



Middle Eastern Geopolitics and the Transformation of Islamic Law: An Analysis of Islamic Politics in Muslim Countries

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Abstract: This study examines the significant influence of regional geopolitical dynamics on the evolution of Islamic law, emphasizing the consequences of legal policies and reforms in the Middle East for non-Arab Muslim countries, particularly Indonesia and Malaysia. Using a qualitative research design and a comparative case study approach, the research is grounded in a constructivist-interpretivist framework and draws on in-depth interviews with scholars, policymakers, journalists, and observers of Islamic politics. Public discourse, policy, and legal documents are also thoroughly analyzed. The study reveals that the evolution of Islamic law is shaped by both international geopolitical tensions and domestic political factors, with distinct manifestations, including conservative theocratic, revolutionary, ideological, secular-pragmatic, and modernist approaches. Notably, geopolitical rivalries in the Middle East have exacerbated sectarian divisions in the Islamic legal discourse. While, the application of Islamic law outside the region is increasingly being integrated into constitutional and democratic frameworks. By addressing the intersection of Islamic law, politics, and geopolitics, this research advocates for promoting moderate Islamic constitutionalism, fostering transnational legal pluralism, and advocating for a more distinct separation between religious and political interests. The study contributes novel perspectives on how Islamic law adapts and evolves in response to contemporary global political shifts, offering critical insights for policymakers and scholars engaged with legal and political transformation in the Muslim world.

Keywords: Middle Eastern geopolitics, Islamic law, Islamic politics, legal transformation, Muslim countries.

Abstrak: Studi ini meneliti pengaruh signifikan dinamika geopolitik regional terhadap evolusi hukum Islam, dengan menekankan konsekuensi kebijakan dan reformasi hukum di Timur Tengah bagi negara-negara Muslim non-Arab, khususnya Indonesia dan Malaysia. Menggunakan desain penelitian kualitatif dan pendekatan studi kasus komparatif, penelitian ini berlandaskan kerangka kerja konstruktivis-interpretatif, yang mengambil wawasan dari wawancara mendalam dengan para cendekiawan, pembuat kebijakan, jurnalis, dan pengamat politik Islam. Wacana publik, kebijakan, dan dokumen hukum juga dianalisis secara menyeluruh. Studi ini mengungkapkan bahwa evolusi hukum Islam dibentuk oleh ketegangan geopolitik internasional dan faktor politik domestik, dengan manifestasi yang berbeda, termasuk pendekatan teokratis konservatif, revolusioner, ideologis, sekuler-pragmatis, dan modernis. Perlu dicatat, persaingan geopolitik di Timur Tengah telah memperburuk perpecahan sektarian dalam wacana hukum Islam, sementara penerapan hukum Islam

di luar kawasan semakin terintegrasi ke dalam kerangka konstitusional dan demokratis. Dengan membahas persimpangan hukum Islam, politik, dan geopolitik, penelitian ini menganjurkan untuk mempromosikan konstitusionalisme Islam moderat, mendorong pluralisme hukum transnasional, dan menganjurkan pemisahan yang lebih jelas antara kepentingan agama dan politik. Studi ini memberikan perspektif baru tentang bagaimana hukum Islam beradaptasi dan berevolusi sebagai respons terhadap pergeseran politik global kontemporer, menawarkan wawasan penting bagi para pembuat kebijakan dan cendekiawan yang terlibat dalam transformasi hukum dan politik di dunia Muslim.

Kata kunci: Geopolitik Timur Tengah, hukum Islam, politik Islam, transformasi hukum, negara-negara Muslim.

Introduction

Islamic law in the modern Muslim world is no mere theological or normative event. It is also a process shaped by planetary-scale geopolitical dynamics.¹ However, it is understood, from a global perspective, that it is rooted in power relations, regional conflicts, and international interventions at the Islamic political level.² The Middle East, as the geopolitical center of the Islamic world,³ increasingly becomes a front in the contest between domestic interests and global pressure. From this perspective, however, Islamic law has not only functioned as a normative system⁴ but also as a political tool and a symbol of state sovereignty.⁵ Since the early 20th century, the Middle East has been gripped by bouts of significant geopolitical turmoil, ranging from colonialism and the establishment of nation-states through the Arab-Israeli conflict, the Arab Spring to lingering civil wars.⁶ This situation has made many states in the region view Islamic law as a source of political legitimacy. It helps them to safeguard their rule during crises of government.⁷ Regional hegemony between Saudi Arabia, Iran, and Turkey has further led to Sharia being politicized. Each country promotes a different form of Islam as well as an ideological and geopolitical influence.⁸

Even Islamic law ceases to be merely the domain of domestic legal regulation. Rather, it becomes an instrument in international politico-strategic setups, and Middle Eastern geopolitical dynamics

¹ Abbas Jong, "The Post-Secular Cosmopolitanization of Religion," *Religions* 16, no. 3 (2025): 334; Mona S El-Sherbini et al., "Planetary Health and Anthropocene Discourse: The Role of Muslim Religious Leaders," *Challenges*, 2023, <https://doi.org/10.3390/challe14040046>.

² Federico Lorenzo Ramaioli and Federico Lorenzo Ramaioli, *Juridical Perspectives between Islam and the West: A Tale of Two Worlds* (Springer, 2023).

³ Pinar Bilgin, "Whose 'Middle East'? Geopolitical Inventions and Practices of Security," *International Relations* 18, no. 1 (2004): 25–41, <https://doi.org/10.1177/0047117804041739>.

⁴ Fitri Wahyuni, Ishaq Ishaq, and Aris Irawan, "Criminal Sanctions for Corruption Crimes Based on Perspective Study of Renewal Law and the Relationship with Islamic Criminal Law," *Al-Risalah* 21, no. 2 (December 2021): 219–33, <https://doi.org/10.30631/alrisalah.v21i2.795>; Mahrus Ali, Hamad F Al-Fahad, and Wasikh Maulana, "Philosophical Foundation, Application, and Controversies of Judicial Pardon in Islamic Criminal Law, Indonesian Penal Code, and the Criminal Justice System of Kuwait," *De Jure: Jurnal Hukum Dan Syar'iah* 17, no. 2 (December 28, 2025): 624–48.

