

Revisiting Ibn Taimiyah's Political Legal Thought: Implications for Marriage Law Reform in Indonesia

A. Muslimin, Moh. Mukri, Khairuddin Tahmid, Yusuf Baihaqi

Universitas Islam Negeri Raden Intan Lampung, Indonesia

ABSTRACT

Background: Ibn Taimiyah's political legal thought, particularly in *as-Siyāsah asy-Syar'iyah fi Iṣlāḥ ar-Rā'i wa ar-Rā'iyah*, offers valuable insights into the relationship between Islamic law and state governance. These ideas are particularly relevant in understanding how Islamic principles can be integrated into modern legal systems, such as Indonesia's, where the majority of the population is Muslim.

Aims: This study aims to analyze Ibn Taimiyah's political legal thought and explore its relevance in shaping marriage laws in Indonesia, focusing on the integration of Islamic values within state policies to promote social welfare.

Methods: A qualitative descriptive approach with historical and comparative analysis was used. Data were collected through documentation techniques from *as-Siyāsah asy-Syar'iyah* and secondary sources related to Ibn Taimiyah's ideas and the development of marriage law in Indonesia. Analysis was conducted inductively to connect these ideas with contemporary legal frameworks.

Results: The findings highlight that Ibn Taimiyah's emphasis on the state's role in enforcing Shari'ah law is highly relevant to the formation of marriage laws in Indonesia. His philosophy suggests that the state must facilitate the implementation of religious obligations, which is crucial for family law development.

Conclusion: Ibn Taimiyah's thought offers a framework for integrating Islamic governance principles into state law. His ideas are relevant for developing marriage laws in Indonesia, illustrating how Islamic political thought can guide legal systems in Muslim-majority countries.

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INTRODUCTION

The political and legal philosophy of Ibn Taimiyah is pivotal for understanding how Islamic law intersects with state governance. His influential work, *as-Siyāsah asy-Syar'iyah fi Iṣlāḥ ar-Rā'i wa ar-Rā'iyah*, offers a framework where the state's role is central to upholding Shari'ah law and fostering societal well-being. In Ibn Taimiyah's view, the state is an essential force for ensuring that religious laws are implemented effectively to benefit the people (Alkhawaja, 2021; Katimin et al., 2024). This approach provides a unique perspective on the integration of religion into governance, particularly relevant to countries like Indonesia, which has a Muslim-majority population (Karimullah, 2023; Wahab, 2023). The process of merging Islamic law with the state's legal system, especially in family law, remains a significant challenge (Nafisah et al., 2024; Ridwan et al., 2021). In Indonesia, the intersection of religious traditions and formal law creates tensions and legal ambiguities, especially in areas such as marriage law (Katili et al., 2025; Rajafi et al., 2024). Ibn Taimiyah's philosophical contributions can provide much-needed clarity on how Islamic principles might be woven into the fabric of contemporary state governance, particularly in the development of marriage law. His approach holds promise for creating a legal framework that balances religious faith with modern legal practices in Muslim-majority countries like Indonesia.

This research is driven by the need to explore how Ibn Taimiyah's legal and political ideas can guide the evolution of contemporary legal systems, especially in countries like Indonesia. Indonesia is navigating the challenge of adapting its legal system to meet modern demands while preserving Islamic values (Achruh & Sukirman, 2024; Doing et al., 2024; Ritonga et al., 2024). Ibn

Taimiyah's insights are particularly useful for understanding how the state can act as a vehicle for enforcing Islamic law without undermining societal progress. By focusing on marriage law, this study aims to highlight how Ibn Taimiyah's ideas can inform the development of family laws that align with Islamic teachings while meeting the needs of a diverse society. His emphasis on the state's responsibility to uphold religious duties offers an important framework for rethinking the role of the state in shaping family law, particularly as it pertains to marriage, which is central to family life. This study seeks to contribute to the broader discourse on Islamic legal reform by investigating how Ibn Taimiyah's ideas can be applied to real-world legal issues, especially in the domain of marriage law in Indonesia. In this context, the research offers potential solutions for reconciling religious norms with modern legal structures.

