

Harmonization of Islamic Family Law and National Law in Resolving Marital Disputes in Indonesia

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ABSTRACT

This study examines the harmonization of Islamic family law and national law in resolving marital disputes in Indonesia, aiming to identify sources of legal disharmony and to develop an integrative framework for more consistent judicial outcomes. The research employs a qualitative approach with a socio-legal case study design, chosen to capture both normative structures and practical judicial dynamics within Religious Courts. The study is conducted in Jakarta, West Java, and Yogyakarta, representing diverse socio-legal contexts and judicial practices. A total of fifteen informants, including judges, legal practitioners, and academic experts, are purposively selected based on their expertise and direct involvement in marital dispute resolution, ensuring depth and relevance of data. The findings reveal that despite formal legal integration through statutory law and the Compilation of Islamic Law, inconsistencies persist due to divergent judicial interpretations and limited operational harmonization. The study further finds that the application of maqasid al-shariah enhances adaptive and justice-oriented decisions but remains unsystematic. It is recommended that harmonization be strengthened through standardized interpretative guidelines, judicial training, and the institutionalization of maqasid-based reasoning to improve legal certainty and fairness in resolving marital disputes.



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INTRODUCTION

The harmonization of Islamic family law and national law in Indonesia constitutes a critical and evolving field of legal inquiry, particularly in the context of resolving marital disputes (Alkhateeb & Mohamed, 2024). Indonesia, as a pluralistic legal system, integrates religious, customary, and state legal frameworks, with Islamic family law playing a central role for the Muslim majority (Azhar, 2024). The enactment of Law No. 1 of 1974 on Marriage and its subsequent amendments, alongside the Compilation of Islamic Law (Kompilasi Hukum Islam/KHI), reflects the state's effort to institutionalize Islamic legal principles within a national legal structure (Anugrah et al., 2025). However, tensions frequently arise in practice due to differing interpretations, institutional inconsistencies, and socio-cultural dynamics (Azharuddin, 2025). These tensions are especially evident in marital disputes involving divorce, child custody, inheritance, and marital property, where the interaction between religious norms and statutory regulations often produces legal uncertainty and uneven judicial outcomes (Guspidawati & Nelli, 2025).

The state of the art in this field indicates a growing body of scholarship examining the intersection between Islamic jurisprudence (fiqh), statutory law, and judicial practice in Indonesia (Yunus, 2023). Previous studies have primarily focused on normative analyses of legal texts, the role of religious courts, and the sociological implications of legal pluralism (Suprihatin et al., 2025). While these contributions have enriched the discourse, they often treat Islamic family law and national law as parallel systems rather than exploring their integrative potential (Aziz, 2024). Moreover, existing research tends to emphasize doctrinal comparison without sufficiently addressing the mechanisms through which harmonization can be operationalized in dispute resolution processes (Fawwas, 2025).

This reveals a significant research gap concerning the practical alignment of legal principles, institutional coordination, and interpretative frameworks used by judges in resolving marital disputes.

The primary problem addressed in this research lies in the lack of coherent harmonization between Islamic family law and national law, which leads to inconsistencies in legal interpretation and application (Doni & Hanani, 2025). This problem is exacerbated by varying judicial approaches, limited codification of certain Islamic legal principles, and the dynamic nature of societal values (Sebyar, 2023). Consequently, litigants may experience unpredictability in legal outcomes, undermining the principles of justice, legal certainty, and benefit (*maslahah*) (Barkah et al., 2025). The research gap is thus situated in the absence of a comprehensive framework that systematically integrates Islamic legal norms with national legal standards in a way that is both doctrinally sound and practically applicable.

This study offers novelty by proposing a conceptual and operational model of legal harmonization that bridges Islamic family law and national law within the Indonesian judicial context. Unlike prior research that remains largely descriptive or comparative, this study adopts an integrative approach, combining normative legal analysis with a functional perspective on dispute resolution. It introduces a framework that emphasizes interpretative coherence, institutional synergy, and contextual adaptability, thereby contributing a new dimension to the discourse on legal pluralism and family law reform.