⁵ Seevan Saeed, "The Crises in the Middle East: Reshaping the Region's Geopolitical Landscape and Altering the Global Order," *Asian Review of Political Economy* 4, no. 1 (2025): 1.

⁶ Srobana Bhattacharya and Bidisha Biswas, "International Norms of Asylum and Burden-Sharing: A Case Study of Bangladesh and the Rohingya Refugee Population," *Journal of Refugee Studies* 34, no. 4 (2021): 3734–51.

⁷ Dimitris Bouris, Daniela Huber, and Michelle Pace, *Routledge Handbook of EU-Middle East Relations* (Routledge London/New York, 2022).

⁸ Murat Cingöz, Muharrem Hilmi Özev, and Ramazan İzol, "Saudi Arabia's Quest for Regional Hegemony on the Basis of Opposition to Iran," *Journal of Asian and African Studies*, 2025, 00219096251313551.

have global resonance.⁹ This indicates that the transformation of Islamic law is transnational. It goes beyond the geographical and political boundaries of states. Research on Islamic politics and Islamic law has developed significantly.¹⁰ Mandaville examines how the post-Arab Spring transformation of Islamic politics in the Middle East reflects state actors' turn to Islam as a source of legitimacy and political stability. They state that Sharia is no longer merely a religious norm, but has instead evolved into a political tool.¹¹ Kadercan argues that political Islam is being enlisted in the global geopolitical competition now taking place, primarily in its Saudi-Iranian-Turkish context. His study demonstrates that religion has been reduced to an option amid regional power politics and ideological entanglement.¹² The Brown and Lombardi study, which focuses on Egypt, Tunisia, and Morocco, demonstrates that in the aftermath of the Arab Spring, only nascent democratic systems have emerged, with Islamic law modified to accommodate both internal and external political pressures.¹³

Cleveland examines the rise of religious nationalism in the Middle East, and the use made of religion in political and national strategy. He asserts that Islam is now more and more being used as a symbolic weapon of geopolitical identity.¹⁴ Affan explores the turn in Islamic politics toward post-Islamism, where states no longer go for Sharia alders, but instead opt to legislate various legal systems into one.¹⁵ Kosar examines the relationship between security crises in Muslim countries and the implementation of legal policy. They show that states are driven by internal and international wars of plunder to accentuate their control of Sharia.¹⁶ Saeed holds that national interests, historical identity, and global pressures combine to create modern Islamic law.¹⁷ Katz describes how Middle Eastern regimes use Islamic law to maintain power amid geopolitical realities. His study demonstrates that Sharia is increasingly becoming a strategic instrument for political stabilization today.¹⁸

There are three main theoretical approaches in the field of Islamic law and contemporary Islamic politics: the normative-theological approach; the institutional-constitutional perspective; and global Islamic political theory.¹⁹ Our research adopts the global Islamic political theory approach as the main

⁹ Mohammad Mushfequr Rahman, "Political and Legal System of Islam," *System* 1, no. 1 (2021); Sahin Husain, Nasir Purkon Ayoub, and Mukhammadolim Hassmann, "Legal Pluralism in Contemporary Societies: Dynamics of Interaction between Islamic Law and Secular Civil Law," *SYARIAT: Akhwal Syaksyah, Jinayah, Siyasa and Muamalah* 1, no. 1 (2024): 1-17.

¹⁰ Abdul Aziz, "Constructing Ideological Authority: A Study on the Radical and Moderate Muslim Middle Classes in the Contemporary Politics of Indonesian Islam," 2023; Khalid Ahmed, "Shariah or Common Law: A Comparative Analysis of Islamic Law and Western Law in Pakistan," *Pakistan JL Analysis & Wisdom* 3 (2024): 12; Masykuri Abdillah, "Sharia and Politics in The Context of Globalization and Society 5.0," *AHKAM : Jurnal Ilmu Syariah* 22, no. 2 (2022), <https://doi.org/10.15408/ajis.v22i2.28959>.

¹¹ Peter G Mandaville, *Wahhabism and the World: Understanding Saudi Arabia's Global Influence on Islam* (Oxford University Press, 2022).

¹² Burak Kadercan, "Territorial Logic of the Islamic State: An Interdisciplinary Approach," *Territory, Politics, Governance* 9, no. 1 (2021): 94-110.

¹³ Hicham Alaoui, *Pacted Democracy in the Middle East: Tunisia and Egypt in Comparative Perspective* (Springer, 2022).

¹⁴ William L Cleveland, "Sources of Arab Nationalism: An Overview," *The Middle East*, 2023, 3-11.

¹⁵ Mohammad Affan, "Revisiting Post-Islamism a Decade After the Arab Spring," *Filozofija i Društvo* 35, no. 3 (2024): 501-14.

¹⁶ Farhana Kosar, Shahnawaz Muhammad Khan, and Abdul Fareed Brohi, "Financial Crisis in the Muslim World," *Pakistan Journal of International Affairs* 5, no. 2 (2022).

¹⁷ Nehaluddin Ahmad and Norulaziemah Zulkiffle, "Navigation Rights in Islamic Tradition and Modern International Law," *J. Int'l L. Islamic L.* 19 (2023): 251.

¹⁸ Yaron Katz, "A Decade of Change in Middle Eastern Geopolitics," *Athens Journal of Politics & International Affairs* 1, no. 2 (2025): 163-78.

¹⁹ Yudi Hamsah, "Normative Approach in the Study of Islamic Law Based On The Thoughts Of Charles J Adams," *Tazkir: Jurnal Penelitian Ilmu-Ilmu Sosial Dan Keislaman* 9, no. 1 (2023): 1-16; Aileen Kavanagh, "Keeping It Real in Constitutional Theory," *Comparative Constitutional Studies* 1, no. 2 (2023): 244-66; Ahmad Bostani, "Rethinking Political Theology in the Islamic Context," *Islamic Political Theology*, 2021, 135.

theoretical framework. In this view, Islamic law is an arena for ongoing power struggles between states and geopolitical forces, a stage upon which varying national ideologies compete internationally, and a strategic interest of governments, making it ideal for analyzing the transformation of Islamic law in the Middle East and its implications for Muslim countries like Indonesia.

