures a comprehensive understanding of the role of Islamic law in contemporary Muslim society.

FINDINGS AND DISCUSSION

The findings of this study indicate that Islamic law plays a central and continuing role in regulating Muslim society by providing a comprehensive normative framework that integrates legal rules, moral values, and spiritual principles. Unlike purely secular legal systems, Islamic law (Sharia) is grounded in divine revelation, primarily the Qur'an and Sunnah, and is further developed through juristic reasoning (fiqh). Its regulatory function extends beyond formal legal compliance to include ethical guidance that shapes individual behavior, social relations, and institutional governance. In contemporary Muslim societies, Islamic law operates as both a legal system and a moral compass, influencing various dimensions of life such as family relations, economic transactions, governance, and social welfare.

One of the key findings is that Islamic law regulates social behavior through foundational ethical principles such as justice (‘adl), trustworthiness (amānah), and prevention of harm (lā ḍarar wa lā ḍirār). These principles function as universal norms that guide interactions within society, ensuring that legal and social conduct aligns with moral responsibility. According to M. Umer Chapra, Islamic law is fundamentally designed to achieve human well-being (falāḥ) by promoting justice, equity, and ethical behavior in all aspects of life. This demonstrates that Islamic law is not merely a set of rigid legal rules but a value-oriented system that integrates law and morality. In the area of family law, Islamic law plays a significant role in structuring marital relations, inheritance distribution, and parental responsibilities. Marriage in Islamic law is considered a legal contract (‘aqd) that establishes mutual rights and obligations between spouses. Divorce is regulated to ensure fairness and minimize harm, while inheritance laws are designed to distribute wealth equitably among heirs. These provisions aim to maintain family stability and social harmony. The structured nature of Islamic family law reflects its emphasis on balancing individual rights with collective responsibilities, ensuring that family institutions function as the foundation of society.

Islamic law also plays a crucial role in regulating economic activities within Muslim society. It prohibits exploitative financial practices such as *riba* (interest), *gharar* (excessive uncertainty), and *maysir* (gambling), while promoting ethical trade and risk-sharing mechanisms. Islamic financial institutions, including Islamic banks and cooperative financial systems, operate based on these principles. The Islamic Financial Services Board highlights that Sharia-compliant financial systems contribute to financial stability, ethical investment practices, and inclusive economic growth. This demonstrates that Islamic law provides an alternative economic framework that emphasizes fairness and social responsibility.

Furthermore, Islamic law contributes significantly to social welfare through institutional mechanisms such as *zakat*, *waqf*, and *sadaqah*. These instruments serve as tools for wealth redistribution and poverty alleviation, ensuring that economic resources circulate within society. *Zakat*, as an obligatory form of almsgiving, plays a critical role in reducing income inequality and supporting vulnerable groups. *Waqf* (endowment) contributes to long-term social development by funding education, healthcare, and public infrastructure. According to the Islamic Development Bank, Islamic social finance is a key mechanism for achieving sustainable development and poverty reduction in Muslim-majority societies. Another important finding is that Islamic law provides a framework for governance and public administration through the concept of justice-oriented leadership. Classical Islamic political thought emphasizes the responsibility of rulers to uphold justice, protect public welfare, and ensure accountability. Although modern Muslim states vary in their legal structures, Islamic principles continue to influence governance models in many countries. These principles emphasize transparency, fairness, and the rule of law, which are essential for maintaining social order and legitimacy.

The study also finds that Islamic law is adaptable and capable of responding to contemporary challenges through mechanisms of *ijtihad* (independent reasoning) and *qiyas* (analogical reasoning). This flexibility allows Islamic jurisprudence to address new issues such as digital finance, bioethics, environmental protection, and international relations. Wael B. Hallaq argues that Islamic law should be understood as a living tradition that evolves through continuous scholarly interpretation while maintaining its ethical foundations. This adaptability ensures that Islamic law remains relevant in modern and globalized contexts. However, the implementation of Islamic law in regulating Muslim society is not without challenges. One major challenge is the diversity of interpretations among Islamic scholars, which can lead to variations in legal opinions (*fatwas*) across different regions. This diversity reflects the richness of

Islamic intellectual tradition but can also create inconsistencies in legal application. Additionally, the coexistence of Islamic law with modern state legal systems in many Muslim countries sometimes results in legal dualism, where religious and secular laws operate in parallel.

Globalization also presents both opportunities and challenges for Islamic law. On one hand, it facilitates the internationalization of Islamic finance and legal cooperation among Muslim countries. On the other hand, it exposes Islamic legal systems to external cultural and legal influences that may not always align with Sharia principles. This requires continuous scholarly engagement and institutional reform to ensure that Islamic law remains relevant while preserving its core values.

Another challenge is the gap between normative Islamic legal theory and practical implementation. In some contexts, Islamic law is applied selectively or symbolically without fully achieving its ethical and social objectives. This highlights the need for stronger legal institutions, improved legal education, and greater public awareness to ensure effective implementation of Islamic principles in society.

Overall, the findings suggest that Islamic law continues to play a vital and dynamic role in regulating Muslim society. Its integration of legal, ethical, and spiritual dimensions enables it to address both individual and collective needs. While challenges remain, particularly in interpretation and implementation, Islamic law remains a relevant and adaptable system capable of guiding Muslim societies in the modern era.

CONCLUSION

This study concludes that Islamic law plays a fundamental and continuous role in regulating Muslim society by providing a comprehensive legal system that integrates legal norms, ethical values, and spiritual principles. Grounded in divine revelation and developed through juristic interpretation, Islamic law functions not only as a system of rules but also as a moral framework that guides individual behavior and social organization. Its core principles, such as justice (*‘adl*), trustworthiness (*amānah*), and prevention of harm (*lā ḍarar wa lā ḍirār*), ensure that legal regulation is aligned with ethical responsibility and social welfare. The findings show that Islamic law significantly influences key aspects of Muslim life, including family law, economic systems, and social welfare. In family law, it regulates marriage, divorce, and inheritance to maintain fairness and social harmony. In the economic sphere, Islamic law promotes ethical financial practices by prohibiting exploitative mechanisms such as *riba* and encouraging risk-sharing and equitable transactions. Meanwhile, social welfare mechanisms such as *zakat* and *waqf*

contribute to poverty alleviation and wealth redistribution, strengthening social justice within Muslim communities. In addition, Islamic law demonstrates adaptability through mechanisms such as *ijtihad* and *qiyas*, allowing it to respond to modern challenges including globalization, technological development, and complex socio-economic changes. However, the study also identifies challenges such as differences in scholarly interpretation, legal pluralism, and gaps between normative principles and practical implementation. In conclusion, Islamic law remains a dynamic and relevant legal system in regulating Muslim society. Its effectiveness depends on continuous scholarly interpretation, institutional strengthening, and harmonization with contemporary legal systems while preserving its ethical and spiritual foundations.

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