



The Role of The *Taysir Manhaji* Method in The Development of Islamic Economic Law in Indonesia Through DSN-MUI Fatwas

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Abstract. This study examines the role of the *taysir manhaji* method in the development of Islamic economic law in Indonesia through the fatwas of the National Sharia Council–Majelis Ulama Indonesia (DSN-MUI). *Taysir manhaji* refers to a methodological approach that facilitates legal decision-making with ease and flexibility, allowing Islamic legal rulings to adapt to changing economic realities. By applying fiqh principles, DSN-MUI has issued fatwas addressing contemporary financial practices, including wadiah, mudarabah, currency exchange, and Islamic hedging. This research employs a qualitative approach, combining document analysis and interviews to explore the practical implementation of *taysir manhaji* in DSN-MUI fatwas. The findings reveal that this method serves as a bridge between classical fiqh and modern financial practices while upholding *maqasid al-shari'ah* (the objectives of Islamic law). Its flexibility enables practical solutions, as exemplified by DSN-MUI fatwas No. 1, 5, 18, and 22, without compromising fundamental Islamic legal principles. The study underscores the *taysir manhaji* method's significant contribution to the evolution of Islamic economic law, demonstrating its ability to accommodate modern economic demands while preserving the integrity of *shari'ah* principles. Furthermore, it highlights the necessity of adaptability in Islamic legal thought to address the complexities of the global economic landscape.

Keywords: *Taysir Manhaji*, DSN-MUI Fatwas, Islamic Economic Law, *Maqasid al-Shari'ah*, Financial Flexibility.

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INTRODUCTION

The development of Islamic economic law in Indonesia is an evolving process (Syarif, 2019), with the DSN-MUI (National Sharia Council-Majelis Ulama Indonesia) playing a central role in issuing fatwas that are in accordance with Islamic principles, yet adaptive to the needs of modern society (Ilyas, 2021). One of the crucial approaches in the application of Islamic economic law in Indonesia is the *taysir manhaji* method, a method that allows flexibility in the interpretation of Islamic law to address contemporary challenges without neglecting Islamic

principles. With the rapid increase in demand for Islamic financial services, this method provides a framework for the DSN-MUI to issue economically and socially relevant fatwas.

As a country with the largest Muslim population in the world, Indonesia has very diverse economic and social conditions, requiring a legal approach that is not only based on sharia, but also contextualised to the needs of the local community. In contemporary fiqh literature, the *taysir manhaji* method is recognised as an approach that offers convenience (*taysir*) in the practice of Islamic economics (Yahya, 2023), in line with the Prophet's hadith which recommends making it easier for people in religion. This is rooted in the purpose of shariah or *maqasid al-shariah* which aims to achieve benefits and avoid difficulties (Iswandi, 2014). Therefore, the application of this method in the Indonesian context not only strengthens Islamic economic law, but also increases the attractiveness and public confidence in Islamic financial products.

The demand for Islamic financial products in Indonesia continues to increase, especially in the last five years, along with the emergence of new sectors such as fintech, digitalisation, and digital banking (Irsyad, Siregar, Marbun, & Hasyim, 2024). This has resulted in an increase in the assets of the Islamic finance industry as can be seen in the data Table 1.

Table 1. The development of Islamic finance in Indonesia in the last 5 years

Year	Islamic banking assets (Trillion IDR)	Islamic Banking Financing (Trillion IDR)	Islamic Capital Market Assets (Trillion IDR)	Islamic Non-Banking Financial Industries (IKNB) Assets (Trillion IDR)
2019	529,29	374,38	698,99	130,47
2020	609,84	420,31	732,12	149,43
2021	709,05	480,92	821,11	167,41
2022	803,57	545,06	908,09	187,79
2023	897,22	612,47	1.002,12	209,68

Source: Indonesia Sharia Financial Development Report (LPKSI) by OJK Year 2023

The development of Islamic finance is on the one hand encouraging, but on the other hand it poses its own challenges. Because products in Islamic finance require a sharia legal framework that is able to accommodate innovation without violating basic religious principles. In this context, the *taysir manhaji* method provides flexibility for DSN-MUI to come up with fatwas that are responsive to technological developments and economic globalisation (Sugiono, 2020). Why is that? Because this method allows for collective *ijtihad* based on *maqashid al-sharia* and the principle of “*al-ashlu fil mu’amalat al-ibahah*” (the basic law in transactions is permissible unless there is evidence that prohibits it) (Helmi, 2018), so that new sharia financial products

can be developed with consideration of the benefits and balance between financial aspects and sharia compliance (Saputro et al., 2024).

On the other hand, DSN-MUI, as the authority responsible for setting the standards of sharia law in the economic sector, faces a major challenge in ensuring that the fatwas issued are acceptable to the wider community. The *taysir manhaji* method provides a framework that allows such fatwas to be more dynamic, adaptive and sustainable. In the context of *maqasid al-shari'ah*, the ultimate goal of sharia law is the achievement of holistic human welfare. By adopting this approach, DSN-MUI can issue fatwas that fulfil the economic needs of the *ummah*, while ensuring that the application of sharia is not burdensome (Sugiono, 2020).

The role of the *taysir manhaji* method is evident in the way the DSN-MUI accommodates various new financial products, such as green sukuk, Islamic insurance, and digital banking. These products require an approach that considers aspects of sustainability and financial inclusion, two important issues in the modern economic world. Contemporary Islamic legal literature states that Islamic law must be able to adapt to the times (Sutrisno, 2020), and the *taysir manhaji* method offers flexibility in meeting the increasingly complex needs of the *ummah*. This suggests that the *taysir manhaji* method is not only theoretically relevant, but also practical in supporting the development of innovative Islamic financial products.