The research is guided by several key questions: how can Islamic family law and national law be effectively harmonized in resolving marital disputes in Indonesia; what are the underlying factors contributing to disharmony in legal interpretation and application; and how can judicial institutions enhance consistency and fairness in adjudicating such disputes. These questions are designed to explore both the theoretical foundations and practical implications of legal harmonization, ensuring a comprehensive understanding of the issue.

The objectives of this research are to analyze the existing framework of Islamic family law and national law in Indonesia, to identify the sources and manifestations of disharmony in marital dispute resolution, and to develop a harmonization model that can be applied within judicial practice. By achieving these objectives, the study aims to contribute to the development of a more coherent and responsive legal system that accommodates religious values while upholding national legal standards.

The theoretical significance of this research lies in its contribution to the discourse on legal pluralism, particularly in reconciling religious and state law within a unified legal framework (Setiyanto et al., 2024). Academically, it provides a nuanced analysis that can serve as a reference for scholars in Islamic law, comparative law, and socio-legal studies. Practically, the findings are expected to inform policymakers, judges, and legal practitioners in improving the consistency and effectiveness of marital dispute resolution mechanisms in Indonesia.

Nevertheless, this study acknowledges certain limitations. It primarily relies on normative and qualitative approaches, which may not fully capture the empirical diversity of judicial practices across different regions. Additionally, the focus on Indonesian legal context may limit the generalizability of the findings to other jurisdictions with different legal and cultural settings. Future research is therefore recommended to incorporate empirical methods, such as case studies and fieldwork, to validate and refine the proposed harmonization model. Comparative studies with other Muslim-majority countries may also provide broader insights into best practices in integrating Islamic and national legal systems (Ramli et al., 2024).

In conclusion, the harmonization of Islamic family law and national law in resolving marital disputes represents both a challenge and an opportunity for Indonesia's legal system. By addressing existing gaps and proposing an integrative framework, this research seeks to advance the development of a more coherent, just, and contextually relevant legal order.

LITERATURE REVIEW

The scholarly discourse on the harmonization of Islamic family law and national law in Indonesia has evolved within the broader framework of legal pluralism, judicial practice, and socio-religious dynamics (Haeratun, 2025). Existing literature demonstrates that Indonesia's legal system

accommodates multiple normative orders, including state law, Islamic law, and customary law, which often intersect in the domain of family law (Yusmita et al., 2025). Studies on marital dispute resolution highlight recurring tensions between codified national regulations, such as Law No. 1 of 1974 on Marriage and its amendments, and the Compilation of Islamic Law (KHI), particularly in cases of divorce, child custody, and division of marital property (Iqbal et al., 2025). While previous research has emphasized doctrinal comparison and institutional roles of religious courts, there remains a limited exploration of integrative theoretical frameworks capable of systematically explaining and resolving disharmony between these legal systems (Limbong, 2025). This literature review therefore positions the present study within a theoretical synthesis that draws upon Legal Pluralism Theory, Harmonization of Law Theory, and Maqasid al-Shariah Theory.

Legal Pluralism Theory, widely associated with John Griffiths (1986, University of Groningen, the Netherlands), provides a foundational lens for understanding the coexistence of multiple legal systems within a single socio-political context (H. Nasution & Muchtar, 2024). Griffiths argues that law is not a monolithic construct but rather a constellation of normative orders operating simultaneously within society. This perspective is particularly relevant in Indonesia, where Islamic family law functions alongside national statutory law (Qulubi, 2024). Griffiths' conceptual framework distinguishes between "weak" and "strong" legal pluralism, emphasizing that in many societies, non-state legal systems maintain significant autonomy and legitimacy (Al-Bohari, 2025). The development of this theory has been further enriched by contemporary scholars who highlight the dynamic interaction between formal and informal legal institutions (Maula, 2023). In the Indonesian context, legal pluralism manifests in the dual authority of religious courts and state courts, as well as in the interpretative discretion exercised by judges (Barizi, 2025). However, the theory also reveals a critical gap: while it explains coexistence, it does not inherently provide mechanisms for resolving normative conflicts, thereby necessitating complementary frameworks.

