

## **Ijtihad Method in Determining of the Fatwa Dewan Syariah Nasional – Majelis Ulama Indonesia (DSN-MUI)**

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### **ABSTRACT**

This study explores the ijtihad methodology used by the National Sharia Council of the Indonesian Ulema Council (DSN-MUI) in formulating fatwas on contemporary Islamic economic and financial issues. Amid rapid advancements in financial products and digital transactions, conventional fiqh often proves inadequate, prompting the need for contextual legal reasoning. The research applies qualitative library research with a descriptive-analytical approach, focusing on content analysis of DSN-MUI fatwas. The study reveals that DSN-MUI employs a distinctive and structured ijtihad framework, known as *makharij fiqhiyyah*, to formulate relevant and applicable fatwas. This method integrates classical *usul fiqh* with contextual considerations and comprises four key components: *al-Taysīr al-Manhajī* (methodological facilitation), *tafrīq al-halāl ‘an al-harām* (distinguishing halal from haram), *i ‘ādat al-naẓar* (re-evaluation of legal opinions), and *tahqīq al-manāʾi* (legal cause verification). The fatwas produced are not only theoretically sound but also function as semi-binding references within Indonesia's legal framework, reflecting DSN-MUI's role as a mediator between Islamic legal tradition and the dynamics of the modern financial system. This study contributes to understanding how Islamic legal institutions adapt traditional jurisprudence to meet the demands of contemporary economic realities in a practical and accountable manner.

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## **INTRODUCTION**

Ijtihad and fatwa have a close relationship because fatwa is the result of the ijtihad process carried out by a mufti as an answer to a legal issue that is not found explicitly in the Qur'an and Hadith (Jauhari et al., 2023). In this case, the process of legal *istinbath* relies on reasoning and a certain methodology, because mujtahid is not only based on the text alone, but also considers the social context and the welfare of the community (Sholihin, 2020). Therefore, a fatwa is a product of rational and contextual thinking, although it is *ijtihadiyah* in nature, namely containing the possibility of being right or wrong. The level of accuracy of a fatwa is highly dependent on the mufti's scientific background, the ijtihad method used, and the perspective on the problem asked by the *mustafti*. Fatwa has an important urgency in the lives of Muslims as a legal answer issued at the request (based on demand) of individuals or community groups. The mufti is not obliged to answer hypothetical questions, because ideally a fatwa is based on factual reality. On the other hand,

fatwas are not legally binding like court decisions (*qadā'*), but rather serve as religious guidelines that are advisory in nature (Fateh, 2018). Because fatwas are the result of *ijtihad*, there can be differences between one fatwa and another, even though they discuss similar issues, depending on differences in methods, approaches, and backgrounds of the mufti (Fateh, 2018). This difference is also apparent in the institutional context. In Middle Eastern countries, fatwas are usually issued by official government institutions and are legally binding. Meanwhile, in Indonesia, fatwas are issued by Islamic mass organizations such as the Indonesian Ulema Council (MUI) through the Fatwa Commission and the National Sharia Council (DSN-MUI), and do not have formal legal force. However, MUI fatwas have a strong sociological influence and are used as the main reference by Indonesian Muslims in their daily religious practices (Ichwan, 2005). In fact, MUI fatwas are often the basis for government considerations in formulating public policies in the fields of Islamic finance, halal, health, and other socio-religious issues (Faikoh & Silahuddin, 2023).

Fatwas must always be contextual and follow the times. The fuqaha are required to review classical opinions that are no longer relevant, and consider the influence of advances in science and technology in the law-making process (Saputra, 2014). In this situation, fatwas are not enough to only rely on a textual approach, but must be responsive to social change and the needs of society. Dynamic Islamic law is born from interaction with social reality, making it elastic and able to function as a tool for social control and engineering (Pujiono, 2012). DSN-MUI is one of the important actors in responding to the development of the Islamic financial industry by providing fatwas that serve as sharia guidelines for new products that continue to develop, but remain within the framework of established sharia (Mudzhar, 2014).