This research adopts a qualitative, comparative case-study approach within a constructivist-interpretive paradigm. This design was chosen because it aims to analyze the transformation of Islamic law as a political phenomenon shaped by the Middle East's geopolitical dynamics and its global resonance. Data collection was conducted through indirect interviews, with questions sent to the Directorate of Intraregional and Interregional Cooperation for Asia, the Pacific, and Africa, the Ministry of Foreign Affairs, observations and discussion forums, and document analysis. Indirect interviews were also conducted with three academic informants with expertise in Middle Eastern geopolitics, and correspondence with several foreign NGOs concerned with Middle Eastern issues, including Anera and Care International, as well as domestic NGOs such as Baznas and Lazismu. Data analysis employed a data reduction approach, extracting themes, coding context, and interpreting the material in terms of global Islamic political theory. This approach treats Islamic law as an arena between great powers: its rules are shaped by relationships, regime strategic interests, and international ideological conflicts. The validity of the research was ensured by triangulation of sources and procedures, along with multiple confirmations of the results from key informants.

Middle Eastern Geopolitics and the Transformation of Islamic Law

Saudi Arabia is one of the most influential geopolitical actors in the Middle East, with its strategic position as the dominant Sunni power, the symbolic leader of the Arab world, and the primary controller of OPEC. In addition, as a custodian of Islam's two holiest cities (Mecca and Medina), Saudi Arabia's strong religious authority has allowed it to make ever-greater contributions to world terrorism.²⁰ The rapid shift in global energy markets has forced the Saudi Arabian government to shift its strategy for integrating with the global economy, through its Vision 2030 program. The program focuses not only on the economy but also on restructuring the legal system and social norms, such as limiting the powers of the religious police, granting women driving licenses, and liberalizing the social contract by permitting public gatherings.²¹

Other country like Iran has been a key player in controlling non-Arab Shia dominance in the Middle East. Iran has built strategic reach through proxy networks with Hezbollah in Lebanon, Shia groups in Iraq, and the Houthis in Yemen without engaging in direct full-scale war. This strengthens Iran's bargaining position in the Middle East and counterbalances Saudi, Israeli, and Western dominance.²² More recent external geopolitical pressures have strengthened Iran's Islamic legal doctrine. In response to these external threats, Iran's Islamic State has intensified the influence of

²⁰ Mordechai Chaziza and Carmela Lutmar, "Saudi Arabia's Niche Diplomacy: A Middle Power's Strategy for Global Influence," *World* 6, no. 2 (2025): 65.

²¹ Rafał Ożarowski, "Mohammed Bin Salman's Rising to Power. Chances for Transition in Saudi Arabia?," *Przegląd Strategiczny* 12, no. 15 (2022): 157–68; László Csicsmann, "The Role of External Factors in Regime Stability and Resilience-Building in the Multipolar Middle Eastern Region: The Experience of the Hashemite Kingdom of Jordan," *The Journal of the Middle East and Africa* 13, no. 2 (2022): 145–62.

²² Diane M Zorri, "Saudi Arabia and Iran in a Multipolar Global World Order: Scenarios for the Future of the Middle East," *Journal of Peace and War Studies*, 2023, 60.

Sharia law in criminal law enforcement, social and public morality, such as mandatory hijab laws and restrictions on civil disobedience and political dissent against Sharia law. These measures reflect the reality that in a situation of geopolitical contradictions, Islamic law serves as a vehicle for social stability and political control.²³

Turkey under Erdoğan has adopted a more proactive, aggressive foreign policy, referred to by critics as neo-Ottomanism, to bolster its political, economic, and cultural influence in the former territories of the Ottoman Empire.²⁴ Turkey, under the leadership of Recep Tayyip Erdoğan, has taken steps toward creating more of an Islamic state in the political sphere, while still constitutionally adhering to being secular. The integration of religious elements, a more assertive foreign policy toward key Muslim power centers, and the growing influence of Islam as a governing structure are on the rise. The ongoing geopolitical rivalry, particularly with the European Union and Turkey's involvement in Middle Eastern conflicts, has fueled extreme political polarization regarding the role of Islam and secularism in both society and law. This illustrates the interplay between shifting geopolitical factors and the Islamization of the State's political functions on the domestic front, especially concerning legal and social reform.²⁵

Egypt is a traditionally central Arab world power possessing noteworthy geostrategic and socioeconomic significance. The political stability of Egypt's Suez Canal and other trade routes makes it a critical player in regional stability.²⁶ Authoritarian governments backed by the military and Islamist movements such as the Muslim Brotherhood have influenced issues of Islamic law. Issues related to the role of religion in the State and the interpretation of Sharia have often become political tools in power struggles, influencing the extent to which Islamic law is strictly applied or interpreted. One area where Islamic legal reform is evident is family law, which has undergone reforms to grant greater rights to women, demonstrating an effort to balance tradition and modernity within the framework of Islamic law.²⁷

Israel's geopolitical stance is driven by its protracted conflict with Palestine, friction with Arab states, and a strategic hostility toward Iran and its proxy groups.²⁸ At the same time, Israel is making a more active presence in the geopolitical landscape of the Eastern Mediterranean, particularly through natural gas exploration and distribution with Greece, Cyprus, and Egypt. This energy cooperation is an important tool for extending normalization of relations with Arab states, such as the Abraham Accords. This normalization reflects changes in regional geopolitics, where regional interests in shared security and economic opportunities are replacing more traditional ideological ideas about how countries should behave toward each other.²⁹

²³ Gi Yeon Koo, "Wavering Theocratic Ideology and the Politicization of Shia Identity: Iran's Ideological Rifts amid Geopolitical Maneuvers," *Asian Journal of Political Science* 32, no. 2 (2024): 259–77.