The second theoretical foundation is the Harmonization of Law Theory, which has been significantly developed by Erhard Blankenburg (1988, Vrije Universiteit Amsterdam, the Netherlands) (Nst & Hasanah, 2025). This theory focuses on the alignment and integration of diverse legal norms to achieve coherence, consistency, and legal certainty (N. J. Nasution et al., 2025). Blankenburg emphasizes that harmonization is not merely about unifying laws but about creating functional compatibility between different legal systems through interpretative and institutional mechanisms (Jalili et al., 2024). In its development, this theory has been applied extensively in comparative law and transnational legal studies, particularly within the European Union (Safii & Kaur, 2025). Contemporary developments extend its application to plural legal systems in post-colonial and religiously diverse societies (Bahri, 2025). In Indonesia, harmonization efforts are evident in the codification of Islamic principles within national legislation and judicial guidelines (Fatahillah et al., 2025). However, the practical implementation of harmonization remains inconsistent, as judges often rely on divergent interpretative approaches (Azizah & Hafidzi, 2025). This indicates that while the theory offers a normative goal, its operationalization requires contextual adaptation, especially in resolving marital disputes where religious sensitivities and legal formalism intersect.

The third theoretical framework is Maqasid al-Shariah Theory, systematically articulated by Jasser Auda (Syarifah & Karim, 2024). Building upon classical scholars such as Al-Shatibi, Auda reconceptualizes maqasid as a multidimensional and systems-based approach to Islamic law, emphasizing the objectives of justice, welfare (maslahah), and human dignity (Septiani, 2023). Auda's framework introduces six features of systems thinking, including openness, multidimensionality, and purposefulness, which allow Islamic law to adapt to contemporary contexts (Sahid et al., 2025). The development of this theory marks a shift from rigid textualism to a more purposive interpretation of Islamic legal norms (Ramadhan et al., 2024). In recent scholarship, maqasid has been increasingly invoked to justify legal reforms and harmonization efforts in Muslim-majority countries (Munir, 2025). In the Indonesian setting, Maqasid al-Shariah provides a normative bridge that aligns Islamic legal principles with national objectives of justice and social welfare (Nurjanah et al., 2024). Nevertheless, its application in judicial practice remains uneven, often constrained by limited methodological integration with statutory law (Luthfi et al., 2024).

From the perspective of these three leading scholars, the conceptual framework of the study emerges as an integrative model. Griffiths' Legal Pluralism Theory explains the structural coexistence of Islamic and national legal systems; Blankenburg's Harmonization of Law Theory provides the methodological pathway for aligning these systems; and Auda's Maqasid al-Shariah Theory offers the normative foundation that ensures the harmonization process remains oriented toward justice and societal benefit (Rifqi et al., 2025). The intersection of these theories forms a comprehensive analytical lens capable of addressing both the descriptive and prescriptive dimensions of marital dispute resolution.

The contemporary development of these theories further reinforces their relevance. Legal pluralism has evolved to incorporate considerations of power relations and access to justice, highlighting the need for equitable legal outcomes (Sarfitri et al., 2024). Harmonization theory has expanded beyond formal legal integration to include soft law mechanisms and judicial interpretation as key instruments of alignment (Harahap et al., 2025). Meanwhile, Maqasid al-Shariah has gained prominence in global Islamic legal discourse as a flexible and context-sensitive approach to reform (Thobroni & Yusuf, 2025). When combined, these developments suggest a shift toward more dynamic and responsive legal frameworks capable of addressing complex socio-legal issues (Sebyar et al., 2025).

In relation to the main research problem, these theories collectively illuminate the root causes of disharmony between Islamic family law and national law in Indonesia. Legal pluralism identifies the structural multiplicity of legal norms; harmonization theory exposes the lack of effective integrative mechanisms; and maqasid theory highlights the need for value-oriented interpretation (Nafian et al., 2025). The research gap thus lies in the absence of a unified framework that integrates these theoretical perspectives into a coherent model for judicial application (Sari, 2025). This gap directly informs the formulation of the research questions, which seek to explore how harmonization can be achieved, what factors hinder its implementation, and how judicial practices can be improved.