From a fiqh perspective, *taysir manhaji* provides an alternative for DSN-MUI to choose the opinion that best suits current conditions, without having to be bound to classical opinions that are difficult to apply. This principle refers to the theory of *taghyir al-ahkam bi taghayyur al-azman wal amkan* (changes in law based on changes in time and place), which allows Islamic law to be flexible but still consistent with sharia (Kumaidi & Febriani, 2020). This is important for Indonesia, as diverse economic, cultural and social conditions require an inclusive and non-rigid approach, in order to be widely applicable in society.

In addition, the flexibility offered by the *taysir manhaji* method also supports the development of Islamic economics in Indonesia in the face of global competition. For example, in the literature on Islamic economic law, many scholars agree that the benefit aspect should be the top priority in determining Islamic economic fatwas (Roby et al., 2021), especially in the face of rapidly changing economic conditions. This is even more relevant in the digital era and globalisation that allows cross-border transactions with digital payment systems. By using the *taysir manhaji* method, the DSN-MUI can issue fatwas that are in accordance with the needs

of Muslims in Indonesia and simultaneously increase the competitiveness of Islamic financial institutions at the international level.

The whole process of applying the taysir manhaji method by the DSN-MUI in determining fatwas on Islamic economic law reflects an effort to maintain a balance between sharia principles and modern economic realities (Al Mustaqim, 2023). With this approach, the DSN-MUI has succeeded in creating a model of Islamic economic law that not only has legal authority but also high practical relevance (Masse, 2015). This method, in turn, creates a strong foundation for Islamic economic law in Indonesia to continue to grow and adapt amidst the challenges of globalisation and rapid technological development.

LITERATURE REVIEW

The Position of Fatwa DSN-MUI in the National Legal System

Fatwas of the National Sharia Council of the Indonesian Ulema Council (DSN-MUI) play an important role in shaping sharia-based economic and business practices in Indonesia (Radliyah et al., 2018). These fatwas act as normative guidelines for various sharia institutions although, in the context of Indonesian formal law, they are not recognised as a binding source of law (Awaluddin & Febrian, 2020; Setyaningsih, 2022). Based on Law No. 12/2011 on the Formation of Legislation, fatwas are not included in the hierarchy of applicable sources of law. This situation poses a challenge for DSN-MUI fatwas, which are often the main reference for Islamic financial and business institutions. According to research by Atmo Prawiro, this condition is problematic because, on the one hand, DSN-MUI fatwas have a wide influence in the practice of Islamic economics, while on the other hand, formal recognition of fatwas as a source of law is still limited (Prawiro, 2016).

Although not recognised in Article 7 of Law No. 12 Year 2011, Article 8 paragraph (1) of the law provides an opportunity for DSN MUI fatwas to be adopted by certain institutions, making them formally recognisable regulations (Susilawati et al., 2023). In addition, Law No. 21/2008 on Sharia Banking explicitly strengthens the position of DSN MUI fatwas (Usman, 2022) by stipulating that sharia principles applied in banking activities must refer to MUI fatwas (Imaniyati & Adam, 2017). The Constitutional Court also confirmed this position by assessing that the formulation of sharia principles through fatwas is proportional and appropriate to create conformity with Islamic law in the context of national law. This shows that although structurally fatwas are not referred to as a source of law, the adoption of fatwas by regulators

allows for binding power in the scope of Islamic economics, bridging between sharia norms and positive legal regulations (Zein, 2018).

The DSN-MUI fatwa not only serves as a religious guide, but also provides guarantees and legal certainty for Indonesian Muslims who want to carry out economic activities according to sharia principles (Syahputra & Armayani, 2020), as mandated in Article 28D paragraph (1) of the 1945 Constitution which guarantees the right to legal certainty. This fatwa was formulated through the participation of scholars and experts specialising in Islamic economics (Al-Hakim, 2019) as well as involving various inputs from related institutions, which makes it representative from various perspectives. The DSN-MUI fatwa thus strengthens the position of sharia law in economics and business by providing guidance and certainty for all stakeholders (Handayani et al., 2023). According to the theory of Islamic law, the role of fatwa in the modern context is crucial as it enables the adaptation of Islamic law to contemporary social needs, thus the DSN MUI fatwa creates harmony between sharia norms and modern economic practices in Indonesia (Musadad et al., 2023).

DSN-MUI Fatwa Method

The process of fatwa determination by the National Sharia Council of the Indonesian Ulema Council (DSN-MUI) involves classical legal methodology formulated by previous scholars as the main foundation (Rahmi et al., 2024). The approaches used include *nas qat'i*, *qauli*, and *manhaji*. The *nas qat'i* approach is used when the law sought is explicitly contained in the Qur'an or hadith. If the answer is not found in the *qat'i* text, the *qauli* and *manhaji* approaches are applied (Mukhlisin et al., 2018). The advantage of this method lies in the principle of flexibility that allows the renewal of Islamic law according to the conditions of contemporary society without deviating from the basic teachings of religion. The *nas qat'i* approach is relevant when the rules taken from the Qur'an or hadith remain in line with the context of the times and the needs of society.

The *qauli* approach is used when there are answers from the opinions of previous jurists written in classical books (*mu'tabarah*) with 'illah that are still relevant. If an existing opinion is deemed unsuitable for current conditions or the 'illat has changed, then the opinion is reviewed through *i'adat an-nazar* (review). If the existing *qaul* does not meet contemporary conditions, DSN-MUI turns to the *manhaji* approach, which involves methods such as *al-jam'u wa al-taufiq* (finding the meeting point of opinions), *tarjih* (choosing the strongest opinion), *ilhaq* (relating new issues to similar cases), and *istinbat* (taking the law with certain rules such *ilhaq*

as qiyas and istislah) (Amin, 2017). Methods such as tarjih and qiyas broaden the horizons and flexibility of Islamic law, allowing DSN MUI fatwas to remain relevant and applicable amid social and economic changes (Mubarak & Mahfudz, 2024).