As of April 2023, DSN MUI has issued 152 fatwas in the field of *muamalat* in response to various economic and business issues that have not been explicitly answered in the texts (Masud, 2009 & Saihu, 2019). These fatwas reflect contemporary *ijtihad* that is solution-oriented, not merely providing a verdict of halal or haram as is the practice of fatwas in some other countries. One of the distinctive characteristics of DSN-MUI fatwas is its adaptive approach to the complexity of modern financial transactions, while still ensuring compliance with sharia principles. Differences in fatwa results that occur between countries or between muftis are influenced by the local context, *ijtihad* methods, and muftis' perceptions of the problems being asked. This study will examine in depth the *ijtihad* method and fatwa formulation of DSN-MUI in responding to contemporary dynamics in the field of sharia finance.

## RESEARCH METHOD AND THEORY

This research is a qualitative library study employing a descriptive-analytical approach. Qualitative research is intended to explore an in-depth understanding of the research object through descriptive data in the form of written words from documents or observable behavior (Moloeng, 2006). The main focus of this study is to analyze the texts of fatwas issued by the National Sharia Council of the Indonesian Ulema Council (DSN MUI). The researcher describes the contents of the fatwa and then analyzes it in depth, drawing on relevant sources. In its implementation, *the fiqh* and *ushul fiqh* approaches are used to examine the *ijtihad* method used in determining the fatwa. The researcher examines whether the method is *al-thuruq al-lafdziyah* or *al-thuruq al-ma'nawiyah*, and whether the fatwa refers to the Qur'an and Hadith only or also involves other arguments such as *qiyas*, *maslahah*, or the opinions of previous scholars (Al-Hafnāwi, 2002). In addition, a historical approach is used to determine the social background and factual conditions behind the issuance of the fatwa, and the *al-fiqh al-muqaran* approach (comparative *fiqh*) is used to

analyze the differences and similarities between the DSN MUI fatwa and the fatwas of other contemporary scholars (Dinar et al., 2025). Data sources were obtained from the texts of the DSN MUI fatwas published in the form of books, official publications, and websites. The analysis was carried out by explaining the intent of each fatwa and looking for correlations with naqli arguments, classical fuqaha views, and applicable regulations. The analysis stage was continued with a critical review of the content and methodology of the fatwa, in order to assess the extent to which the fatwa is in accordance with sharia principles and is able to answer contemporary problems contextually and applicatively (Sholihin, 2020).

## RESULTS

### **The Collective Ijtihad of the DSN-MUI in Issuing Fatwas on Economic and Financial Matters**

A fatwa is an opinion or determination of Islamic law given by scholars in response to various problems that arise in the life of society, especially in areas that are not explicitly regulated in the Qur'an and Hadith. Along with the pace of social, cultural, technological, and economic development, the challenges in determining fatwas have become increasingly complex. This is due to the limited number of *qaṭ'iyy* (definite) arguments in the primary source texts of Islam which cannot immediately answer all contemporary problems (Hasanudin, 2018). For example, the emergence of new issues such as sharia banking practices, sharia insurance, and transactions in the capital market, which were not found equivalents in the time of the Prophet SAW, require relevant legal ijtihad. In addition, there are also problems that have been substantially regulated in the sharia text, but the form or method of implementation has undergone significant changes, such as online buying and selling. Another challenge arises from the existence of classical fiqh provisions that are considered incompatible with current reality, for example the requirement to pronounce the contract verbally in transactions, which is difficult to apply in the digital era that is instant and system-based (Jauhari et al., 2023).

Responding to this need, the Indonesian Ulema Council (MUI) established the National Sharia Council (DSN) as an institution with authority to address legal issues in sharia economics and finance in a more focused manner. The formation of the DSN was based on the awareness that the growth of sharia financial institutions in Indonesia requires uniform and credible legal guidelines. The initial idea for its formation emerged in 1990, through workshops and discussions on issues such as bank interest and the need for a sharia-compliant banking system. This process continued with the ulama workshop held by the MUI in 1997 regarding Sharia Mutual Funds, which produced concrete recommendations to establish the DSN. Finally, on October 14, 1997, the DSN was agreed upon and officially established in 1998. Structurally, the DSN is under the coordination of the MUI but has an independent mandate to issue modern financial and *muamalah* fatwas that are in accordance with the principles of Islamic law (DSN-MUI, 2025).