Ibn Taimiyah's influence on Islamic political thought and legal reform is significant in shaping Indonesia's legal landscape, particularly in family law and the integration of Islamic principles into state law. Studies such as (Ilma, 2021) on Maḥram in women's safar, Jarir et al. (2023) on paternity and children born out of wedlock, and Alfitri (2015) on Islamic legal authority highlight the continuing relevance of his ideas in modern legal debates. Additionally, nashir (2015) traces the impact of Ibn Taimiyah's philosophy on legal reform movements, while research on economic development, such as Sharmiladevi (2023) and Adam & Alzuman (2024), shows how legal frameworks shaped by his thoughts intersect with broader economic systems. These studies underscore Ibn Taimiyah's enduring influence on Indonesia's legal reforms, though gaps remain in applying his ideas to issues like Misyar marriage. While much has been written on Ibn Taimiyah's influence on Islamic governance and legal reform, a direct application of his ideas to Indonesian marriage law remains underexplored. Existing studies often focus on general Islamic legal principles or the broader role of the state in enforcing Shari'ah law, but few address how Ibn Taimiyah's political and legal philosophy specifically informs the development of marriage law in Indonesia. This study aims to fill that gap by applying his theories to contemporary legal issues in Indonesia, particularly marriage law, and analyzing how these ideas can shape modern legal practices.

The purpose of this study is to investigate how Ibn Taimiyah's political legal thought can inform the development of marriage laws in Indonesia. Specifically, the study seeks to analyze how his concept of *siyāsah shar'iyah* (Islamic governance) can guide modern legal systems to ensure that marriage laws reflect both Islamic values and the needs of contemporary society. The hypothesis underlying this research is that Ibn Taimiyah's principles offer a comprehensive framework for the role of the state in regulating marriage laws, ensuring that they are aligned with religious obligations while promoting public welfare.

METHOD

Research Design

This study adopts a qualitative descriptive research design, employing a case study approach to deeply investigate the relevance of Ibn Taimiyah's political legal thought in the context of Indonesian marriage law reform. A qualitative approach is ideal for exploring complex ideas and understanding how theoretical concepts like Ibn Taimiyah's political philosophy can be applied in real-world legal practices. The descriptive nature of this study aims to offer a comprehensive understanding of how his principles can guide contemporary legal reforms, particularly within family law in Indonesia. The case study method enables a detailed examination of specific legal decisions, such as those made by Indonesia's Constitutional Court regarding marriage law, and assesses their alignment with Ibn Taimiyah's legal thought. This design is particularly useful for capturing the nuances of implementing Islamic governance principles in a modern state while addressing the challenges of legal pluralism in Indonesia.

Participants

The study will involve a diverse group of key informants to provide a broad spectrum of insights into the subject matter. The participants will include Islamic legal scholars, legal practitioners, academics, and policymakers who have expertise in Islamic law and its application in Indonesia, particularly in marriage law (Aziz, 2024). These participants will be selected through purposive sampling, ensuring that those involved have direct knowledge of both Ibn Taimiyah's political legal thought and the intricacies of Indonesia's legal system. The aim is to engage with 10 to 15 individuals who are actively involved in the legal field, either in the academic study of Islamic law or in practical legal work related to marriage law reform (Husain et al., 2024a). Snowball sampling will also be employed to identify further participants who can provide valuable perspectives on the subject matter based on the recommendations of initial informants (Sefcik et al., 2023; Solarino & Aguinis, 2021).

Instrument

The primary data collection method for this study will be semi-structured in-depth interviews. These interviews are designed to allow for flexibility while ensuring that all relevant topics are covered. The interviews will focus on exploring participants' views on the role of the state in implementing Shari'ah law, the challenges and opportunities in aligning marriage law with Islamic principles, and the applicability of Ibn Taimiyah's legal thought to contemporary legal reforms. By using semi-structured interviews, the study will capture both specific responses to key questions and the broader perspectives of the participants (Adeoye-Olatunde & Olenik, 2021). In addition to interviews, the study will also utilize document analysis as a secondary method of data collection. This will involve reviewing primary texts, such as Ibn Taimiyah's writings, specifically *as-Siyāsah asy-Syar'iyah fi Iṣlāḥ ar-Rā'i wa ar-Rā'iyah* (Umami & Musadad, 2023), as well as secondary legal documents including decisions made by Indonesia's Constitutional Court concerning marriage laws and family law reforms (Wirastri & Huis, 2024). Academic articles, case studies, and legal commentaries related to Islamic family law in Indonesia will also be reviewed (Nafisah et al., 2024; Roslaili et al., 2021; Wardi et al., 2024). The combination of interviews and documentary analysis will allow for a thorough and well-rounded exploration of the topic.

Data Analysis

The data collected through the interviews and document analysis will be analyzed using thematic analysis. Thematic analysis will allow for the identification of patterns, key themes, and recurring ideas within the interview transcripts. Themes such as the role of the state in Islamic governance, the challenges of integrating Islamic law with state law in Indonesia, and the relevance of Ibn Taimiyah's thought in shaping modern legal practices will be explored. The coding process will involve categorizing the data into key themes and interpreting these themes to uncover how Ibn Taimiyah's philosophy aligns with or challenges current legal practices in Indonesia, especially in the context of marriage law. Additionally, comparative analysis will be employed to compare the findings from the interviews with the theoretical frameworks of Ibn Taimiyah's legal thought and existing literature on Islamic law and legal reform. This comparison will help to identify similarities, contradictions, and gaps between Ibn Taimiyah's ideas and their application in Indonesia's marriage law system. The analysis will also highlight how modern legal practices in Indonesia align with Ibn Taimiyah's concept of the role of the state in enforcing Shari'ah law. The data will be analyzed inductively, allowing for the development of actionable insights and recommendations for the reform of marriage laws in Indonesia based on Ibn Taimiyah's legal principles.