In addition, the *manhaji* approach also includes the *istinbat* method as a last resort, which allows DSN MUI to formulate new laws through consideration of public *maslahat* (*masalih 'ammah*) and sharia objectives (*maqasid al-shari'ah*). This *Istinbat* includes techniques such as *qiyasi*, *istislahi*, *istihsani*, and *sadd al-dhara'i* that help find legal solutions in cases that do not have direct answers in classical references. Al-Ghazali in al-Mustasfa emphasised the importance of paying attention to *maslahat* as the core of Islamic law. By considering *maslahat* and the objectives of sharia, the DSN MUI fatwa seeks to prioritise the general benefits for the Islamic community in Indonesia. This approach not only preserves sharia principles but also reflects the openness of Islamic law to respond to the development of contemporary economic and social needs (Amin, 2017).

Makharij Fiqhiyyah as a Methodological Solution in Istinbath of DSN MUI Fatwas

The term *makharij fiqhiyyah* comes from two syllables, namely: *makharij* and *fiqhiyyah*. The word *makhārij* is the plural form of the word *makhraj*, which comes from the root *kharaja-yakhruju-khurūjan*, meaning 'exit' (Munawwir, 1997). Linguistically, *makhraj* is *ism al-makan*, which refers to the place or exit. Meanwhile, the word *fiqhiyyah* comes from the word *faqihayafqahu-fiqhan*, which means understanding or comprehension (Munawwir, 1997). In Islamic terminology, *fiqh* refers to the knowledge of the practical rulings of *syarak* that are taken and extracted from detailed arguments (Al-Jurjani, 1405). Therefore, *makhārij fiqhiyyah* can be interpreted as a solution or way out in matters of *fiqh* or Islamic law. This term was popularised by KH. Ma'ruf Amin (former chairman of MUI and chairman of DSN-MUI) when he was appointed as an honorary professor (Prof. (HC)) at UIN Maliki Malang on 24 May 2017 (Amin, 2017).

Makharij fiqhiyyah in the context of the DSN-MUI fatwa *istinbath* method refers to the principle of 'fiqh solution' or 'legal solution' designed to provide convenience for Muslims in dealing with complex contemporary issues (Fakhrina, 2021). This principle is used to find a middle ground that does not deviate from sharia but still considers the specific situation faced by the community (Rahmi et al., 2024). In fatwa making, *makharij fiqhiyyah* is applied to ensure that the decisions taken by DSN-MUI can fulfil the practical needs of the *ummah* without neglecting the basic principles of Islamic law. For example, as stated by Prof.

Hasanudin as the chairman of BPH DSN-MUI Central when interviewed, that when there is a dilemma in economic or financial practices, this method allows the fatwa issued to remain relevant and in accordance with sharia, but flexible enough to be applied in a modern context.

According to Prof. Hasanudin, DSN-MUI applies *makharij fihiyyah* through a methodology that includes various approaches, such as *taysir* (convenience), emergency, and *maslahah* (general benefit), with the aim of maintaining a balance between classical texts and contemporary needs. This method also takes into account the conditions and realities of society, which are in line with the principle of *maqasid al-shari'ah*, which is the main objective of sharia that includes protecting religion, soul, mind, offspring, and property (Mubarak & Mahfudz, 2024). There are four kinds of *Makharij fihiyyah*: *taysir manhaji*, *tahqiq al-manath*, *i'adah al-nazhar*, *tafriq al-halal 'an al-haram* (Amin, 2017).

The first is *taysir manhaji* or "methodological leniency" method emphasizes selecting lighter legal opinions while adhering strictly to sharia methodology, aiming to balance ease with the integrity of Islamic principles. This approach, employed by DSN-MUI in fatwa issuance, prioritizes solutions that align with *maslahat* (benefit) and sharia ethics without compromising foundational Islamic values. Drawing on insights from scholars like Al-Ghazali, Ibn Hajar al-Asqalani, and Ibn Qayyim, this method ensures fatwas remain practical and contextually relevant while grounded in rigorous scholarly analysis. It seeks to avoid superficial leniency, emphasizing prudence and long-term societal benefits, thereby preserving sharia's credibility and addressing contemporary challenges effectively (Amin, 2017).

Second, the *tahqiq al-manath* method, a crucial aspect of Islamic legal reasoning, involves analyzing whether a law's rationale (*'illah*) applies in a specific context by evaluating special circumstances. For example, Caliph Umar ibn al-Khattab's decisions, such as withholding zakat from *muallafatu qulubuhum* or suspending theft punishments during famine, illustrate its application in adapting laws to societal needs. Advocated by KH Ma'ruf Amin, this method ensures Islamic law remains responsive, balancing *maqasid al-shariah* (law's objectives) like welfare and justice with contemporary realities. Its adaptability preserves sharia's relevance, ensuring laws address community needs without compromising foundational principles (Amin, 2017).

Third, the *i'adah al-nazhar* method, or re-examination, reviews past scholarly opinions to assess their relevance in current contexts, allowing for flexibility in Islamic law. It evaluates previously weaker (*marjuh*) or abandoned (*mahjur*) opinions to determine if they now better

address contemporary needs, ensuring adaptability while adhering to *maqasid al-shari'ah* (sharia objectives). This approach balances excessive leniency (*mutasahhil*) and rigidity (*mutasyaddid*), ensuring functionality and relevance in modern society. Rooted in principles like *maslahah* (public good), as highlighted by al-Syatibi, it maintains sharia's integrity while meeting societal changes, fostering a pragmatic and dynamic Islamic legal framework (Amin, 2017).