Over time, the position of the fatwas issued by the DSN-MUI has undergone a transformation, from being only recommendatory or advisory (*ikhhtiyari*), to having a stronger position in the Indonesian national legal system. This is evidenced by the legal recognition of the DSN-MUI fatwa in several important regulations. One of them is Law No. 21 of 2008 on Islamic Banking, particularly Article 26, which expressly states that Islamic banking products and business activities must comply with the Sharia principles issued by the MUI. This provision demonstrates that the MUI fatwa, particularly through the DSN, has become an authoritative reference binding on the practice of Islamic financial institutions.

The same legitimacy is also stated in KMA/032/SK/IV/2006 concerning Book II of the Guidelines for Court Duties and Administration, as well as in Supreme Court Regulation Number 02 of 2008 concerning the Compilation of Sharia Economic Law (KHES). These provisions indirectly place the DSN-MUI fatwa in a position equal to legal doctrine or jurisprudence, which can be used by judges as a basis for consideration in deciding cases related to sharia economics in court (Faikoh & Silahuddin, 2023).

With this development, the DSN-MUI fatwa is no longer merely a moral reference or spiritual guideline but has become a semi-binding normative instrument, particularly in the field of sharia economics. In practice, sharia financial institutions in Indonesia are required to refer to and adjust their products to the provisions of the DSN-MUI fatwa. This means that the fatwa has assumed a strategic role in shaping a national Islamic financial system and has become part of the state-recognized legal framework (Rahmi et al., 2018). This transformation not only strengthens DSN-MUI's role as a fatwa authority but also underscores the importance of integrating Islamic law with the national legal system to support the development of a healthy and sustainable Islamic financial industry.

### **Islamic Legal Solutions (*Makharij Fiqhiyyah*) as a Methodology in the Fatwa Issuance of the DSN-MUI**

KH. Ma'ruf Amin, Chairman of the Indonesian Ulema Council (MUI) for the 2015–2020 period, emphasized that the *ijtihad* or fatwa-making process cannot be carried out carelessly. The fatwa-making process must follow a clear and structured methodological framework, or what is known in the treasury of *usul fiqh* as *manhaj*. Fatwas that are made without being based on a valid methodology have the potential to be invalid according to sharia because they can produce legal decisions that deviate from the basic principles of sharia. In this context, KH. Ma'ruf Amin reminded mujtahids not to fall into two dangerous extreme approaches in the legal *istinbāt* process (Izmuddin, 2017).

The first extreme group is *ifraṭi*, namely those who are too permissive in making laws. This group tends to rely on needs (*li al-hājah*), benefits (*li al-maṣlahah*), or general objectives of sharia (*maqāṣid al-syarī'ah*), but ignores direct references to normative texts in the Qur'an and Sunnah (*al-nuṣūṣ al-syar'iyah*). Meanwhile, the second extreme group is *tafrīṭi*, namely those who are too rigid and textual in understanding the evidence, so that they reject considerations of benefits and close themselves off to social change. As a result, they have difficulty responding to contemporary problems adaptively and providing solutions (Amin, 2008). As a form of moderate and methodological middle ground, DSN-MUI applies a systematic legal *istinbāt manhaj*. Procedurally, the determination of fatwas is carried out through four main stages: first, referring to the primary evidence, namely the Qur'an and Sunnah. Second, if no explicit evidence is found, then *ijma'* (consensus of scholars) is used. Third, if there is no *ijma'*, the *qiyās* method (legal analogy) is applied. Fourth, if the three stages are not sufficient in responding to complex modern legal issues, then an alternative approach is used in the form of *makhārij fiqhiyyah* or Islamic legal solutions that are contextual, flexible, and operational (Helmi, 2018). The *makhārij fiqhiyyah* approach is a characteristic of the DSN-MUI fatwa methodology. KH. Ma'ruf Amin explained that there are four main principles in this approach, namely: *al-taysīr al-manhajī* (ease that remains within the limits of sharia methodology), *tafrīq al-ḥalāl 'an al-ḥarām* (careful differentiation between halal and haram elements), *i'ādah al-naẓar* (review of classical *fiqh* opinions to adapt to the current context), and *tahqīq al-manāṭ* (verification of legal reasons for new situations) (Helmi, 2018; Abduh et al., 2023). These four principles allow DSN-MUI fatwas

to remain based on sharia foundations, but at the same time be responsive to rapidly developing social and economic dynamics (Amin, 2017).