²⁴ Zeynep Sahin Mencutek, "The Geopolitics of Returns: Geopolitical Reasoning and Space-Making in Turkey's Repatriation Regime," *Geopolitics* 28, no. 3 (2023): 1079–1105; Mesut Yegen, "Ethnopolitics to Geopolitics: The Turkish State and the Kurdish Question since 2015," *British Journal of Middle Eastern Studies* 50, no. 4 (2023): 943–61.

²⁵ Ayşe Ömür Atmaca and Zerrin Torun, "Geopolitical Visions in Turkish Foreign Policy," *Journal of Balkan and Near Eastern Studies* 24, no. 1 (2022): 114–37.

²⁶ Shaul Chorev, "The Suez Canal: Forthcoming Strategic and Geopolitical Challenges," in *The Suez Canal: Past Lessons and Future Challenges* (Springer, 2023), 3–26.

²⁷ Samy A Ayoub, "A Theory of a State? How Civil Law Ended Legal Pluralism in Modern Egypt," *Journal of Law and Religion* 37, no. 1 (2022): 133–52.

²⁸ Katherine Harbord, "Geopolitics in Israel," in *The Palgrave Handbook of Contemporary Geopolitics* (Springer, 2024), 573–95.

²⁹ Deepika Saraswat, " Hamas-Israel War and the Evolution of Iran's 'Resistance Geopolitics,'" *Strategic Analysis* 48, no. 1 (2024): 60–65.

Iraq is a key region of geopolitical competition that has a significant impact on the development of Islamic law as it is organized in a nation's political and social systems. Iran's broad influence, especially through its Shia militia factions and political parties, and its strong connections with public and high-level government authorities, further strengthened Shia views on Islamic law, as reflected in state regulations on family law, religious education systems, and public morality policies. This has caused Islamic law to grow in a context of sectarian warfare, in which Sharia is no longer just a religious normative code but also a tool of political legitimacy and power consolidation.^{30 31}

In Syria, a grinding tension dating back to 2011 has rendered Islamic law one of the most crucial frontlines in an ideological and geopolitical contest. Iran has facilitated the establishment of Shia religious networks and Ja'fari-based legal institutions in strategic regions with the support of the Bashar al-Assad regime, while Turkey and Saudi Arabia have embraced Sunni interpretations of Islamic law by the opposition groups their interests target. This schism in political power has also resulted in numerous Islamic legal systems, in which the propriety and legitimacy of Sharia are no longer determined solely by its academic basis but by the interests of specific regional actors. Geopolitics thus not only extends the conflict but also transforms Islamic law in Syria into a political tool for the activation, establishment of power legitimacy, and social discipline, with long-lasting impacts on the legal as well as religious structures of the region.³²

Yemen is among the most complex geopolitical flashpoints; the current conflict stems not only from internal political conflict but also reflects a deeper regional rivalry between Sunni and Shia superpowers vying for strategic influence in the Arabian Peninsula.³³ Geopolitically, Yemen occupies a strategic position, controlling the Bab al-Mandab Strait, one of the world's critical shipping routes between the Red Sea and the Gulf of Aden. Regional instability threatens global trade and energy security. For Iran, engagement in Yemen is critical to gaining a strategic advantage over Saudi Arabia and its allies; in Riyadh, Yemen's stability is a crucial factor in national security and the legitimacy of regional leadership.³⁴

The presence of transnational movements, militias, and fatwa institutions in the Middle East is significant in shaping and upholding Islamic law and its effects on politics in the region. The ideological perception that Islam is not just a religion, but a political and legal system that should be put in place by the State is propagated by organizations like the Muslim Brotherhood and the Hizbut Tahrir. These organizations have propagated the concept that Sharia has to form the backbone of governance by spreading it through international networks, dawah activity, education, and political mobilization at the expense of state legal systems seen as too secular or as being under the influence of the West. Consequently, Islamic law is marketed as a means of societal and political change to establish what they believe is a perfect Islamic society.^{35 36}

³⁰ Louise Fawcett, "The Iraq War 20 Years on: Towards a New Regional Architecture," *International Affairs* 99, no. 2 (2023): 567-85.

³¹ Lina Eklund et al., "On the Geopolitics of Fire, Conflict and Land in the Kurdistan Region of Iraq," *Remote Sensing* 13, no. 8 (2021): 1575.

³² Hossein Deheshyar and Seyyed Mohammad Aminabadi, "The Role of Geopolitics in Escalating International Crises (A Case Study: Syrian Crisis)," *Geopolitics Quarterly* 18, no. 1 (2022): 187-215.

³³ Amir Reza Moghavemi et al., "Geopolitical Interests of Regional Actors in the Yemen Crisis," *The Fundamental and Applied Studies of the Islamic World* 5, no. 2 (2023): 163-93.

³⁴ Suroush Amiri and Mohammad Mahdi Mirzaei, "Iran-Yemen Relations and Its Geopolitical Crisis," *International Relations and Diplomacy* 9, no. 9 (2021): 382-403.

³⁵ Jocelyne Cesari, "Political Islam: More than Islamism," *Religions* (MDPI, 2021).

³⁶ Rickard Lagervall, "The Muslim Brotherhood," *Handbook of Islamic Sects and Movements* 21 (2021): 73.