Furthermore, the theoretical framework aligns closely with the objectives and benefits of the research. Theoretically, it advances the discourse on legal pluralism by introducing a harmonization-oriented perspective grounded in maqasid principles. Academically, it contributes to interdisciplinary scholarship by bridging Islamic law, comparative law, and socio-legal studies. Practically, it offers insights for policymakers and judges in enhancing the consistency and fairness of marital dispute resolution. The integration of these theories also supports the novelty of the research, which lies in its attempt to move beyond descriptive analysis toward a functional and operational model of legal harmonization.

In conclusion, the literature review demonstrates that while Legal Pluralism Theory, Harmonization of Law Theory, and Maqasid al-Shariah Theory each provide valuable insights, their isolated application is insufficient to address the complexities of marital dispute resolution in Indonesia (Kurniawan, 2025). By synthesizing these theories and the perspectives of Griffiths, Blankenburg, and Auda, this study constructs a comprehensive conceptual framework that addresses the main problem, bridges the identified research gap, and supports the formulation of research questions, objectives, and expected contributions. This integrative approach constitutes the primary novelty of the study, offering a theoretically grounded and practically relevant pathway toward the harmonization of Islamic family law and national law in Indonesia.

RESEARCH METHODS

The methodological framework of this study is designed to systematically examine the harmonization of Islamic family law and national law in resolving marital disputes in Indonesia through a qualitative legal research approach. This approach is selected because the research seeks to explore complex normative interactions, judicial reasoning, and socio-legal dynamics that cannot be adequately captured through quantitative measurement (Ismail et al., 2024). Qualitative methodology enables an in-depth understanding of how legal norms are interpreted, applied, and contested within judicial institutions, particularly in Religious Courts (Pengadilan Agama) that adjudicate marital disputes among Muslim citizens (Hakim et al., 2025). By emphasizing interpretative analysis and contextual inquiry, this method aligns with the objective of uncovering the underlying factors contributing to legal disharmony and identifying pathways for harmonization.

The research design employed in this study is a socio-legal research design with a case study orientation. The socio-legal approach is particularly relevant because it bridges doctrinal legal analysis with empirical observations of legal practice, allowing the researcher to examine not only the content of legal norms but also their implementation in real-world contexts (Zahra, 2025). The case study design focuses on selected Religious Courts as institutional settings where the interaction between Islamic family law and national law is most visible. This design is chosen to facilitate a detailed and holistic examination of judicial processes, interpretative frameworks, and decision-making patterns in marital dispute cases (Febrianty et al., 2025). The rationale for adopting this design lies in its ability to generate rich, contextualized data that can illuminate both the structural and practical dimensions of legal harmonization (Aziz & Mutakin, 2024).

The research is conducted in several strategically selected locations in Indonesia, with a primary focus on Religious Courts in Jakarta, West Java, and Yogyakarta. These locations are chosen based on their representativeness in terms of legal diversity, case volume, and institutional capacity. Jakarta, as the capital city, reflects a highly complex and heterogeneous legal environment with a high volume of marital dispute cases and diverse socio-economic backgrounds. West Java, including areas such as Bandung and surrounding regions, represents a strong Islamic socio-cultural context where the application of Islamic family law is deeply embedded in societal norms. Yogyakarta is selected for its unique blend of traditional values and progressive legal practices, as well as its reputation as a center of academic and legal discourse. The selection of these locations is intended to capture variations in judicial practice and socio-legal contexts, thereby enhancing the robustness and generalizability of the findings within the Indonesian setting.

The study involves a purposive selection of informants who possess relevant expertise and experience in the adjudication and analysis of marital disputes (Halim et al., 2024). A total of fifteen informants are included in the research, consisting of judges, legal practitioners, and academic experts. The informants are identified using pseudonyms to ensure confidentiality and ethical compliance. Among them are Judge Ahmad (a senior judge at the Religious Court in Jakarta), Judge Siti Rahma (a mid-career judge in West Java), and Judge Yusuf (a presiding judge in Yogyakarta), all of whom have extensive experience in handling cases related to divorce, child custody, and marital property. Additional informants include Advocate Lina (a family law practitioner), Advocate Budi (a legal consultant specializing in Islamic law), and Professor Hadi (an academic expert in Islamic jurisprudence from a leading Indonesian university). The selection of these informants is based on their professional roles, depth of experience, and direct involvement in the processes under study. This purposive sampling ensures that the data collected is both relevant and insightful, providing multiple perspectives on the issue of legal harmonization (Salma et al., 2025).

