



Reconstruction of the Theory of Legal Authority in Islam: A Dialectic between Revelation, Reason, and Social Reality

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Abstract

This study discusses the reconstruction of the theory of legal authority in Islam by examining the interaction between revelation, reason, and social reality. The background of the research arises from the need to understand Islamic law as a normative system that is sourced from revelation, but must also be responsive to the dynamics of modern society. The research aims to analyze the construction of the theory of legal authority in Islam and examine how revelation, rationality, and social context interact with each other in the formation of law. The method used is qualitative research with a library research approach, combining historical and conceptual analysis. Data sources include classical literature of ushul fiqh, contemporary Islamic legal thought, the Qur'an, Hadith, and related academic documents. The analysis is carried out critically, comparatively, and dialectically to examine the relationship between the normative principle of revelation, the role of reason in *ijtihad*, and the influence of social reality. The results of the study show that revelation functions as a normative and ethical foundation, reason acts as a methodological instrument through *qiyas*, *istihsan*, and *maslahah* to interpret the law according to the context, and social reality encourages legal adaptation through contextual *ijtihad*. Contemporary thought emphasizes legal reconstruction that balances textual authority with the needs of modern society, with *maqasid al-shariah* and collective deliberation as guidelines. In conclusion, Islamic law is dynamic and adaptive, able to maintain the legitimacy of revelation while being relevant to contemporary challenges. The research recommends the development of a holistic approach that integrates revelation, reason, and social reality, strengthening collective *ijtihad*, and ensuring that Islamic law remains relevant, responsive, and just.

I. INTRODUCTION

Islamic law has since been understood as a normative system that comes from Divine revelation. The main sources are the Qur'an and Hadith, which are the fundamental foundation in the formation of legal norms for Muslims (Ritonga & Arfa, 2026). From a theological perspective, revelation is seen as the highest authority because it comes from God who knows the essence of truth and the benefit of man (Japri & Abbas, 2026). This is affirmed in the word of Allah in the Qur'an Surah An-Nisa verse 59 which commands the believers to obey Allah, the Messenger, and the legitimate authority among them, while returning every dispute to revelation. The verse shows that the legitimacy of law in Islam is essentially rooted in the authority of revelation as the primary normative source.

However, in the practice of law-making, revelation does not always provide detailed provisions on all matters of human life. Many social problems that arise after the prophetic period require a process of reasoning and

interpretation. Therefore, reason has an important role as an epistemological instrument in understanding, interpreting, and developing laws derived from revelation. The Islamic intellectual tradition shows that the use of reason in understanding law has gained legitimacy since the early days of Islam. This is reflected in the history of the dialogue between the Prophet Muhammad and Mu'adz bin Jabal when he was sent to Yemen, where Mu'adz stated that if he did not find provisions in the Qur'an or Hadith, then he would have *ijtihad* with his intellect (Fahrul & Sa'diyah, 2024). This history is often used as a normative basis for the practice of *Ijtihad* in the Islamic legal tradition.

The role of reason then developed methodologically in the discipline of Ushul Fiqh, which is a science that discusses rules and methods in digging up laws from their sources (Dermawan, Syahnan, Khair, & Tanjung, 2025). Through this discipline, scholars formulate various reasoning methods such as *Qiyas*, *Istihsan*, and *Maslahah mursalah*. These methods show that

reason serves not only as a tool of interpretation, but also as a means of connecting the principles of revelation with the ever-evolving realities of human life.

In addition to revelation and reason, social reality also plays an irrecognizable role in the formation of Islamic law. People's lives are always undergoing changes influenced by cultural, economic, and political developments. In this context, Islamic law is not understood as a static system, but as a normative system that is able to interact with social dynamics. Classical and contemporary scholars recognize that the application of law must take into account the conditions of society in order for the goals of the law to be achieved effectively (Wahyudi & Solehudin, 2025). This principle is reflected in the concept *Maqasid al-shariah*, which emphasizes that Islamic law aims to protect religion, soul, intellect, lineage, and property. Thus, the existence of the law is not only intended to enforce normative texts, but also to realize the benefits of humans.