An extreme form of politicization of Islamic law is represented by militant groups and armed militias like Al-Qaeda, ISIS, and the multitude of proxy groups supported by regional powers. Such groups enforce very strict and literal interpretations of Sharia in the areas they control, including the introduction of hudud laws and strict limitations on women, as well as the criminalization of any dissenting religious and political expression.³⁷ As a result, the perception of Islamic law is highly distorted around the world as this tradition is frequently linked to extremism and violence. This has elicited a backlash in Muslim countries and the international community, which has subsequently intensified religious regulations and strengthened state control of Islamic institutions, reducing both the scope and space for moderate and contextual interpretations of Islamic law.³⁸

Cross-border fatwa bodies such as Al-Azhar University in Egypt and the Council of Senior Scholars in Saudi Arabia have significantly contributed to shape Islamic juristic debate in several states.³⁹ These institutions are known for exporting ideas of Islamic jurisprudence, often disseminated by governments, courts, and civil society through fatwas, lectures, and religious publications. These fatwas may be seen as reinforcing domestic laws, for example, those on family law, economic theory, or public morality, or as rejecting state regulations which are considered incompatible with principles of Sharia. As a result, Islamic law grows in a transnational field that transcends national borders.

Models of Islamic Legal Transformation in the Middle East

Four broad models of Islamic legal reconstruction in the region can be distinguished from these dynamics: (1) conservative-theocratic, (2) revolutionary-ideological, (3) secular-pragmatic, and (4) adaptive-modernist. The four models span the full range of sharia implementation from full formalization to symbolic integration.

1. Conservative Theocratic Model

The conservative-autocratic model views Sharia as both the basis for law and the source of legitimacy in politics. This is exemplified in the case of Saudi Arabia, where, for example, the institutionalization of Wahhabi Islamic law serves to both safeguard the orthodoxy of the faith and bolster the supremacy of the State. The institutionalization of the law also provides the State with the orthodoxy to neutralize political Islam that is pluralistic and politically active. The State's political alliance with Islam provides a mechanism for the State to absorb both internal restive movements as well as external imperialistic aggressions. This is especially true in the case of the Islamic Republic of Iran and the rest of the Arabian Peninsula. The creation of a Sunni Islamic identity enables Saudi Arabia to fulfill the role of defender of Sunni Islam. Under increased pressure from external actors, such as the market economy and the imperatives of the human rights regime, a limited adaptation of the law is offered in the areas of business, employment, and women. This example indicates that the conservative theocratic model is not static but a living phenomenon that responds to the legitimate and visible political and economic demands of the time while retaining its basic ideology.

³⁷ Konstantinos Kavrakis, "Identity and Ideology through the Frames of Al Qaeda and Islamic State," *Terrorism and Political Violence* 35, no. 5 (2023): 1235–52.

³⁸ Aldona Maria Piwko, "Islamic Fundamentalism: From Ideologists to Propaganda in the Mass Media of Terrorist Groups," *Journal for the Study of Religions and Ideologies*, 2021, 175–92.

³⁹ Muhammad Al-Marakeby, "Rethinking Modern Fatwa Typology: An Ethnographic Study on Al-Azhar Fatwa Council," *Islamic Studies Review* 1, no. 2 (2022): 197–216, <https://doi.org/10.56529/isr.v1i2.85>.

2. Revolutionary Ideological Model

The Islamic Revolution in Iran in 1979 created a unique ideological-revolutionary model in which Islamic law was integrated into the entire political-legal process, both as a theological endeavor and as a response to external domination and the country's geopolitical encirclement. In the framework of *wilayat al-faqih*, Shia Islamic jurisprudence served as the basis for state control, and in that context, state control was viewed as the means to defend Iran's revolutionary nationalism. Sharia was used, among other things, to construct state institutions and the judiciary and to formulate public policies that stressed social justice and the West's (specifically, the U.S. and Israeli) domination. Additionally, Iran's revolutionary Sharia law was used to construct the ideological system that sustained the regime in a hostile area. Despite the highly revolutionary law, Iran's legal system has been highly flexible and able to adjust to geopolitical realities such as economic boycotts, global isolation, and local wars. Such a situation indicates that Islamic law in Iran is not only a theological system but also a highly political one that responds to the prevailing conditions of the world and the region.

3. Secular Pragmatic Model

The secular-pragmatic model can be understood as a legal-political approach that emerges from the need to balance geopolitical pressures with domestic stability. In this model, Islamic law is not formally established as the main source of state law but is selectively integrated into social and public policy. In Turkey, especially under the leadership of Recep Tayyip Erdoğan, the constitution still upholds secularism, yet government policies increasingly reintroduce Islamic values through education reforms, stronger religious symbolism in public life, and political narratives emphasizing Ottoman-Islamic identity. This shift is also linked to changing relations with the European Union and tensions with Western countries, where Islam functions more as a source of national legitimacy and political mobilization than as a replacement for the secular legal system. In Egypt, a similar pragmatic approach developed after the Arab Spring, when the government restricted political Islamist movements such as the Muslim Brotherhood. The State strengthened Al-Azhar's role as the official religious authority to guide Islamic interpretation in line with government interests, aiming to maintain political stability, counter radicalism, and secure international support.

4. Adaptive Modernist Model

The adaptive modernist paradigm demonstrates how several Muslim nations adapt Islamic law to address the impacts of globalization and shifting geopolitical contexts. Islamic law in this paradigm is not to be seen as permanently rigid or structurally encapsulated, but rather as interpretively flexible and interwoven in a system that supports democracy, human rights, gender equity, and legal pluralism. Take the example of Tunisia, which, following the Arab Spring, undertook reforms in family law and the political system that sought to merge Islamic identity with civil and constitutional democracy, as a state seeking international recognition and economic stability. Under similar circumstances, Morocco undertook reforms to the *mudawwanah* (family law) to improve the status of women and moderate the monarchy's international image. In modern Islamic legal reform, adaptive modernist paradigms demonstrate the flexible *ijtihad* alongside the enduring values of modern globalization and the geopolitical circumstances of contemporary Islamic law.