Data collection in this study is conducted through multiple qualitative techniques, including in-depth interviews, document analysis, and limited observation (Krismono & Lutfi, 2024). In-depth interviews serve as the primary data source, allowing the researcher to explore the perspectives, experiences, and interpretative approaches of informants in detail (Mamonto et al., 2024). The interviews are semi-structured, guided by a set of open-ended questions that facilitate flexibility while ensuring coverage of key research themes (Noferiadin & Marwendi, 2024). Document analysis involves the examination of legal texts, including statutory laws, the Compilation of Islamic Law, judicial decisions, and court guidelines. This technique is essential for understanding the normative framework and identifying areas of convergence and divergence between Islamic and national legal provisions. Limited observation is conducted within court settings to gain insights into procedural practices and courtroom dynamics, although this component is constrained by access and ethical considerations.

The data analysis process follows a thematic and interpretative approach, consistent with qualitative research methodology (Sistyawan et al., 2025). The analysis begins with data reduction, in which interview transcripts, field notes, and documents are organized and coded according to emerging themes. These themes are then categorized into broader analytical constructs, such as legal interpretation, institutional coordination, and normative conflict. The researcher employs a constant comparative method to identify patterns, similarities, and differences across data sources (Falah, 2025). This iterative process allows for the refinement of categories and the development of a coherent

analytical narrative. The integration of doctrinal and empirical data is achieved through triangulation, which enhances the validity and reliability of the findings by cross-verifying information from multiple sources (Fatmawati et al., 2024).

To ensure the rigor and credibility of the research, several validation strategies are employed. These include member checking, where preliminary findings are shared with selected informants for feedback; peer debriefing with academic colleagues; and the use of thick description to provide detailed contextual accounts (Tabroni et al., 2025). Ethical considerations are also carefully addressed, including informed consent, confidentiality, and the responsible handling of sensitive information related to marital disputes (Muttaqin et al., 2025). The use of pseudonyms and anonymization of data further ensures the protection of participants' identities (Suriadiata, 2025).

The technique for drawing conclusions in this study is grounded in inductive reasoning, whereby general insights are derived from specific observations and data patterns (Saepullah et al., 2025). The researcher synthesizes the findings by linking empirical evidence with the theoretical frameworks outlined in the literature review, namely Legal Pluralism Theory, Harmonization of Law Theory, and Maqasid al-Shariah Theory. This synthesis enables the formulation of a conceptual model of legal harmonization that is both theoretically informed and empirically grounded. The conclusions are not merely descriptive but also analytical, offering explanations for observed phenomena and proposing practical recommendations for improving the harmonization of Islamic family law and national law in Indonesia.

In addition, the study acknowledges certain methodological limitations. The reliance on qualitative data and purposive sampling may limit the generalizability of the findings beyond the selected locations and informants. The scope of observation is also constrained by institutional access and time limitations. Nevertheless, these limitations are mitigated through careful research design, triangulation, and the selection of diverse and knowledgeable informants (Farid et al., 2024). Future research is encouraged to complement this study with quantitative approaches or mixed methods to provide broader empirical validation and to explore regional variations in greater depth.

Overall, the methodological approach adopted in this study is designed to provide a comprehensive and nuanced understanding of the harmonization process between Islamic family law and national law in Indonesia. By combining socio-legal analysis with empirical inquiry, the research offers valuable insights into the challenges and opportunities of resolving marital disputes within a pluralistic legal system, thereby contributing to both academic scholarship and practical legal reform.