In the course of the history of Islamic thought, the relationship between revelation, reason, and social reality gave birth to various methodological approaches in Islamic legal theory (Wildan, 2026). Some thinkers emphasize the dominance of the revelatory text as the primary source of authority, while others leave a wider space for rationality and consideration of the benefits in the establishment of law. These differences show the existence of an intellectual dialectic in understanding the sources and authorities of Islamic law. The dialectic not only reflects the diversity of methodologies, but also shows that Islamic legal theory is a dynamic field and continues to evolve along with the changing times and the needs of society.

Based on this background, the study of legal authority in Islam is important to understand how Islamic law is formed and developed in various social contexts. This research aims to analyze the construction of the theory of legal authority in Islam and examine the dialectical relationship between revelation, reason, and social reality in the process of Islamic law formation. By understanding the interaction of these three elements, it is hoped that a more comprehensive understanding of the epistemological dynamics of Islamic law and its relevance in facing the challenges of modern society can be obtained.

II. RESEARCH METHODS

This research uses a qualitative method with a library research approach, namely data collection and analysis through literature studies (Rukhmana et al., 2022). The analysis is carried out historically to trace the development of Islamic legal theory from classical to contemporary times, as well as conceptually to understand the construction of legal authority in Islam. Research sources include classical Ushul Fiqh literature, contemporary works of Islamic legal thought, the Qur'an, Hadith, as well as relevant academic documents. The data is analyzed through a critical and comparative approach, emphasizing the dialectical relationship between revelation, reason, and social reality in the formation of Islamic law.

III. RESULTS AND DISCUSSION

A. The Authority of Revelation as the Main Source of Islamic Law

In the epistemological perspective of Islamic law, revelation occupies a central position as the supreme authority underlying the entire legal system. The revelations reflected in the Qur'an and Hadith are a source of normative legitimacy as well as moral, ethical, and social guidelines for Muslims. The law derived from revelation is absolute in the sense that it marks moral and legal boundaries that must not be violated, while at the same time establishing the basic principles that guide the behavior of individuals and societies (Zaleha, Harahap, Ilham, Nasution, & Ramadhan, 2025). In this context, revelation becomes the epistemological foundation that distinguishes Islamic law from social norms or positive laws that are entirely based on human rationality.

For example, Surah An-Nisa verse 59 affirms the supreme authority of revelation in legal and social life:

"O you who have believed, obey Allah and obey His Messenger and ulil amri among you. Then if you have a dispute about something, return it to Allah (the Qur'an) and the Messenger (Sunnah)..." (QS. An-Nisa: 59).

This verse emphasizes three important things: first, obedience to Allah and the Messenger is the main foundation of legal legitimacy; Second, human authority (ulil amri) is delegative and must be in harmony with revelation; Third, in the face of conflict, revelation remains the last reference. Thus, revelation is not only normative, but also establishes an epistemological framework for law enforcement.

However, revelation does not always provide detailed provisions for every social problem that arises after the prophetic era. Many norms are principled and require methodological development. For example, the Qur'an expressly prohibits the practice of usury (QS. Al-Baqarah: 275-279) and advocates justice in transactions (QS. An-Nisa: 29), but it does not regulate modern banking mechanisms or international trade practices. This incompleteness raises the need for scholars to perform *ijtihad*, which is an attempt to reason the law using revelation as the main source.

In the practice of *ijtihad*, revelation remains the normative and ethical foundation, while reason serves to interpret these principles to be relevant to changing social and historical contexts (Nasrudin & Iman, 2026). The narration of the Prophet Muhammad which affirms that if a problem is not found in the Qur'an or Hadith, then Mu'adh bin Jabal was instructed to use reason to make decisions, becoming the historical legitimacy for *ijtihad*. This tradition shows that revelation and reason are not contradictory, but dialectical in nature, where revelation establishes basic principles and reason adapts its application to the conditions of society.

In addition, revelation also serves as an ethical framework and a legal purpose, which limits distortion of interpretation (Herawati, Ningrum, & Sari, 2024). The principles of justice, benefit, and prohibition of *mudharat* are clearly reflected in QS. An-Nisa verse 58, which requires that people uphold the trust and law fairly. This function shows that revelation not only establishes what is *halal* or *haram*, but also provides a value guide for the correct enforcement of the law, so that Islamic law remains bound by divine ethics and morals.