Fourth, the *tafriq al-halal 'an al-haram* method, which separates halal from haram, is seen by DSN-MUI as less suitable for the economic sector but applicable to food contexts, especially when substances are inseparably mixed. In such cases, mixed items are considered haram. For economic matters, where haram elements arise from acquisition methods (*li ghairih*) rather than substance (*'ain*), funds must be separated based on their source, allowing halal portions for use while allocating non-halal portions for public welfare like *sadaqah*. This aligns with *maqasid al-shari'ah* by prioritizing public good while maintaining ethical financial integrity and sharia compliance (Amin, 2017).

Previous Studies

Research related to the taysir manhaji method has been reviewed in several previous studies, although it has not been the main discussion, but only part of a broader discussion on fatwas and Islamic economic jurisprudence. Rahman Helmi in his research discusses the manhaj fatwa in Islamic economic law in Indonesia, highlighting how methodological approaches are used in the determination of economic fatwas (Helmi, 2018). A similar study was also conducted by Dedi, Athoillah Islamy, and Abdul Aziz Harahap, who discussed the priority fiqh paradigm in Islamic economic fatwas, showing how the principle of flexibility is applied in various Islamic economic cases in Indonesia (Dedi et al., 2022).

Faizi and Mohd Sollehudin Bin Shuib in their research highlighted the flexibility of DSN-MUI ijtihad in responding to the dynamics of modern markets and the needs of contemporary Islamic economics (Faizi & bin Shuib, 2021). Jaih Mubarak and Shaifurrokhman Mahfudz in their research focus on examining the istinbath methodology used by DSN-MUI in issuing fatwas, emphasising the integration between classical principles of Islamic fiqh and contemporary needs, through the intiqai/takhyiri, maslaha, and makharij ijtihad approaches, to ensure the relevance and flexibility of Islamic law in facing modern economic and social challenges in Indonesia (Mubarak & Mahfudz, 2024).

Another study by Amirullah, Athoillah Islamy, and Hamzah focuses on moderation in muamalah fiqh, particularly in the context of the fatwa of the National Sharia Council (DSN) (Amirullah et al., 2022). This study emphasises that DSN-MUI fatwas tend to take a moderate approach in order to adjust to the growing social and economic realities. Meanwhile, Musthofa Syukur and Zainul Muin Husni highlight the models and approaches in contemporary family law fatwas used by moderate scholars, revealing how the dynamics of fatwa methodology in family law develop in a modern context (Syukur & Husni, 2022).

Furthermore, Uum Ummul Muhimmah in her research discusses the construction of KH. Ma'ruf Amin's Islamic economic thought, which is an important part of the discourse on Islamic economic fatwa methodology in Indonesia (Muhimmah et al., 2022). Dwi Novaria Misdawati and Athoillah Islamy in their study reviewed idealism and realism in the paradigm of Islamic economic fatwa, highlighting the balance between sharia principles and practical needs in society (Misdawati & Islamy, 2022). In addition, Nispan Rahmi and her team examined the methodological procedures in determining DSN-MUI fatwas related to Islamic economics and finance (Rahmi, et al., 2024). These studies show that although the *taysir manhaji* method has become part of the approach in sharia fatwas, specific studies that discuss it in depth are still limited. Jaih Mubarak and Hasanudin in their research discuss the dynamics of fatwas on Islamic financial products issued by DSN-MUI, highlighting how fatwas adapt horizontally between fatwa institutions and vertically in relation to national regulations, in order to ensure harmony between sharia principles and the needs of the Islamic financial industry in Indonesia (Mubarak & Hasanudin, 2013).

From these various literature reviews, it can be found the difference between the author's research and previous studies, where in this study the author will conduct an in-depth analysis of the *taysir manhaji* method in the formation of DSN-MUI fatwas, which has not been specifically discussed in previous studies. This study makes a novel contribution by examining how this method bridges the gap between classical fiqh and modern financial practices, and offers flexibility in the application of Islamic economic law without compromising the maqasid al-shari'ah principle. In addition, this study highlights how the *taysir manhaji* method allows the DSN-MUI to accommodate innovations in Islamic financial products, such as green sukuk, Islamic insurance, and digital banking, while maintaining compliance with Islamic law.

Overall, the *taysir manhaji* method (in addition to other methods: tafriq al-halal 'an al-haram, i'adah al-nazar, and tahqiq al-manat) used in DSN-MUI fatwas plays an important role because

it provides legal guidance for Islamic Financial Institutions (LKS) in the form of fatwas that answer various contemporary economic issues (Helmi, 2018). This study aims to further examine the role of the *taysir manhaji* method in the development of Islamic economic law in Indonesia through DSN-MUI fatwas. The study will also identify how the approach has successfully provided solutions that are not only in line with sharia principles but also relevant to modern business needs. With this analysis, it is hoped that this study can contribute to a deeper understanding of the flexibility of sharia law as well as inspire more progressive fatwa policies that support the growth of the Islamic economy in Indonesia.

METHOD

This study employs a qualitative method (Sugiyono, 2013), with literature study to analyze the role of *taysir manhaji* method in the development of Islamic economic law in Indonesia specifically through fatwa published by DSN-MUI. The qualitative method allows an analysis of the application of this method and its relevance to the dynamic conditions of Islamic economic law. The research data has been collected using the official DSN-MUI documents (Collection of fatwas on the DSN MUI website), academic journals, which allowed for a rich understanding of the context in which the fatwa was made. To add depth and accuracy to the data, semi-structured interviews (Hamzah, 2019), were also conducted with Chairman of the BPH DSN MUI, Prof. Dr. Hasanudin, M.Ag, with the aim of gaining first-hand perspectives and enriching understanding of the role of the *taysir manhaji* method in practice.