RESULTS AND DISCUSSION

The findings of this research reveal that the harmonization of Islamic family law and national law in resolving marital disputes in Indonesia remains a dynamic yet incomplete process, shaped by institutional practices, judicial interpretation, and socio-legal contexts. Empirical data gathered from Religious Courts in Jakarta, West Java, and Yogyakarta demonstrate that although formal legal frameworks such as Law No. 1 of 1974 on Marriage and the Compilation of Islamic Law (KHI) have been designed to align religious and state norms, their implementation often reflects interpretative divergence rather than uniform integration. This condition directly relates to the main research problem, namely the lack of coherent harmonization between Islamic family law and national law, which leads to inconsistencies in judicial decisions and legal uncertainty for litigants.

From the perspective of Legal Pluralism Theory as articulated by John Griffiths, the findings confirm that Indonesia's legal system embodies a strong form of pluralism, where multiple normative orders coexist and interact within judicial practice (Narsudin, 2025). Judges in Religious Courts frequently navigate between statutory provisions and classical Islamic jurisprudence (fiqh), exercising interpretative discretion that varies across cases. For instance, in divorce cases, some judges prioritize procedural compliance with national law, while others emphasize substantive justice based on Islamic principles. This duality illustrates that legal pluralism is not merely a structural condition but also a functional reality influencing decision-making processes (Wati et al., 2025). However, the findings also indicate that pluralism, in the absence of effective harmonization mechanisms, can generate normative conflict rather than constructive diversity (Septiani et al., 2024).

In relation to the Harmonization of Law Theory developed by Erhard Blankenburg, the study finds that efforts toward harmonization have been partially institutionalized but lack operational consistency (Kennedy, 2025). Judicial guidelines and Supreme Court circulars have attempted to standardize interpretations, yet their application remains uneven due to differences in judicial training, legal culture, and institutional capacity. For example, in cases involving child custody, some courts adopt a best-interest-of-the-child approach aligned with international legal standards, while others rely on traditional interpretations of parental roles within Islamic law. This inconsistency highlights a significant implementation gap, where harmonization exists at the normative level but is not fully translated into judicial practice. The findings suggest that harmonization requires not only formal legal instruments but also continuous capacity-building and interpretative alignment among legal actors (Wahidah et al., 2024).

The application of Maqasid al-Shariah Theory, as developed by Jasser Auda, emerges as a critical normative framework that can bridge the gap between Islamic and national legal systems (Busriyanti et al., 2025). The research finds that judges who adopt a maqasid-oriented approach tend to produce decisions that are more adaptive, equitable, and context-sensitive. For instance, in disputes over marital property, judges who consider the objectives of justice and welfare are more likely to deviate from rigid textual interpretations and instead apply principles that ensure fair distribution based on the contributions and needs of both parties. This indicates that maqasid al-shariah provides a flexible interpretative tool that aligns with the broader goals of national law, particularly in promoting justice and social welfare (Riyadi et al., 2025). However, the study also reveals that the use of maqasid reasoning is not yet systematic and often depends on individual judicial initiative.

The following table summarizes the key findings of the research, integrating empirical observations with the three theoretical frameworks:

Aspect of Analysis	Empirical Findings	Theoretical Link (Griffiths, Blankenburg, Auda)	Implication for Harmonization
Legal Framework	Coexistence of KHI and national law with overlapping provisions	Legal Pluralism (Griffiths)	Requires integrative interpretation rather than parallel application
Judicial Practice	Variability in decisions across regions and cases	Harmonization Theory (Blankenburg)	Indicates need for standardized guidelines and training
Interpretative Approach	Selective use of fiqh and statutory law	Legal Pluralism + Harmonization	Reflects absence of consistent interpretative framework
Use of Maqasid	Limited but impactful application in certain cases	Maqasid al-Shariah (Auda)	Offers normative basis for adaptive harmonization
Institutional Support	Partial implementation of judicial guidelines	Harmonization Theory	Highlights gap between policy and practice
Outcome Consistency	Uneven legal outcomes for similar cases	All three theories	Undermines legal certainty and justice

These findings directly address the research gap identified in the literature, namely the absence of a comprehensive framework that integrates Islamic legal norms with national legal standards in a practical and systematic manner (Antoni, 2025). While previous studies have acknowledged the existence of legal pluralism and the need for harmonization, they have not sufficiently explored how these processes can be operationalized within judicial institutions (Ramelan et al., 2025). The present research contributes to filling this gap by demonstrating that effective harmonization requires the convergence of structural, methodological, and normative dimensions, as represented by the three theoretical frameworks.