Furthermore, revelation forms a hierarchical structure of Islamic law, in which the text of the Qur'an occupies the highest position, followed by the Sunnah of the Prophet, and then the *ijtihad* and decisions of the scholars (Abubakar, 2022). This hierarchy emphasizes that the application of Islamic law is not arbitrary, but has a solid epistemological foundation. Laws that are applied without reference to revelation risk losing normative legitimacy, and may even lead to deviations from the goals of sharia (*Maqasid al-Shariah*).

Thus, the authority of revelation as the primary source of Islamic law is normative, universal, ethical, and hierarchical. Revelation establishes

the basic principles that are the reference for the development of law, while detailed interpretation and practical application require the role of reason and *ijtihad* methods. This interaction ensures that the Islamic legal system remains adaptive to social dynamics, without losing its normative legitimacy. Thus, revelation is not only the source of law, but also the epistemological, moral, and philosophical foundation that guides the entire practice of Islamic law.

B. The Role of Reason in the Legal Istinbath Process

In the tradition of Ushul Fiqh, reason (*al-'aql*) plays a strategic role in the legal *istinbath* process, which is the withdrawal or determination of laws from sharia sources. Reason is not an independent source of law that rivals revelation, but serves as a methodological instrument for understanding, interpreting, and adapting the normative principles of revelation to social dynamics (Wildan, 2026). In other words, reason is a means to extract detailed laws from the basic principles given by the Qur'an and Hadith, so that Islamic law can be applied contextually and adaptively.

The use of reason in *ushul fiqh* is realized through methodological tools such as *Qiyas*, *Istihsan*, and *Maslahah mursalah* / *Istislah* (Juda, 2025). *Qiyas*, for example, allows the *mujtahids* to develop new laws by drawing analogies from cases that have been explicitly set forth in the Revelation (Yogie & Qadraini, 2025). It is based on the principle of legal equality for cases that have the same 'illah (legal cause), as affirmed by Imam al-Shafi'i in *al-Risalah*. A classic example is the law of drinking *khamar* which is explicitly forbidden; with *Qiyas*, new substances or practices that have intoxicating effects are also punished as *haram*, even though they are not mentioned literally in the text of Revelation.

In addition to *Qiyas*, the *istihsan* method shows the flexibility of reason in upholding the principles of justice and benefit (Makruf, Mufti, Jalaludin, Ningsih, & Sururie, 2025). *Istihsan* allows decision-making to differ from the results of a strict analogy if applied literally will cause difficulties or injustice. For example, Imam Abu Hanifah allowed some form of *shirkah* contract in trade, albeit in a limited way. *Qiyas* Strict may be considered invalid, because welfare and social justice take precedence. This principle is in line with the words of Allah in QS. Al-Baqarah verse 229, which emphasizes the importance of justice and not causing difficulties:

"And if you are worried that you will not be fair to orphans, then marry the women you like..." Al-Baqarah: 229)

Istihsan shows that reason is not just a tool of deduction, but also a tool of normative evaluation to ensure that the law is in accordance with the goals of sharia (*maqasid al-shariah*).

Method *Maslahah Mursalah* Or istilah emphasizes more consideration of the benefit of the community as a legal basis when Wahyu does not provide explicit provisions (Pane, Syahnan, & Adly, 2025). This concept prioritizes *Hifz al-Masalih* (maintenance of the public interest) and emphasizing that Islamic law aims to protect the five principles of maqasid, namely religion, soul, intellect, descent, and property (Ridlo & Muhajirin, 2022). For example, the regulation of modern transportation or the contemporary banking system, although there are no explicit provisions in the Qur'an or Hadith, can be established by law through istilah, as it aims to safeguard the public interest and prevent losses.

Philosophically, the role of reason in ushul fiqh is also strengthened by hadith that emphasizes the importance of thinking and weighing the law. The Prophet Muhammad said:

"Ask those who are knowledgeable before making decisions, because any decision taken without knowledge has the potential to be misleading."

This hadith affirms the legitimacy of rationality in the process of legal istinbath, where reason becomes an instrument for understanding, assessing, and applying the law of revelation appropriately.