Table 1 Summary Table: Models of Islamic Legal Transformation in the Middle East

No	Model of Transformation	Core Characteristics	Position of Sharia in the State	Political Orientation	Response to Geopolitical Pressures	Example Countries
1	Conservative Theocratic	Sharia as the primary source of law and political legitimacy; hierarchical and centralized religious authority	Fully formalized as the foundation of the national legal system	Religious monarchy / theocratic governance	Strengthens religious identity for regime stability and regional rivalry; limited adaptation for global economic integration	Saudi Arabia
2	Ideological Revolutionary	Sharia as state ideology; doctrine of <i>wilayat al-faqih</i> ; integration of clerical authority into political structure	Constitutional and ideological foundation of the State	Revolutionary Islamic republic	Instrument of resistance against Western dominance; pragmatic flexibility in response to sanctions and international pressure	Iran
3	Secular Pragmatic	Constitutionally secular State; Islam managed administratively and symbolically	Not fully formalized; selectively accommodated	Secular nationalism with reintegration of Islamic values	Balances domestic stability and international legitimacy; controls religious authority to prevent radicalization	Turkey, Egypt
4	Adaptive Modernist	Progressive reinterpretation of Sharia; integration of democracy, human rights, gender equality, and legal pluralism	Sharia functions as an ethical source guiding legislation	Constitutional monarchy / transitional democracy	Strategy for global integration; legal reform to secure international legitimacy and economic stability	Tunisia, Morocco

Source: Researcher's work 2026

Implications of Middle Eastern Geopolitics for the Future Direction of Global Islamic Law

1. Sectarian Polarization and Legal Fragmentation

Islamic law is not merely considered a religious normative system teaching methodology, but also a site of power contestation shaped by geopolitical situations, transnational ideological conflicts, and operational collusion among regimes. The legal and religious rationale employed by Saudi Arabia and Iran in the geostrategic conflicts of the Middle East is a fine example of the politicization of Islam. The encouragement of certain interpretations of Islam, through the issuance of Fatwas, the establishment of religious bodies, particular patterns in the teaching of Islam and the law, as well as in the policy and legislation relating to family and criminal law, are not politically neutral; they are expressions of the geopolitical posture of the State and its domestic and foreign ideological ambitions. It is this perspective that leads to the conclusion that, in addition to the multiplicity of contending systems of legal reasoning and the plethora of classical and modern schools of thought regarding the fragmentation of Islamic law, there is, in fact, a power contestation between states in the international system. The politicization of religion and the religious interpretation of the law of Islam to subordinate all order below the law of Islamic authorities within such a structure is not a new phenomenon.

2. External Influences and Transnational Legal Discourse

In Islamic political theory, Islamic law (fiqh and its normative instruments) is viewed as part of a sphere of power, a place where the State, religious authorities, and international structures interact to shape legal authority. Law is never entirely separate from political reality, as it is always influenced by the power structures surrounding it. Therefore, external pressures such as international diplomacy, the global legal regime, economic globalization, and geopolitical dynamics influence the development of contemporary Islamic law. Muslim countries often align their legal policies with specific global standards such as good governance, human rights, and market integration while maintaining religious legitimacy domestically. This phenomenon demonstrates that Islamic law is often used instrumentally by states to balance religious identity with political interests and their positions within the international system. Family law reform, Islamic financial regulations, and the establishment of national fatwa councils are driven not only by internal societal needs but also by global demands. Furthermore, developments in communication technology, transnational Islamic educational networks, and Muslim migration and diaspora have expanded the Islamic public sphere globally.

3. Strengthening Moderate Islamic Discourse

Within Islamic political theory, Islamic law (fiqh and its normative instruments) is viewed as an arena of power shaped by interactions among the State, religious authorities, and international structures, thereby linking law closely to political contexts and power configurations. External influences, such as diplomatic pressure, international legal regimes, globalization, and geopolitical dynamics, also shape the development of contemporary Islamic law. Through the concept of the instrumentalization of law, states often use religious authority as a source of legitimacy and a tool in international negotiations. Hence, reforms in areas such as family law, Islamic finance, and national fatwa institutions are not only responses to domestic social needs but also strategies to meet global expectations related to governance, human rights, and economic integration. At the same time,

the growth of communication technology, transnational Islamic education networks, and Muslim migration has created a global public sphere where Islamic legal ideas circulate across borders. In this environment, authority over Islamic law becomes more fragmented and competitive among state institutions, international Islamic organizations, revivalist movements, and diaspora intellectuals, leading to greater diversity in legal discourse but also increasing the potential for politicization due to differing ideological and geopolitical interests.

4. Challenges to Global Consensus

In the context of Islamic political theory, global consensus (*ijma'* in the modern sense) is not understood as a normative agreement born purely from the epistemological process of scholarship, but rather as something that emerges through negotiations within unequal (and often asymmetric) global power structures. Middle Eastern geopolitics, marked by ideological rivalries, sectarian strife, and hegemonic competition among states, demonstrates a fragmented authority that undermines the development of a common reference point for Islamic law. In Indonesia, for example, Islamic law emerged within a pluralistic, Pancasila-based nation-state. Controversial policies such as debates over the type of regional sharia legislation, strengthening Islamic economics, and reforming family law may reflect the State's efforts to strike a balance between aspirations for religious identity and the needs of democracy and diversity.

According to Islamic political theory, Indonesia is an example of negotiated Sharia that does not follow the path of Islamic legality taken by all. Instead, it takes various steps based on constitutional mechanisms and civil society participation. Indonesia has not yet achieved a well-established global consensus, so rather than simply borrowing discourse from the Middle East, it tends to work based on its specific national needs. Malaysia offers another example of this through its more centralized model of Sharia institutionalization within a federal state. State-run religious authorities exercise significant authority over family law and public moral policy. However, Malaysia also faces global social and human rights pressures, as well as pressure from foreign investors. In this sense, the political Islam perspective of Malaysian Sharia policy becomes state-regulated Islam, where consensus is achieved through the bureaucratization of religious authority within the country, resulting in continued clashes between conservative and liberal groups.

Turkey, in contrast, and despite its constitutionally secular status, exemplifies how internal political and regional geopolitical trends can influence the expression of Islamic law and public policy. Policy shifts under some political leaders demonstrate how states can distort the relationship between religion and law to suit their own requirements for political legitimacy if they lack global values and shared consensus. Indeed, Pakistan faces a similar paradox: while the Islamization of law can often serve as a tool for political mobilization, it is constrained by its constitutional structure and by international constraints.