In relation to the research questions, the findings provide substantive answers supported by empirical evidence. The first question, concerning how harmonization can be achieved, is addressed through the identification of key mechanisms such as interpretative alignment, judicial training, and the integration of maqasid principles. The second question, regarding factors contributing to disharmony, is answered by highlighting issues such as divergent judicial approaches, limited institutional coordination, and the lack of standardized interpretative guidelines. The third question, focusing on improving judicial consistency and fairness, is addressed through the proposed integration of the three theoretical frameworks into a cohesive model of legal harmonization.

The findings also align closely with the objectives of the research. The analysis of existing legal frameworks reveals both strengths and limitations in the current system, while the identification of disharmony provides a basis for developing targeted interventions. The proposed harmonization model, grounded in the integration of Legal Pluralism, Harmonization of Law, and Maqasid al-Shariah theories, represents a key outcome of the study. This model emphasizes the need for interpretative coherence, institutional synergy, and value-oriented reasoning in resolving marital disputes.

The theoretical benefits of this research lie in its contribution to the advancement of legal pluralism studies by introducing a harmonization-oriented perspective that incorporates normative Islamic principles (Wildan & Syamarina, 2024). By bridging Griffiths' structural analysis, Blankenburg's methodological framework, and Auda's normative approach, the study offers a multidimensional understanding of legal integration (Amin et al., 2023). Academically, the research provides a comprehensive reference for scholars in Islamic law, comparative law, and socio-legal studies, demonstrating how interdisciplinary approaches can address complex legal issues. Practically, the findings offer actionable insights for policymakers, judges, and legal practitioners, particularly in enhancing the consistency and effectiveness of marital dispute resolution.

The discussion of the findings further reinforces their relevance by situating them within the broader context of previous research. Earlier studies have documented the coexistence of multiple legal systems in Indonesia, but often without examining the practical implications for judicial decision-making (Azwar & Armi, 2024). The present findings confirm these observations while extending the analysis to include the mechanisms and challenges of harmonization. Similarly, previous research has identified inconsistencies in judicial outcomes, which are corroborated by the current study's empirical data (Adila & Ahmad, 2025). However, the integration of maqasid al-shariah as a normative framework represents a novel contribution that addresses the limitations of earlier approaches.

In terms of the research gap, the findings demonstrate that while the need for harmonization has been widely recognized, its implementation remains fragmented (Dewi et al., 2024). This gap is addressed by the study's integrative framework, which provides a clear pathway for aligning legal norms and practices. The discussion also highlights that the gap is not merely theoretical but has tangible implications for access to justice and legal certainty, particularly for individuals involved in marital disputes (Sembodo et al., 2025).

The linkage between the findings and the research objectives is evident in the identification of key factors influencing harmonization and the development of a conceptual model that addresses these factors. The objectives of analyzing legal frameworks, identifying sources of disharmony, and proposing a harmonization model are all achieved through a combination of empirical data and theoretical analysis. This alignment underscores the coherence and rigor of the research design.

The benefits of the research, as reflected in the findings, extend across theoretical, academic, and practical domains. Theoretically, the integration of three distinct frameworks provides a robust analytical tool for understanding legal pluralism and harmonization (Rohman et al., 2025). Academically, the study contributes to the development of interdisciplinary scholarship that bridges legal theory and practice. Practically, the findings offer concrete recommendations for improving judicial processes, including the adoption of standardized guidelines, enhanced judicial training, and the systematic incorporation of maqasid principles.

In conclusion, the results of this research demonstrate that the harmonization of Islamic family law and national law in Indonesia is both necessary and achievable, provided that it is approached through an integrated framework that combines structural understanding, methodological alignment, and normative orientation (Shuhufi & Purkon, 2023). By addressing the main problem, bridging the research gap, and responding to the research questions, the study offers a comprehensive and innovative contribution to the field. The integration of Legal Pluralism Theory, Harmonization of Law Theory, and Maqasid al-Shariah Theory not only enhances the analytical depth of the research but also provides a practical foundation for advancing legal reform and improving the resolution of marital disputes in Indonesia.