Thus, reason in the context of ushul fiqh serves as a connecting tool between the normative principles of revelation and social reality. Through *qiyas*, *istihsan*, and *maslahah*, reason ensures that Islamic law is not only normative and universal, but also relevant, adaptive, and able to respond to new challenges without diminishing the legitimacy of revelation as the primary source. This interaction confirms that Islamic law is a dynamic and dialectical legal system, where revelation provides basic principles and reason to interpret and develop them according to the context.

C. The Influence of Social Reality on the Development of Islamic Law

In addition to revelation and reason, social reality plays an important role in the formation and development of Islamic law. People's lives are

always undergoing changes influenced by economic, political, cultural, and technological dynamics. These changes often present new problems that are not explicitly regulated in the text of the Qur'an or Hadith, thus requiring scholars to develop *ijtihad* methods so that the law remains relevant and can answer the needs of society.

History shows that Islamic law has always been adaptive to social conditions. For example, in early Islamic societies, the forms of buying and selling and ownership were relatively simple. However, along with economic development and the emergence of international trade practices, scholars developed the law of muamalah through *Qiyas* and *Maslahah Mursalah* to adapt normative principles to new conditions (Fathurrahman, 2024). This confirms that *ijtihad* did not arise purely theoretically, but was born in response to the complexity of the ever-changing social reality.

Concept *Maqasid al-Shariah* provides a normative framework for legal adaptation to social realities. This principle emphasizes that Islamic law aims to protect the five basic human needs, namely religion, soul, intellect, descent, and property (Rock, 2025). When social realities pose a risk to one of the five goals, Islamic law can be developed through *ijtihad* to address those challenges. For example, the emergence of modern banking, insurance, or electronic transactions is not explicitly mentioned in the text of the revelation, but the principles of maqasid can be used as a basis for establishing laws that suit contemporary needs, while still maintaining the normative value of revelation.

Relevant normative postulates can be found in QS. Al-Hajj verse 78, which emphasizes the importance of fighting for the good and upholding justice:

"And wage jihad in the cause of Allah with true jihad. He has chosen you and He has not made for you in religion a narrowness."

This verse shows that Islamic law is not rigid or burdensome, but rather provides room for adaptation and adjustment according to the needs of society. In addition, the Hadith of the Prophet Muhammad also emphasizes the importance of considering the condition of the ummah in determining the law:

"Verily, the benefit is the guidance of Allah, and there is no benefit where the harm is greater than it."

This hadith is the basis for the concept of *maslahah mursalah*, where scholars assess social

conditions to establish laws that balance benefits and harms, so that the law remains relevant without violating normative principles.

Social change also drove the development of contemporary fiqh methodologies, including the collective ijihad approach (*ijihad jama'i*), which allows for legal decision-making based on scientific studies and observations of social realities (Supriatna, 2024). For example, legal arrangements related to e-commerce, financial technology, or new social practices, can be adapted through this approach, showing that Islamic law is dynamic and responsive to changing times.

Thus, social reality is not only the background for the establishment of law, but also a determining factor in the evolution of Islamic law. Social change triggers the emergence of new problems, which then encourage the use of reason and ijihad methodology to produce laws that are contextual, relevant, and still based on revelation. The integration of revelation, reason, and social reality is what makes Islamic law an adaptive, dialectical legal system that is able to respond to the challenges of modern society.

D. Reconstruction of Islamic Legal Theory in Contemporary Thought

The development of modern society requires Islamic law to adapt without losing the normative legitimacy that comes from revelation. This effort gave birth to contemporary thinking that emphasized the reconstruction of Islamic legal theory, which is a methodological process to balance between the authority of the text of revelation, the rationality of reason, and the contextual needs of society (Sultan & Rahmatiah, 2026). This reconstruction is a response to social, economic, political, and technological complexities that are not explicitly regulated in the Qur'an and Hadith, but still require valid legal certainty.

In this reconstruction, revelation remains the normative foundation. The basic principles given by the Qur'an and Hadith are the reference point for the development of law. However, this normative text must be understood through the social context and purpose of sharia, so that its application is relevant to the changing times. Principle *Maqasid al-Shariah* which emphasizes the five main goals, namely religion, soul, intellect, heredity, and property as the main normative framework (Pertiwi & Herianingrum, 2024). Thus, contemporary Islamic law is not only literal,

but also holistic and goal-oriented, as affirmed in QS. Al-Maidah verse 2:

"And help yourselves in goodness and piety, and do not help each other in sin and enmity."