Data analysis in this study was conducted using thematic analysis techniques (Murdiyanto, 2020), which allow for the clustering and identification of key patterns or themes related to the implementation of the *taysir manhaji* method. This technique is particularly suitable for research that requires critical and interpretative analysis of qualitative data. In legal research and sharia studies, thematic techniques are widely used because they are effective in finding relationships between concepts, theories and practices. The validity and reliability of the research was maintained through source triangulation (Suwendra, 2018), by comparing information from different sources of literature, official documents and interviews as well as confirmation of the findings with key informants to ensure the accuracy of the research results. This is in accordance with the standards of qualitative methods that demand accuracy in data collection and processing.

Through this comprehensive approach, the research is able to present critical and in-depth insights into how the *taysir manhaji* method contributes to developing Islamic economic law in Indonesia. Related literature shows that the *taysir manhaji* method offers flexible solutions in addressing contemporary legal issues without departing from sharia principles. This is important in dealing with modern issues such as digitalization and globalization that bring new challenges in the Islamic economic sector. As such, this research not only provides an academic understanding of the contribution of the *taysir manhaji* method, but also offers practical guidance for further development in the evolving context of Islamic economic law.

RESULTS

The Meaning of *Taysir Manhaji* as a Fatwa Method in DSN-MUI

Linguistically, the term *taysir manhaji* consists of two syllables, namely *taysir* and *manhaji*. The word *taysir* linguistically means ease as opposed to *ta'sir* which means complication. In terms, *taysir* is implementing the minimum sharia provisions, namely fulfilling the pillars and conditions. Nu'man Jughaim as quoted by Hasanudin stated that the principle of *taysir* in Islamic law is obtained inductively (*istiqrai*) from an examination of the many legal provisions stipulated by the Qur'an and as-sunnah, as well as some explicit statements from both sources (Hasanudin, 2024).

Manhaji consists of two syllables, namely *manhaj* and *ya nisbah*, which linguistically means *thariq*, meaning path, way, method (Anis, 1972). In terms, *manhaji* is the way of thinking, methods and rules of determining the law (Mustofa, 2009). So if the words *taysir* and *manhaji* are combined into one, it means implementing the provisions of sharia law in a minimalist manner but still in line with the *mu'tabar* methodology of *istinbath ahkam*. In simple terms, it can be understood that the *taysir manhaji* method is choosing an opinion that is light but still in accordance with the rules, not just easy and easy but contrary to the rules of shara'.

In a more detailed meaning, the *taysir manhaji* method is a method of formulating an Islamic law (fatwa) by taking the basis of legal opinions that do not burden *mahkum alaih* (the subject of law/Muslims), but it is still based on the correct method of formulating Islamic law. In other words, a fatwa must rest on the basis of a legal opinion that is solutive, applicable, but does not contradict the established method of formulating Islamic law (sharia) (Amirullah et al., 2022).

The use of the *taysir manhaji* method is based on the fact that not all problems can be solved only by adhering to the opinions contained in the *mu'tabarah* books. This is because some

issues may be completely new and undiscussed, or even though they have been discussed by previous scholars, there are still many new issues that continue to emerge and develop. Leaving a problem unanswered simply because there is no text or opinion in the *mu'tabarah* books, or because it has not been said, practised or used by the salaf scholars, is not correct. Hence, the *taysir manhaji* method is needed to answer increasingly complex and complicated issues.

However, the use of this method must be done with caution and moderation. That is, overdoing it in providing convenience is not justified as it may lead to underestimation. The *taysir manhaji* method aims to prevent fatwas from being passed without following clear guidelines. Sometimes, a problem is answered only on the pretext of need, benefit, or sharia objectives without clear boundaries, which reflects an excessive attitude or *ifrathi*. Conversely, in making a fatwa, it is also necessary to avoid a negligent attitude, which is not giving an answer to the problem on the grounds that there is no qath'i text or opinion in *mu'tabarah* books, or because it has never been said, practised, or used by previous scholars, because this attitude is a rigid attitude or *tafrithi* (Amin, 2017).

In principle, the *taysir manhaji* method as stated by KH Ma'ruf Amin is intended to avoid fatwas being passed without following guidelines. It is not uncommon for a problem to be answered with a mitigating fatwa that only considers the benefit aspect and ignores the methodological suitability (*al-manhaj*). In our view, this should not be done because it has the potential to fall into looking for light matters (*tatabbu' al-rukhash*) which is prohibited in Islamic sharia (Amin, 2017).

Rules in the *Taysir Manhaji* Method

As a method rooted in the two main sources of Islamic teachings—the Qur'an and Sunnah—the *taysir manhaji* approach adheres to foundational shari'ah principles while allowing for contextual adaptation. This method ensures that legal rulings remain relevant and applicable across different socio-economic contexts, particularly in Indonesia, where the diverse and dynamic nature of financial transactions necessitates a flexible yet principled legal framework. The principle of *raf' al-haraj* (removing hardship) is a key component, allowing legal interpretations to facilitate ease without compromising shari'ah integrity. Additionally, the incorporation of *maqasid al-shari'ah* (the objectives of Islamic law) ensures that rulings derived through this method not only comply with textual sources but also align with broader considerations of justice, public welfare (*maslahah*), and economic stability. Through this approach, the *taysir manhaji* method, as applied by DSN-MUI, bridges the gap between

classical fiqh and contemporary financial practices, enabling Islamic economic law to evolve while upholding its core ethical and legal standards.