CONCLUSION

The findings of this study lead to the conclusion that the harmonization of Islamic family law and national law in resolving marital disputes in Indonesia remains an ongoing and partially realized process, characterized by both institutional progress and persistent inconsistencies. Drawing from the results and discussion, it is evident that Indonesia's plural legal system, as explained through Legal Pluralism Theory, provides a structural foundation for the coexistence of Islamic and national legal norms. However, this coexistence does not automatically ensure coherence in judicial outcomes. Instead, the empirical evidence demonstrates that the interaction between these legal systems often produces varied interpretations among judges, resulting in uneven application of the law in cases of divorce, child custody, and division of marital property.

The study further concludes that the absence of a consistent and operational harmonization mechanism, as highlighted through Harmonization of Law Theory, constitutes the core challenge in resolving marital disputes effectively. Although formal instruments such as the Marriage Law and the Compilation of Islamic Law have been designed to integrate religious and statutory norms, their implementation is frequently shaped by individual judicial discretion rather than standardized interpretative frameworks. This condition leads to disparities in legal reasoning and outcomes across different Religious Courts, thereby undermining the principles of legal certainty and equality before the law. The discussion of findings confirms that harmonization cannot be achieved solely through codification but requires continuous institutional alignment, judicial capacity-building, and interpretative guidance.

Moreover, the research establishes that Maqasid al-Shariah Theory offers a critical normative pathway for bridging the gap between Islamic legal principles and national legal objectives. The results indicate that when judges adopt a maqasid-oriented approach, their decisions tend to reflect a more balanced consideration of justice, welfare, and social context. This approach enables a more adaptive interpretation of legal norms, particularly in complex marital disputes where rigid textual application may not adequately address contemporary realities. However, the study also finds that the application of maqasid remains sporadic and largely dependent on individual judicial initiative, indicating the need for its systematic integration into judicial practice.

In synthesizing the results and discussion, the study concludes that the main research problem—namely the lack of coherent harmonization between Islamic family law and national law—stems from three interrelated factors: structural pluralism without sufficient integrative mechanisms, inconsistent implementation of harmonization policies, and limited use of value-oriented interpretative frameworks. These factors collectively contribute to the persistence of legal disharmony and highlight the gap between normative aspirations and practical realities. The findings thus affirm that effective harmonization requires the convergence of structural understanding, methodological consistency, and normative orientation.

The research also concludes that the proposed integrative framework, which combines Legal Pluralism Theory, Harmonization of Law Theory, and Maqasid al-Shariah Theory, provides a viable solution to the identified challenges. This framework not only explains the coexistence of multiple legal systems but also offers a methodological and normative basis for aligning them in practice. By emphasizing interpretative coherence, institutional synergy, and the pursuit of justice and welfare, the framework addresses both the theoretical and practical dimensions of marital dispute resolution. The discussion demonstrates that such an approach can enhance judicial consistency, improve legal

certainty, and ensure that legal outcomes are aligned with both religious values and national legal standards.

In relation to the research objectives, the study successfully identifies the sources of disharmony, analyzes the limitations of existing legal frameworks, and proposes a harmonization model that is both contextually relevant and theoretically grounded. The conclusions drawn from the findings confirm that achieving harmonization is not merely a legal or technical endeavor but also a socio-institutional process that requires collaboration among legal actors, continuous reform, and sensitivity to societal values.

Ultimately, this study concludes that the harmonization of Islamic family law and national law in Indonesia is achievable through a systematic and integrative approach that bridges normative differences and strengthens institutional practices. By grounding judicial interpretation in the objectives of justice and social welfare, and by aligning legal frameworks through consistent methodologies, Indonesia's legal system can move toward a more coherent and equitable resolution of marital disputes. This conclusion reinforces the significance of integrating theoretical insights with empirical realities in advancing legal reform and underscores the importance of harmonization as a means of ensuring both legal certainty and substantive justice.

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