This verse emphasizes that Islamic law not only regulates behavior formally, but also emphasizes social collaboration for the benefit, so that the adaptation of law to contemporary contexts remains within the normative corridor.

Contemporary thought emphasizes contextual ijihad, which is the withdrawal of laws through the integration of normative principles of revelation with the socio-economic and cultural conditions of modern society (Zulki, 2025). For example, the regulation of Islamic banking, insurance, fintech, e-commerce, and digital transactions is carried out through collective ijihad, where sharia principles are applied flexibly while maintaining legal objectives (*Maqasid*). This method continues the tradition of classical ijihad *Qiyas*, *istihsan*, and *maslahah* but complemented by empirical, social, and economic analysis to ensure legal decisions are relevant, fair, and beneficial to the wider community (Firdaus & Achmad, 2024).

Contemporary thinkers, such as Mohammad Hashim Kamali, emphasized that ijihad must maintain a balance between text and context, so that law can answer modern problems without diminishing the authority of revelation (Gofar, Amina, & Fajrin, 2025). Kamali emphasized that rigidity in interpretation can lead to injustice, while flexibility accompanied by the principle of *maqasid* ensures that the law remains authentic and ethical. Tahir Mahmood also emphasized that contemporary Islamic law must integrate the social, political, and international law dimensions, so that Islamic law is able to answer global problems without losing its normative identity.

Contemporary legal reconstruction also emphasizes the importance of the collective participation of scholars, academics, and legal practitioners. This approach is similar to the principle of *shura* where deliberation is used as an instrument to produce legal decisions that are in accordance with the needs of the community and remain valid in sharia (QS. Ash-Shura verse 38). This mechanism ensures that Islamic law is not only born from individual interpretation, but through a deliberative process that takes into account social facts and sharia goals.

In practice, the reconstruction of Islamic legal theory combines four dimensions, namely, first, normative adherence to revelation; second, the

rationality of reason to interpret principles; third, responsiveness to social realities; and fourth, collective involvement in the decision-making process. These four dimensions form a dynamic contemporary Islamic legal model that is dynamic, adaptive, and based on maqasid, while being able to respond to modern global challenges such as digital technology, cross-border transactions, and new socio-economic issues.

Thus, the reconstruction of contemporary Islamic legal theory confirms that Islamic law is not a static system, but rather a living legal tradition: it maintains the legitimacy of revelation, utilizes reason as an interpretive instrument, adapts to social changes, and ensures contextual relevance for modern society. This process shows that Islamic law is capable of being both normative and practical at the same time, one that remains authentic yet responsive to the complexities of contemporary life.

CONCLUSION AND SUGGESTIONS

A. Conclusion

This study shows that Islamic legal theory is a dynamic and dialectical normative system, in which revelation, reason, and social reality interact with each other in the process of law formation. Revelation remains the normative foundation that establishes basic principles, provides ethical and epistemological legitimacy, and becomes the main reference in the establishment of law. Reason serves as a methodological instrument that enables the development of law through *qiyas*, *istihsan*, and *maslahah*, so that the principle of revelation can be translated into a more complex and contemporary context. Social reality encourages the law to be responsive to changes in society, giving rise to new problems that require legal adjustment through *ijtihad*. Contemporary thought emphasizes the reconstruction of Islamic legal theory that balances between textual authority and the needs of modern society, through *maqasid al-shariah* approaches, contextual *ijtihad*, and collective deliberation. The integration of these three elements shows that Islamic law is able to maintain normative authenticity while being adaptive to the challenges of the times, forming a legal tradition that is lively, relevant, and socially just. Thus, Islamic law is not only a system of rules, but also an interpretive process that harmonizes divine principles, human rationality, and social

conditions, making it a comprehensive and sustainable source of law.

B. Suggestions

Efforts to develop Islamic law should emphasize a holistic approach that considers revelation as a normative foundation, reason as an interpretive tool, and social reality as a contextual factor. Academics, scholars, and legal practitioners can strengthen the process of legal reconstruction through literature review, collective *ijtihad*, and empirical research that adapts sharia principles to the challenges of modern society. This approach will ensure that Islamic law remains relevant, responsive, and equitable, without compromising the legitimacy and authority of the text.

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