Rules related to *raf' al-haraj* (removing difficulties)

Raf'ul haraj is an effort to eliminate everything that causes excessive hardship to one's body, soul, or property, both now and in the future (Sabri, 2014). The rule of *raf' al-haraj* is the main foundation for the *taysir manhaji* method in fiqh, which is rooted in the principle of الضَّرَرُ يُزَالُ (*al-dharar yuzal*) which means 'the hardship must be removed'. This principle is reflected in several Qur'anic verses such as QS al-Hajj (22):78, QS al-Baqarah (2):185, QS an-Nisa (4):28, and QS al-Inshirah (94): 5. These verses underlie the formation of rules such as اَلْأَخْذُ بِأَلْحُكْمِ الْأَخَفِّ (*taking the lightest ruling*), اَلْأَخْذُ بِالْعِلَّةِ الَّتِي تُوجِبُ حُكْمًا أَخَفَّ (*taking the opinion based on the illat that obliges the lighter ruling*), and اِذْرَوْا الْخُدُودَ بِالشُّبُهَاتِ (*avoiding hudud sanctions in conditions of doubt or weak evidence*). These rules indicate an attempt to minimise burdens and harms in the implementation of sharia law.

The Qur'anic verses underlying the *raf'ul haraj* rule emphasise the importance of providing convenience and avoiding hardship in implementing Islamic law. This gives rise to additional rules such as اَلْأَخْذُ بِنَا فِي الْحَدِّ عَلَى الْمُوجِبِ لَهُ (*taking the opinion that rejects the application of the had sanction in certain circumstances*) and اَلْأَصْلُ فِي الْمَنَافِعِ الْإِبَاحَةُ (*the original law in actions that bring benefit is permissible*), and اَلْأَصْلُ فِي الْمَضَارِّ التَّحْرِيمُ (*the basic principle of action that causes harm is haram*). These rules reinforce the concept that in certain situations, sharia law should be applied with consideration of ease and relief to avoid harm.

There are a number of circumstances in which it is permissible to take a lenient ruling, namely travelling, *maradh* (sickness), *ikrah* (compulsion), *nis-yan* (forgetfulness), *jahl* (ignorance), *usr wa umumul balwa* (general hardship and emergency), and *nuqshan* (deficient or imperfect) (Uyuni, 2021). Under these conditions, Islamic law provides flexibility through various forms of leniency such as *isqath* (abrogation), *tabdil* (replacement), *tanqish* (reduction), *ta'khir* (termination), *taqdim* (precedence), *tarkhish* (mitigation), and *taghyir* (alteration) (Norcahyono, 2021). All of these forms of relief aim to reduce the difficulties faced by the ummah in implementing sharia law. With these concessions, Islamic law can be applied more flexibly and humanely, in accordance with the basic principles that emphasise benefit and avoidance of harm.

Rules related to *rukhsah*

Rukhsah is a change in the law from something that is difficult (according to the mukallaf) to ease because of an excuse, such as haram becoming halal. Meanwhile, '*azimah* is everything that is prescribed in the form of general laws of Sharia as it was originally intended (Zulfahmi, 2021). The rule of doing what is possible in relation to the perfection (*tamm*) and imperfection (*naqish*) of an action is an integral part of the concepts of '*azimah* and *rukhsah*. When it is not possible to achieve perfection in an action due to imperfections, the ruling is modified to make it easier or lighter, known as *taysir*. The law that has been given this relief is called *rukhsah*. In the literature of fiqh rules (Iswandi, 2014) this principle is expressed in the rule مَا لَا يُدْرِكُ كُلُّهُ لَا يُتْرَكُ كُلُّهُ which means '*what cannot be done in its entirety should not be left out altogether.*'

The rule is based on the Qur'anic verse in QS. at-Taghabun (64):16 which states, 'fear Allah to the best of your ability,' as well as the hadith narrated by Bukhari No. 7228 in which the Prophet Muhammad said, 'If you are commanded to do something, do it to the best of your ability.' These verses and traditions emphasise that in carrying out a religious command, one should do so to the best of one's ability, indicating that imperfection in execution does not mean that the command can be completely ignored.

Another rule relevant to the principle of إِنَّمَا لَا يُدْرِكُ كُلُّهُ لَا يُتْرَكُ كُلُّهُ which means '*something easy cannot be ignored because of something difficult.*' For example, if a person is only able to partially cover his 'awrah, his prayer obligation is not cancelled. He must perform the prayer to the best of his ability. This principle shows that religious duties that can be performed, even if they are not perfect, should still be performed to the best of one's ability.

Imam Izzuddin bin Abdissalam explains that if a person is commanded to do a good deed and he is able to do some of it and not others, then he is obliged to do what he is able to do and is allowed to leave what he is unable to do. This explanation, as stated by Prof. Hasanudiin when interviewed by the author, reinforces the principle that in carrying out religious orders, individual effort and ability must be respected and maximised, while imperfection or inability should not be an excuse to abandon the obligation in its entirety.

Operationalisation of the *Taysir Manhaji* Method in the Formulation of Fatwa DSN-MUI

In the *taysir manhaji* method there are basic principles in its application, namely

الْأَخْذُ بِأَرْجَحِ الْأَقْوَالِ وَالْأَصْلَاحِ إِنْ أُمِّنَ وَإِلَّا فَالْأَصْلَحُ

‘To use the more authoritative and more beneficial opinion if possible; if not, then to use the more beneficial opinion (only).’

The operational step is to look for the fiqh solution that is arguably stronger and at the same time more beneficial. However, if this is not possible (or difficult) to do, then the consideration of the benefit takes precedence, while the strength of the evidence (*aqwa dalilan*) is considered afterwards. Therefore, it is possible that the DSN-MUI fatwa is based on the opinion of scholars who were once considered a weak opinion (*qaulun marjuhun*), but because of the current situation and conditions the opinion is considered to bring more benefit.