In practice, the *makhārij fiqhiyyah* approach has become an integral method in determining Islamic economic and financial fatwas. This approach is present as a form of contemporary ijthad when qath'i arguments do not explicitly answer the problems that arise. Through the four principles mentioned, DSN-MUI is able to maintain a balance between the validity of the arguments, the needs of the community, and compliance with state regulations. Thus, the resulting fatwas are not only relevant from a normative perspective, but can also be practically applied in the national Islamic financial system. Furthermore, the *makhārij fiqhiyyah* method applied by DSN-MUI reflects an eclectic and pragmatic nature. In the sense that DSN-MUI is not fixated on one school of thought or the opinion of a particular ulama, but combines various approaches to Islamic law that are considered the most relevant and beneficial. This is emphasized by those who explain that, in Islamic banking fatwas, DSN tends to rely on primary arguments but remains flexible in employing secondary arguments and the views of scholars across schools of thought. This approach is based on the recognition that ulama are not only tasked with maintaining the purity of Islamic law but also required to serve as agents of social and economic change to address the needs of Muslims in the modern era (Sholihin, 2020).

One of the characteristics of the DSN-MUI fatwa that uses the *makhārij fiqhiyyah* approach is its tendency not to immediately label a problem as halal-haram. Instead of passing a verdict, DSN-MUI prefers to provide a solution mechanism that allows economic activities to remain within the corridor of sharia. This method is used not to answer problems purely theoretically, but to provide concrete guidance for sharia financial institutions in carrying out their operations legally and efficiently. Therefore, the ijthad process is collective, involving sharia experts, regulators, academics, and practitioners to ensure that the issued fatwa is holistic and applicable.

#### a. *Al-Taysīr al-Manhaj*

The method of *al-Taysīr al-Manhajī* or “systematic convenience” is one of the key approaches in the methodology of determining DSN-MUI fatwas, which aims to provide Islamic legal solutions that do not burden the people, without ignoring the principles of sharia. This concept is based on the spirit of *al-dīn yusrun* (religion is convenience), where sharia was revealed to make life easier for humanity, not to make it difficult. However, the *taysīr* in question is not just any kind of relief that is sought after, as in the reprehensible practice of *tatabbu' al-rukhas*. DSN-MUI emphasizes that the relief given must remain within the corridor of valid *usul fiqh* evidence and methodology, so that it does not fall into a form of haphazard or inconsistent talfiq between schools of thought.

The application of *al-Taysīr al-Manhajī* is clearly reflected in a number of DSN-MUI fatwas, for example Fatwa No. 93/DSN-MUI/IV/2015 on Islamic Hedging (Sanusi et al., 2019). This fatwa permits the use of hedging schemes in Islamic financial transactions, provided that the transactions are carried out on the basis of real needs and not for speculative purposes. In this case, DSN-MUI chooses a more convenient approach (*rajjih*), but still prioritizes the aspects of caution and benefit as the main requirements. Another example is the fatwa on the permissibility of compensation in the *kafālah bi al-ujrah* contract in the Letter of Credit (L/C). Traditionally, the *kafālah* contract is categorized as a *tabarru'* contract that is not accompanied by compensation, but the DSN-MUI considers that giving compensation in this context is permissible on the basis of *jāh* (good name) and the needs of international trade practices, so that the fatwa falls within the framework of *al-taysīr al-manhajī* while still considering *maslahat*. Furthermore, KH. Ma'ruf Amin emphasized that

the ease in fatwas must be structured and methodological, not only considering *maslahat*, but must also be framed in a *manhaj* that can be scientifically accounted for. The basic principle in this method is to use a stronger opinion (*rājih*) and bring *maslahat* if possible, and if not, then the most beneficial opinion is used even though the evidence is not as strong as the first opinion. This shows that the DSN-MUI fatwas can refer to opinions that were previously considered weak (*marjūh*), but are considered more appropriate in the current context and bring wider benefits to the community.