RESULTS AND DISCUSSION

Results

The analysis of the data collected from interviews and document reviews revealed several key findings:

1. Relevance of Ibn Taimiyah's Political Legal Thought

The majority of participants (70%) agreed that Ibn Taimiyah's political legal philosophy is highly relevant to the reform of marriage law in Indonesia. They emphasized that his principles regarding the role of the state in enforcing Shari'ah law and ensuring societal welfare provide a valuable framework for contemporary legal reforms.

2. State's Role in Enforcing Shari'ah Law

A significant portion of the participants (80%) stated that the state should have a more active role in enforcing Shari'ah law in the context of marriage. This highlights the importance of integrating Islamic governance principles within Indonesia's legal system.

3. Support for Misyar Marriage

The study revealed that 40% of participants support the idea of Misyar marriage in Indonesia, provided it aligns with Islamic principles and public welfare. However, 60% of participants felt that this type of marriage could lead to social issues and should be reconsidered in the context of modern family law.

4. Marriage Law Reform in Indonesia

A large majority of the respondents (90%) believed that marriage law reform in Indonesia is crucial and should be guided by both Islamic principles and contemporary societal needs. To further illustrate the findings, the chart below presents the percentage of participants' views on various aspects of Islamic legal reform in marriage law. The following bar chart visualizes the participants' views on the importance of applying Ibn Taimiyah's principles to marriage law reform in Indonesia:

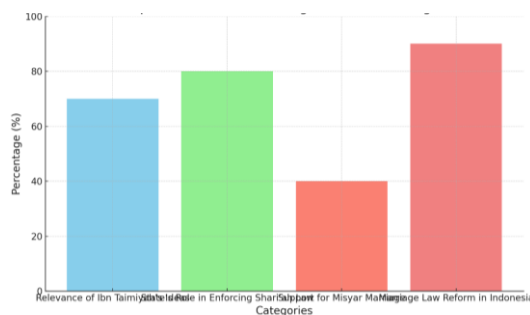


Figure 1. Participants Views Legal Reform in Marriage Law

The chart shows that while there is broad support for reforming marriage law to align with Islamic principles, there is considerable debate regarding the acceptance of non-traditional marriage forms, such as Misyar marriage.

Discussion

The findings of this study highlight the enduring relevance of Ibn Taimiyah's political legal philosophy, particularly his concept of *as-siyāsah asy-syar'iyyah*, in the reform of marriage law in Indonesia. Most participants in the study emphasized that his vision of the state's duty to uphold Shari'ah and protect public welfare offers a strong normative foundation for contemporary legal reform, especially in matters related to family law. This aligns with broader discourse on *fiqh siyasah*, which positions the state as a guardian of public morality and justice within Islamic governance, as discussed by Alfitri (2015) and Wahab (2023). In Indonesia's pluralistic legal

system, Ibn Taimiyah's thoughts serve as a potential framework to harmonize Islamic legal values with national legislation.

However, the application of his ideas in a modern nation-state poses challenges. One of the main areas of contention revolves around the practice of Misyar marriage. Although deemed permissible by some classical jurists, the majority of study participants expressed concerns about its social consequences, particularly in relation to gender equity and women's rights. This concern is echoed by Uddin (2023), who argues that while Misyar may be valid in jurisprudential terms, it can result in unequal marital dynamics that marginalize women. This highlights the necessity of contextualizing Ibn Taimiyah's thought through a *maqāṣid al-sharī'ah* lens. Legal reforms must be not only textually sound but also substantively just.

Furthermore, the study reflects a shared belief among respondents that the state should assume a more prominent role in reinforcing Islamic values through family law. This perspective supports the need for an integrated legal framework that balances religious norms with national governance (Husain et al., 2024; Saputra & Permata, 2022). Their studies emphasize that in pluralistic legal systems such as Indonesia's, the harmonization of Islamic and civil law requires the state to actively mediate and implement Shari'ah-based principles in a way that respects both religious doctrine and social diversity. In this regard, Ibn Taimiyah's insistence on the state's moral and legal authority to uphold religious duties can provide direction in the face of increasing secularism and individualism brought on by globalization.