Therefore, a challenge to the dominant global consensus is to develop a multipolar model for the creation of Islamic law. For Muslim countries and regions outside the Arab world, rather than simply being recipients of Middle Eastern narratives, they have the potential to become centers of alternative norms. Based on an analysis of Islamic political theory, the future of global Islamic law will likely depend on the ability of countries like Indonesia, Malaysia, Turkey, and Pakistan to create a legal model that is legally enforceable, locally embedded, politically and geographically stable, relevant to global demands, and not entirely dominated by the interests of Middle Eastern powers.

Conclusion

This research shows that the development of Islamic law in the Middle East is closely linked to geopolitical dynamics, in which Islamic law serves as a strategic tool for political legitimacy, regime stability, and ideological influence beyond national borders. The transformation of legal models in several countries conservative-theocratic, revolutionary-ideological, pragmatic-secular, and adaptive-modernist, reflects how states adapt to external pressures, regional rivalries, and domestic stability needs. Based on these findings, the study proposes the Geopolitical Political-Islam Framework, which explains that the evolution of Islamic law is shaped by the interaction of three main forces: domestic power structures and regime legitimacy strategies, transnational ideological or sectarian competition, and pressures from the international system. From this perspective, Islamic law is not only a religious doctrine but also a strategic instrument of governance and diplomacy. Therefore, Muslim countries need institutional mechanisms that clearly separate religious and political interests to avoid sectarian influence, while strengthening inclusive transnational dialogue on Islamic law to build a broader consensus on issues such as human rights, democracy, and social justice. For countries outside the Middle East, such as Indonesia and Malaysia, Islamic law should be developed within a constitutional and democratic framework independent of Middle Eastern geopolitical polarization, so that it can evolve as a flexible system capable of addressing modern challenges while maintaining its epistemological foundation.

References

- Abdillah, Masykuri. "Sharia and Politics in The Context of Globalization and Society 5.0." *AHKAM: Jurnal Ilmu Syariah* 22, no. 2 (2022). <https://doi.org/10.15408/ajis.v22i2.28959>.
- Affan, Mohammad. "Revisiting Post-Islamism a Decade After the Arab Spring." *Filozofija i Društvo* 35, no. 3 (2024): 501–14.
- Ahmad, Nehaluddin, and Norulaziemah Zulkiffle. "Navigation Rights in Islamic Tradition and Modern International Law." *J. Int'l L. Islamic L.* 19 (2023): 251.
- Ahmed, Khalid. "Shariah or Common Law: A Comparative Analysis of Islamic Law and Western Law in Pakistan." *Pakistan JL Analysis & Wisdom* 3 (2024): 12.
- Al-Marakeby, Muhammad. "Rethinking Modern Fatwa Typology: An Ethnographic Study on Al-Azhar Fatwa Council." *Islamic Studies Review* 1, no. 2 (2022): 197–216. <https://doi.org/10.56529/isr.v1i2.85>.
- Alaoui, Hicham. *Pacted Democracy in the Middle East: Tunisia and Egypt in Comparative Perspective*. Springer, 2022.
- Ali, Mahrus, Hamad F Al-Fahad, and Wasikh Maulana. "Philosophical Foundation, Application, and Controversies of Judicial Pardon in Islamic Criminal Law, Indonesian Penal Code, and the Criminal Justice System of Kuwait." *De Jure: Jurnal Hukum Dan Syar'iah* 17, no. 2 (December 28, 2025): 624–48.
- Amiri, Suroush, and Mohammad Mahdi Mirzaei. "Iran-Yemen Relations and Its Geopolitical Crisis." *International Relations and Diplomacy* 9, no. 9 (2021): 382–403.
- Atmaca, Ayşe Ömür, and Zerrin Torun. "Geopolitical Visions in Turkish Foreign Policy." *Journal of Balkan and Near Eastern Studies* 24, no. 1 (2022): 114–37.

- Ayoub, Samy A. "A Theory of a State? How Civil Law Ended Legal Pluralism in Modern Egypt." *Journal of Law and Religion* 37, no. 1 (2022): 133–52.
- Aziz, Abdul. "Constructing Ideological Authority: A Study on the Radical and Moderate Muslim Middle Classes in the Contemporary Politics of Indonesian Islam," 2023.
- Bhattacharya, Srobana, and Bidisha Biswas. "International Norms of Asylum and Burden-Sharing: A Case Study of Bangladesh and the Rohingya Refugee Population." *Journal of Refugee Studies* 34, no. 4 (2021): 3734–51.
- Bilgin, Pinar. "Whose 'Middle East'? Geopolitical Inventions and Practices of Security." *International Relations* 18, no. 1 (2004): 25–41. <https://doi.org/10.1177/0047117804041739>.
- Bostani, Ahmad. "Rethinking Political Theology in the Islamic Context." *Islamic Political Theology*, 2021, 135.
- Bouris, Dimitris, Daniela Huber, and Michelle Pace. *Routledge Handbook of EU-Middle East Relations*. Routledge London/New York, 2022.
- Cesari, Jocelyne. "Political Islam: More than Islamism." *Religions*. MDPI, 2021.
- Chaziza, Mordechai, and Carmela Lutmar. "Saudi Arabia's Niche Diplomacy: A Middle Power's Strategy for Global Influence." *World* 6, no. 2 (2025): 65.
- Chorev, Shaul. "The Suez Canal: Forthcoming Strategic and Geopolitical Challenges." In *The Suez Canal: Past Lessons and Future Challenges*, 3–26. Springer, 2023.
- Cingöz, Murat, Muharrem Hilmi Özev, and Ramazan İzol. "Saudi Arabia's Quest for Regional Hegemony on the Basis of Opposition to Iran." *Journal of Asian and African Studies*, 2025, 00219096251313551.
- Cleveland, William L. "Sources of Arab Nationalism: An Overview." *The Middle East*, 2023, 3–11.
- Csicsmann, László. "The Role of External Factors in Regime Stability and Resilience-Building in the Multipolar Middle Eastern Region: The Experience of the Hashemite Kingdom of Jordan." *The Journal of the Middle East and Africa* 13, no. 2 (2022): 145–62.
- Deheshyar, Hossein, and Seyyed Mohammad Aminabadi. "The Role of Geopolitics in Escalating International Crises (A Case Study: Syrian Crisis)." *Geopolitics Quarterly* 18, no. 1 (2022): 187–215.
- Eklund, Lina, Abdulhakim M Abdi, Aiman Shahpurwala, and Pinar Dinc. "On the Geopolitics of Fire, Conflict and Land in the Kurdistan Region of Iraq." *Remote Sensing* 13, no. 8 (2021): 1575.
- El-Sherbini, Mona S, Yusuf A Tajudeen, Habeebullah J Oladipo, Iyiola O Oladunjoye, Aminat O Adebayo, and Jemilah Mahmood. "Planetary Health and Anthropocene Discourse: The Role of Muslim Religious Leaders." *Challenges*, 2023. <https://doi.org/10.3390/challe14040046>.
- Fawcett, Louise. "The Iraq War 20 Years on: Towards a New Regional Architecture." *International Affairs* 99, no. 2 (2023): 567–85.
- Hamsah, Yudi. "Normative Approach in the Study of Islamic Law Based On The Thoughts Of Charles J Adams." *Tazkir: Jurnal Penelitian Ilmu-Ilmu Sosial Dan Keislaman* 9, no. 1 (2023): 1–16.
- Harbord, Katherine. "Geopolitics in Israel." In *The Palgrave Handbook of Contemporary Geopolitics*, 573–95. Springer, 2024.
- Husain, Sahin, Nasir Purkon Ayoub, and Mukhammadolim Hassmann. "Legal Pluralism in Contemporary Societies: Dynamics of Interaction between Islamic Law and Secular Civil Law." *SYARIAT: Akhwal Syaksyah, Jinayah, Siyasah and Muamalah* 1, no. 1 (2024): 1–17.