Thus, *al-Taysīr al-Manhajī* is proof that DSN-MUI is not only based on the normative aspects of law, but also considers the reality and practical needs of society. This approach also shows a balance between steadfastness to sharia principles and sensitivity to the socio-economic dynamics faced by Muslims in the modern era.

#### **b. *Tafriq al-halāl ‘an al-harām***

The *tafriq al-halāl ‘an al-harām* method or the separation between halal and haram elements is an important approach in the methodology for determining DSN-MUI fatwas, especially in responding to the phenomenon of the complexity of contemporary economic and financial transactions. In the context of modern *muamalah* practices, it is very possible that there will be a mixture of halal and haram elements in one activity or financial product, whether in the form of income, assets, or investment instruments. In response to this reality, DSN-MUI does not immediately prohibit it completely, but rather seeks to identify, separate, and manage the parts that contain haram elements so that they are not used for personal or institutional interests, but are instead diverted to social interests. This approach is based on the principle of *taghlīb al-halāl ‘ala al-ḥarām* (strengthening the halal side as long as it can be separated from the haram), and aims to ensure that people can still participate in economic activities without falling into things that are prohibited by sharia. A concrete example of the application of this method appears in the DSN-MUI Fatwa No. 123/DSN-MUI/IX/2018 concerning Funds That Cannot Be Recognized as Income. In the fatwa, the DSN-MUI stipulates that funds originating from non-halal sources may not be recognized as income for sharia companies/financial institutions. These funds must be separated and channeled to social activities, not to the institution's operational interests. This reflects the DSN-MUI's caution in maintaining the purity of sharia principles amidst market conditions that are sometimes not completely sterile from non-sharia elements. In addition, this approach is also applied in the management of sharia investment portfolios, especially in the capital market, where companies whose income is partly derived from non-halal elements can still be invested by sharia investors, as long as the proportion is small and the non-halal results are separated and cleaned through the *syubhat* fund cleansing mechanism.

DSN-MUI recognizes that, in a modern economic system, complete purification from non-halal elements is difficult to achieve (Mudzhar, 2014). Therefore, the focus is on administrative and accountable management and separation. In this case, Sharia financial institutions are given moral and legal responsibility to report, record, and distribute these non-halal funds with the principle of transparency. The concept of *tafriq al-halāl ‘an al-ḥarām* also does not stand alone, but is often synergized with the principles of *maṣlahah* and *al-‘urf* (customs) that are relevant in the context of sharia finance in Indonesia.

Furthermore, this approach is a form of intelligent fiqh response to the limitations of sharia economic instruments in the context of a country that has not fully implemented the Islamic economic system as a whole. In this case, DSN-MUI practices the *fiqh* principle of “*lā yukallifullāh nafsān illā wus‘ahā*”, that Muslims are not burdened with anything beyond their capabilities, as long as they make maximum efforts to maintain the integrity of sharia. This method provides adaptive space for the community and financial institutions to

continue to carry out economic activities productively, while maintaining strong sharia accountability.

### c. *I'ādat al-naẓar*

The *i'ādat al-naẓar* method, or re-evaluation of previous legal opinions, is an important approach within the *makhārij fiqhīyyah* framework used by DSN-MUI. This method shows that DSN-MUI is not rigid or static towards the opinions of classical scholars, but is open to reviewing existing fatwas or views when the social, economic, and technological contexts have changed significantly. In the treasury of *usul fiqh*, *i'ādat al-naẓar* is a form of *tajdid fiqh*, namely the renewal of Islamic law without overhauling its basic principles, but rather by adjusting its application so that it remains contextual and beneficial.