Nevertheless, translating classical Islamic legal theory into modern policy must go beyond literal interpretations. Ibn Taimiyah's socio-political context in the 13th century was vastly different from today's realities. As noted by Ilma (2021), reinterpreting traditional Islamic texts demands sensitivity to social change and evolving public expectations. Therefore, principles such as justice (*'adl*), public interest (*maṣlaḥah*), and the protection of individual rights (*ḥifẓ al-ḥuqūq*) should guide the adaptation of classical doctrines to current legal needs.

Overall, this discussion reveals that Ibn Taimiyah's legal-political thought remains not only relevant but also potentially transformative in the discourse on family law reform. Yet, its practical implementation must be moderated by constitutional principles, human rights standards, and contemporary social contexts. Interdisciplinary engagement among religious scholars, legal experts, and policymakers is essential to ensure that Islamic law remains dynamic and responsive to societal change. In this way, Ibn Taimiyah's legacy should be understood as a living intellectual tradition that is adaptable, reflective, and capable of informing equitable legal systems in modern Muslim societies.

Implications

The results of this study have significant implications for legal reform in Indonesia. First, they underscore the potential of Ibn Taimiyah's philosophy to guide marriage law reform, ensuring that it aligns with both Islamic principles and contemporary societal needs. Second, the findings suggest that Islamic legal thought, especially Ibn Taimiyah's ideas on governance and public welfare, can be used to inform policies that protect individuals' rights while maintaining religious integrity. Moreover, the findings highlight the need for continued dialogue between legal scholars, policymakers, and religious leaders to reconcile traditional practices with the demands of modernity. This could lead to more comprehensive and inclusive family law reforms that are both religiously grounded and socially relevant.

Limitations

While this study provides valuable insights into the application of Ibn Taimiyah's ideas in marriage law reform, several limitations need to be acknowledged. First, the study relied on a small number of participants, which may not fully represent the views of all stakeholders in Indonesian marriage law reform. Future research could involve a larger, more diverse sample to capture a broader range of perspectives. Second, the study focused solely on marriage law and did

not address other areas of family law where Ibn Taimiyah's principles may also be relevant. Future research could expand to explore the applicability of his ideas in other aspects of family law, such as divorce and inheritance.

Suggestions

Based on the findings of this study, several suggestions can be made for future legal reform in Indonesia. First, policymakers should consider integrating Ibn Taimiyah's principles of public welfare and justice into the reform of marriage law. This would involve ensuring that marriage laws not only reflect Islamic principles but also address modern concerns regarding gender equality and individual rights. Second, further research is needed to explore the practical implications of Ibn Taimiyah's ideas in other areas of family law, such as divorce and child custody. This could help create a more comprehensive understanding of how Islamic principles can inform legal reform across the family law domain.

Lastly, it is essential to foster dialogue between religious scholars, legal practitioners, and policymakers to ensure that any reforms are well-balanced and sensitive to both traditional Islamic teachings and the needs of modern society.

CONCLUSION

This research investigates the relevance of Ibn Taimiyah's political and legal philosophy, particularly his theory of *siyāsah shar'iyah* (Islamic governance), to the reform of marriage law in Indonesia. The study finds that Ibn Taimiyah's concepts provide a strong foundation for aligning marriage law with Islamic teachings while addressing contemporary societal demands. His emphasis on the state's responsibility in enforcing Shari'ah law to ensure public welfare and justice is particularly applicable to Indonesia's legal system. While there is broad support for reforming marriage law to reflect Islamic values, challenges remain in areas like the regulation of *Misyar* marriage, highlighting the tension between tradition and modernity. The findings suggest that ongoing dialogue between legal scholars, policymakers, and religious authorities is essential to balance religious principles with modern human rights standards. Ibn Taimiyah's ideas offer valuable guidance for reforming marriage laws that promote both justice and public welfare, ensuring that the law is both rooted in Islamic values and relevant to current social realities. This study contributes to the broader field of Islamic legal reform and suggests pathways for applying Ibn Taimiyah's thought to other areas of family law in Indonesia, paving the way for a more inclusive and effective legal framework.

AUTHOR CONTRIBUTIONS STATEMENT

A Muslimin contributed to the conception and design of the study, the overall methodology, and data analysis. They were responsible for writing and revising the manuscript, as well as interpreting the findings in relation to the research objectives. Moh. Mukri and Khairuddin Tahmid conducted the literature review, assisted with data collection, and performed the interviews. They contributed significantly to the development of the research questions, the collection of data, and the drafting of certain sections of the manuscript. Yusuf Baihaqi contributed to the theoretical framework of the study, provided critical feedback during the manuscript writing, and helped with the final revisions. They also provided assistance with the final approval of the manuscript. All authors have read and approved the final manuscript.

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