- Jong, Abbas. "The Post-Secular Cosmopolitanization of Religion." *Religions* 16, no. 3 (2025): 334.
- Kadercan, Burak. "Territorial Logic of the Islamic State: An Interdisciplinary Approach." *Territory, Politics, Governance* 9, no. 1 (2021): 94–110.
- Katz, Yaron. "A Decade of Change in Middle Eastern Geopolitics." *Athens Journal of Politics & International Affairs* 1, no. 2 (2025): 163–78.
- Kavanagh, Aileen. "Keeping It Real in Constitutional Theory." *Comparative Constitutional Studies* 1, no. 2 (2023): 244–66.
- Kavrakis, Konstantinos. "Identity and Ideology through the Frames of Al Qaeda and Islamic State." *Terrorism and Political Violence* 35, no. 5 (2023): 1235–52.
- Koo, Gi Yeon. "Wavering Theocratic Ideology and the Politicization of Shia Identity: Iran's Ideological Rifts amid Geopolitical Maneuvers." *Asian Journal of Political Science* 32, no. 2 (2024): 259–77.
- Kosar, Farhana, Shahnawaz Muhammad Khan, and Abdul Fareed Brohi. "Financial Crisis in the Muslim World." *Pakistan Journal of International Affairs* 5, no. 2 (2022).
- Lagervall, Rickard. "The Muslim Brotherhood." *Handbook of Islamic Sects and Movements* 21 (2021): 73.
- Mandaville, Peter G. *Wahhabism and the World: Understanding Saudi Arabia's Global Influence on Islam*. Oxford University Press, 2022.
- Moghavemi, Amir Reza, Mehdi Firouzkoobi, Kazem Zoghi Baran, and Mohammad Ali Hassania. "Geopolitical Interests of Regional Actors in the Yemen Crisis." *The Fundamental and Applied Studies of the Islamic World* 5, no. 2 (2023): 163–93.
- Ożarowski, Rafał. "Mohammed Bin Salman's Rising to Power. Chances for Transition in Saudi Arabia?" *Przeegląd Strategiczny* 12, no. 15 (2022): 157–68.
- Piwko, Aldona Maria. "Islamic Fundamentalism: From Ideologists to Propaganda in the Mass Media of Terrorist Groups." *Journal for the Study of Religions and Ideologies*, 2021, 175–92.
- Rahman, Mohammad Mushfequr. "Political and Legal System of Islam." *System* 1, no. 1 (2021).
- Ramaoli, Federico Lorenzo, and Federico Lorenzo Ramaoli. *Juridical Perspectives between Islam and the West: A Tale of Two Worlds*. Springer, 2023.
- Saeed, Seevan. "The Crises in the Middle East: Reshaping the Region's Geopolitical Landscape and Altering the Global Order." *Asian Review of Political Economy* 4, no. 1 (2025): 1.
- Sahin Mencutek, Zeynep. "The Geopolitics of Returns: Geopolitical Reasoning and Space-Making in Turkey's Repatriation Regime." *Geopolitics* 28, no. 3 (2023): 1079–1105.
- Saraswat, Deepika. " Hamas-Israel War and the Evolution of Iran's 'Resistance Geopolitics.'" *Strategic Analysis* 48, no. 1 (2024): 60–65.
- Wahyuni, Fitri, Ishaq Ishaq, and Aris Irawan. "Criminal Sanctions for Corruption Crimes Based on Perspective Study of Renewal Law and the Relationship with Islamic Criminal Law." *Al-Risalah* 21, no. 2 (December 2021): 219–33. <https://doi.org/10.30631/alrisalah.v21i2.795>.
- Yegen, Mesut. "Ethnopolitics to Geopolitics: The Turkish State and the Kurdish Question since 2015." *British Journal of Middle Eastern Studies* 50, no. 4 (2023): 943–61.
- Zorri, Diane M. "Saudi Arabia and Iran in a Multipolar Global World Order: Scenarios for the Future of the Middle East." *Journal of Peace and War Studies*, 2023, 60.