The application of the *i'ādat al-naẓar method* can be seen in DSN-MUI Fatwa No. 57/DSN-MUI/V/2007 on Letter of Credit (L/C) based on *kafālah* contract. Traditionally, *kafālah* is categorized as *tabarru'* contract (social contract) that should not be accompanied by compensation (*ujrah*). However, in international trade practices, the provision of guarantees in L/Cs is accompanied by administrative costs and professional services that must be borne. Through an in-depth study process and considering the realities of modern transactions, DSN-MUI conducted *i'ādat al-naẓar* on the classical law and stated that it is permissible to provide compensation in *kafālah*, as long as it is intended for service costs, not just to gain profit. This is a real example of how an opinion that was previously considered *marjūh* (weak) can be elevated to *rājih* (strong) in the current context because it is more beneficial. This method is also reflected in the preparation of fatwas regarding multi-contracts, such as *murābahah* and *ijarah mutaniyah bit tamlīk* (IMBT) (Sanusi et al., 2019). In classical *fiqh*, combining two contracts in one transaction is often considered problematic (*nahy 'an bay'atayn fī bay'ah*). However, DSN-MUI is re-evaluating this prohibition by looking at the urgency of financing practices and structures in modern financial institutions. As long as the contracts are clearly separated and do not create hidden conditions that are detrimental to either party, then merging the contracts is permitted. In this way, DSN-MUI does not just repeat old opinions, but re-examines them based on the reality and principles of *maqāṣid al-sharī'ah*.

Epistemologically, *i'ādat al-naẓar* carried out by DSN-MUI is not solely based on freedom of thought, but is carried out within the framework of a strict and collective *istinbāt* methodology. This process involves studying texts, *ijma'*, *qiyas*, and the opinions of scholars from various schools of thought, then combined with contemporary analysis that considers the interests of the community. This shows that the fatwa issued not only prioritizes the authority of the text, but also its social relevance. *I'ādat al-naẓar* in DSN-MUI is an effort to make *fiqh* more responsive and solution-oriented to the needs of modern Muslims without losing its legitimacy as sharia law (Helmi, 2018; Abduh et al., 2023). Thus, *i'ādat al-naẓar* is an important method that represents the flexibility of Islamic law. It allows revision of old opinions not because they are wrong in principle, but because they are no longer relevant in the current context. Through this method, DSN-MUI emphasizes that Islamic law is dynamic and able to answer the challenges of the times, as long as the adjustments are made with a responsible scientific and collective approach.

### d. *Tahqīq al-manāṭ*

The *tahqīq al-manāṭ* method, which means verification or determination of legal cause ('*illat al-ḥukm*), is an important stage in legal *istinbāt* used by DSN-MUI to ensure that a sharia provision is truly relevant and appropriately applied in the context of contemporary

problems. In *fiqh* practice, *tahqīq al-manāṭ* means exploring and confirming the existence of legal cause in a new case before applying existing legal provisions. In other words, this method is a bridge between normative principles and empirical reality. For DSN-MUI, the application of this method is important to avoid literalistic and non-contextual application of law, and to ensure that a transaction truly falls into the legal category referred to in the text or *ijma'* (Helmi, 2018; Abduh et al., 2023).

One concrete example of the application of *tahqīq al-manāṭ* is a fatwa on non-cash gold buying and selling transactions. In the classical *fiqh* view, gold buying and selling must be done in cash and direct handover, as regulated in the hadith on the prohibition of usury *al-fadl*. However, the DSN-MUI in its fatwas considers that the context of modern gold is not always the same as the context of gold as a medium of exchange during the time of the Prophet. In current conditions, gold is positioned more as a commodity or investment instrument, not as a currency. Therefore, gold transactions in installments or through a *murābahah* scheme are permitted as long as they meet the requirements of justice and transparency. This is a real form of *tahqīq al-manāṭ*, where the legal reason for the prohibition of usury (namely because of currency exchange) is not found in the context of modern gold as a commodity.