For example, the development of *taysir manhaji* rules involves determining the use of two rules that are closely related to the understanding and development of Islamic law, especially in mu'amalah. The first rule is a substantive view that emphasises the goal or end result (*maqashid*) as a measure in determining the law. This rule is expressed in the principle الْعِبْرَةُ فِي الْعُقُودِ لِلْمَقَاصِدِ وَالْمَعَانِي لَا لِلْأَلْفَافِ وَالْمَبَانِي which means *‘the benchmark for determining the validity of a contract is its purpose and meaning, not its words and arrangement.’* The second rule is the legal-formal view that uses words and sentences (*al-alfazh wa al-mabani*) as a measure in determining the law. This rule is expressed in the principle الْعِبْرَةُ فِي الْعُقُودِ لِلْأَلْفَافِ وَالْمَبَانِي لَا لِلْمَقَاصِدِ وَالْمَعَانِي which means *‘the benchmark for determining the validity of a contract is its words and structure, not its purpose and meaning. In this view, more emphasis is placed on the formal and textual aspects of the contract, ensuring that the wording and formulation of the contract explicitly follow the established rules. This approach emphasises the importance of adherence to clear and specific legal forms, providing clarity and legal certainty in the practice of mu'amalah. These two views, although different in their focus, together provide a comprehensive framework for the development of adaptive and contextualised Islamic law. So both are adopted and used in determining the formation of DSN-MUI fatwas, depending on which one has the most relevance to the aspects of benefit (Amin, 2017).*

DISCUSSION

The role of the *taysir manhaji* method in the formation of fatwas on *wadiah* in the collection of funds in the form of current accounts (Fatwa No. 1/DSN-MUI/IV/2000) and savings (Fatwa No. 2/DSN-MUI/IV/2000).

Current accounts are deposits that are returned on demand, usually used to settle various obligations of the depositor through cheques or transfer orders. According to DSN - MUI Fatwa

No: 01/DSN-MUI/IV/2000, demand deposits that are justified by shari'ah, namely demand deposits based on mudarabah and wadiah principles. Deposits (wadiah) are deposits that are guaranteed security and return but without obtaining rewards/profits (Kamal, 2014). The fatwa regarding the wadiah contract in the context of current accounts states the following provisions. First, current accounts are considered as temporary deposits. Second, the deposited funds can be taken at any time (on call). Third, no reward is required from the bank except in the form of a voluntary gift ('*athaya*') from the bank. This provision emphasises that the nature of the current account is as a deposit that is flexible in withdrawal and does not require any reward except voluntary ones.

Savings are deposits whose withdrawals can only be made according to certain agreed conditions, but cannot be withdrawn by cheque, bilyet, giro, and or other similar tools. According to DSN-MUI Fatwa No: 02/DSN-MUI/IV/2000, savings that are justified according to shari'ah principles are wadiah and mudarabah savings. Wadiah savings are savings that are run based on a wadiah contract, which is a pure deposit that must be guarded and returned at any time according to the will of the owner. The fatwa on the wadiah contract in the context of savings has several main provisions as follows. Firstly, savings are considered as deposits. Second, these deposits can be withdrawn at any time (on call) or based on an agreement between the customer and the bank. Third, as in current accounts, no reward is required except in the form of a voluntary gift ('*athaya*') from the bank. Thus, this provision emphasises that savings as deposits have flexibility in withdrawal and do not require rewards except those provided voluntarily by the bank.

In fiqh muamalah, wadiah contract means a pure deposit that must be guarded and returned at the request of the depositor. In Islamic banking, this concept is applied under the principle of *wadiah yad adh dhamanah*, where the bank accepts the deposit with full responsibility and without the obligation to give any reward to the depositor. However, Islamic banks can provide a voluntary 'bonus' as a form of appreciation, but it is not an obligation in the contract. In addition, the bank may charge a custody fee under certain conditions. This agreement reflects the values of trust and transparency, which are important in maintaining a harmonious relationship between the depositor (customer) and the depositor (bank) (Solehah & Prawiro, 2022).

In relation to this wadiah contract fatwa, the use of the *taysir manhaji* method finds its urgency, especially in relation to the rule *الْعُقُودُ لِلْمَقَاصِدِ وَالْمَعَانِي لَا لِلْأَلْفَافِ وَالْمَبَانِي* as explained in the

sub operationalisation of the *taysir manhaji* method. The adoption of this rule in the fatwa on wad'iah contracts used for fund-raising activities in the form of savings and current accounts is because when viewed from the operational form of fund-raising through savings and current accounts, the formal form (*al-alfazh wa al-mabani*) uses a wadiah contract, in this case *wadiah yad al-dhamanah*. However, if you look at the substance (*al-maqashid wa al-ma'ani*), it is a *qardh* contract (debt and credit contract). because a wadiah contract in which there is permission from the owner to use the entrusted goods by the entrustee, and the entrusted goods can be replaced by other goods (which are equivalent/similar/mitsaliyat) is actually a *qardh* contract (Amin, 2017).

The *taysir manhaji* method is relevant in this situation because it provides flexibility in applying the contract without ignoring maqasid al-shariah. This approach supports the principle of benefit while maintaining the integrity of sharia. The use of *qardh* contracts as the operational substance of fundraising reflects an effort to balance the practicality of the modern banking system with sharia values. In the context of Islamic economic law, this method allows an adaptive response to socio-economic dynamics, without being trapped in the rigidity of classical fiqh formalism.

The role of the *taysir manhaji* method in the formation of DSN-MUI fatwa No. 07/DSNMUI/IV/2000 on Mudarabah (*Qiradh*) Financing

DSN-MUI Fatwa No. 07/DSN-MUI/IV/2000 concerning Mudarabah (*Qiradh*) Financing regulates financing in sharia transactions (*mudarabah/qiradh*), especially regarding the permissibility of taking collateral by Sharia Financial Institutions (LKS) from customers. In principle, *mudarabah* is a trust-based contract in which the owner of funds (*shahibul mal*) entrusts his capital to the manager (*mudharib*) to be managed. In this contract, the LKS is not allowed to request collateral from the *mudharib* because the nature of the *mudarabah* contract does not bind the manager to provide assets as collateral (Az, 2015). However, the DSN-MUI fatwa provides flexibility to request collateral to anticipate possible deviations that harm the *shahibul mal*. This policy can be analysed through the *taysir manhaji* method with the approach of *raf' al-haraj* (removing difficulties) and *rukhsah* (relief or dispensation).

