

Compilation of Islamic Law as Law Applied Religious Courts in Indonesia (Responding to Changes in Religious Courts Authority)

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Abstract : Indonesia is a country of law, the legal system adopted by Indonesia is a civil law system. A major feature of the civil law is the codified legislation. Meanwhile the majority of society Indonesia are Muslims, whilst Islamic law itself having the sources written in Qur'an, Sunnah and the opinion of Muslim scholars, generally not codified in book form of legislation that is easy on the set as a reference. In Indonesia, many scholars have different opinions in decisions so that there is no legal certainty in Muslim civil cases, so the need for legal codification, which, as the source of the judges in deciding a case, especially a case in religious courts. This paper raised the topic of discussion which offers a solution to the application of the codification of the Islamic Law which became the core resources in delivering a verdict against Islamic civil related issue; codification usually called a compilation of Islamic Law. Compilation of Islamic Law is highly recommended as a core reference for the judges in religious courts in Indonesia. This compilation which includes a collection of large number of opinions scholars (book of fiqh) that existed previously and are ripened in deduce in order to unify the existing differences. This paper also discusses how the early formation of the compilation and as the right solution in order to create legal certainty and justice especially for the muslim community in Indonesia.

Keywords : Islamic law, compilation, law applied core, religious court

Conference Title : ICLCH 2016 : International Conference on Law, Culture and the Humanities

Conference Location : Paris, France

Conference Dates : December 29-30, 2016