Another example of this method is in the DSN-MUI fatwas concerning the *muwa'ādah* contract (mutual promise), such as Fatwa No. 96/DSN-MUI/IV/2015 concerning Sharia Hedging Transactions (*al-tahawwut al-islāmī*). In the fatwa, DSN-MUI permits the use of *muwa'ādah* as a form of agreement to conduct transactions in the future. In fact, outwardly, *muwa'ādah* can resemble a contract (*'aqd*) because of the element of commitment between the two parties. However, through the *tahqīq al-manāṭ* process, DSN-MUI emphasized that *muwa'ādah* does not give rise to legal rights and obligations directly like a contract. Therefore, its use is not included in the prohibition of *bay' al-dayn bi al-dayn* (debt-for-debt transaction), and the transaction is still permitted as long as it is based on real needs and not speculation. This method is also seen in the determination of a fatwa on a sharia financing scheme based on a hybrid or multi-contract contract (Sanusi et al., 2019).

Before determining the permissibility, DSN-MUI first conducts an in-depth study of the structure, purpose, and impact of each combined contract. In this way, each element of the financial product that is issued a fatwa has truly been tested for its validity and compliance with sharia principles. This confirms that *tahqīq al-manāṭ* not only functions to find evidence, but also ensures that the product or practice being studied is truly within the scope of the right law. By implementing *tahqīq al-manāṭ*, DSN-MUI proves that the determination of a fatwa is not only based on textual logic, but is also carried out through a strict reality verification process. This is important so that the fatwa produced is truly a solution and can be applied in a complex modern financial system. The fatwas of DSN-MUI based on *tahqīq al-manāṭ* are the result of a synthesis between understanding the text and actual needs, and this is one form of methodological excellence that makes the fatwas of DSN-MUI have both applicative and normative power.

## CONCLUSION

Fatwa is the result of a dynamic and contextual *ijtihad* process, and is very important in answering Islamic legal issues that are not explicitly found in the Qur'an and Hadith. In the context of contemporary economics and finance, fatwa has a strategic role in providing solutions to complex and evolving problems. DSN-MUI is present as an authoritative fatwa institution that accommodates the needs of Islamic financial institutions in Indonesia, and is able to compile fatwas that are not only normative, but also applicable and socio-

economically relevant. The legitimacy of DSN-MUI fatwas is also strengthened through recognition in the national legal system such as Law No. 21 of 2008 and KHES, which make DSN-MUI fatwas a semi-binding reference in positive legal practice. In formulating fatwas, DSN-MUI does not merely refer to a textual approach, but also develops a comprehensive and collective *ijtihad* methodology. When traditional methods such as the Qur'an, Hadith, *ijma'*, and *qiyās* are inadequate in answering new issues, DSN-MUI applies the *makhārij fiqhiyyah* approach, namely a contextual and responsive Islamic legal solution.

This approach consists of four main methods: *al-Taysīr al-Manhajī* (methodological convenience), *tafrīq al-ḥalāl 'an al-ḥarām* (separation between halal and haram elements), *i'ādat al-naẓar* (legal review), and *taḥqīq al-manāṭ* (verification of legal causes). These four methods are applied carefully and systematically to maintain the integrity of sharia while answering the practical needs of the Islamic financial industry. Each of these methods represents the principles of moderation, adaptation, and precision in *ijtihad*. *Al-Taysīr al-Manhajī* makes fatwas not burdensome for the people, as long as they remain within the corridor of sharia. *Tafrīq al-ḥalāl 'an al-ḥarām* reflects the caution of *fiqh* in dealing with the mixing of halal and haram elements in economic activities. *I'ādat al-naẓar* is a form of flexibility in *fiqh*, which allows old views to be updated for relevance. Meanwhile, *taḥqīq al-manāṭ* shows methodological precision by adjusting legal causes to the context of current reality. All of these methods show that DSN-MUI fatwas are not only rooted in Islamic scientific traditions, but are also able to answer the challenges of the times in a solution-oriented and measurable way. Thus, the *ijtihad* method used by DSN-MUI not only shows epistemological sophistication, but also makes a real contribution to building a strong, adaptive, and legally valid national sharia financial system. The fatwas produced not only serve as theoretical guidance, but also as practical guidance for financial institutions, government and society in realizing a just and sustainable Islamic economy.

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