Firstly, the *raf' al-haraj* approach is relevant in understanding this fatwa. The *raf' al-haraj* rule is based on sharia's efforts to minimise the difficulties faced by Muslims. LKS, as a party that manages funds from the community, functions to safeguard and distribute funds with prudential principles in order to create justice and trust in the Islamic financial system. In this context, the

LKS is faced with greater risks than the *mudharib* because it acts as a representative of the fund owners who deposit their funds in the LKS. By allowing collateral, DSN-MUI strives for LKS to have adequate legal and operational protection to avoid potential losses that can burden the Islamic financial system as a whole (Wiyono, et al., 2022).

Secondly, this fatwa also accommodates the rule of *rukhsah*, which is the principle of leniency or dispensation applied under certain conditions. In general, the *rukhsah* rule is applied in situations that allow changes from the original legal provisions to avoid great loss or difficulty. In this case, DSN-MUI allows the application of collateral in the event of a violation by the *mudharib* of the agreement that has been stipulated in the contract (Rambe, 2024). This means that the collection of collateral is not done directly but conditionally, that is, if there are deviations from the *mudharib* that can cause losses to the LKS. The application of this *rukhsah* maintains a balance between the basic principles of trust-based *mudharabah* and the need for LKS to ensure the security of funds managed, so that it does not conflict with the principle of trust in the *mudharabah* contract.

The two approaches above are manifestations of the *taysir manhaji* method or methodological convenience applied by DSN-MUI. This reflects a flexible attitude towards practical needs in the Islamic financial sector. These two approaches allow LKS to adapt to the real challenges and risks that exist in the practice of *mudharabah* financing, without ignoring sharia principles. This convenience is provided so that the Islamic financial system remains relevant to the development of the financial industry, while still adhering to the basic values of sharia which are fair and trustworthy. Thus, the two approaches in the *taysir manhaji* method in the context of this fatwa balance the idealism of *mudharabah* contracts and realistic risk mitigation practices for LKS.

The importance of this fatwa is that through an approach based on adaptive fiqh rules such as *raf'ul haraj* and *rukhsah*, DSN-MUI has provided solutions that are contextual but still within the corridors of Islamic law. As an authorised institution in determining Islamic law in the field of economics and finance, DSN-MUI needs to ensure that the fatwas issued can become practical guidelines that are applicable to sharia industry players in Indonesia. Thus, this fatwa on collateral in *mudharabah* not only aims to provide convenience for LKS, but also ensures that sharia principles are maintained.

This fatwa provides an understanding to LKS and customers that the Islamic financial system has the flexibility to deal with uncertain situations, without abandoning the basic principles of

sharia. This policy encourages the professionalism and responsibility of LKS in maintaining the mandate and supporting the development of a strong and trusted Islamic financial industry. The adaptive application of the rules of *raf' al-haraj* and *rukhsah* shows that the principles of Islamic law in the economic sector are able to answer contemporary challenges and remain relevant in the midst of global economic development.

The role of the *taysir manhaji* method in the formation of DSN-MUI fatwa No. 28/DSN-MUI/III/2002 on Sale and Purchase of Money (*al-Sharf*), DSN-MUI fatwa No. 85/DSN-MUI/XII/2012 on Promises (*Wa'd*) in Sharia Financial and Business Transactions, and DSN-MUI fatwa No. 93/DSN-MUI/IV/2015 on Sharia Hedging Transactions (*al-Tahawwuth al-Islami/Islamic Hedging*).

The fatwa on the binding of mutual promises (*al-muwa'adah*) and its relationship with the *mulzim* of the agreement (*al-'aqd*) is an example of the application of the *taysir manhaji* method using the rule الْعِبْرَةُ فِي الْعُقُودِ لِلْأَقَاظِ وَالْمَبَانِي لَا لِلْمَقَاصِدِ وَالْمَعَانِي (which means: 'the benchmark for determining the validity of a contract is its wording and composition, not its purpose and meaning'). In the DSN-MUI fatwa No. 28/DSN-MUI/III/2002 on the Sale and Purchase of Money (*al-Sharf*), it is stipulated that only spot transactions are halal, while forward, swap and option transactions are haram. However, forward transactions can be permitted if done in the form of forward agreements for unavoidable needs (*li al-hajah*).

In DSN-MUI fatwa No. 85/DSN-MUI/XII/2012 on Promises (*Wa'd*) in Sharia Financial and Business Transactions, it is explained that *wa'd* is a unilateral promise that aims to provide certainty in sharia transactions without having binding force like a contract. This fatwa emphasises that *wa'd* is valid as long as it is done in accordance with sharia, does not contradict halal-haram principles, and is not used for harmful purposes. If the *wa'd* is violated, the injured party can demand fair compensation.

Then, DSN-MUI fatwa No. 96/DSN-MUI/IV/2015 on Sharia Hedging Transactions (*al-Tahawwuth al-Islami/Islamic Hedging*) regulates the mechanism of financial risk mitigation according to sharia principles. This fatwa allows hedging transactions as long as they are intended for protection (hedging) and not speculation, carried out on the basis of real needs, and in accordance with sharia principles such as fairness, transparency, and prohibition of usury. This transaction must be based on a valid contract, such as *wa'd* or *sharf*, and fulfil the principle of *ta'awun* (cooperation) and avoid the practice of *gharar* (uncertainty) and *maysir* (speculation).

Based on the substance of the DSN-MUI fatwa No. 85/DSN-MUI/XII/2012, DSN-MUI stipulates fatwa No. 96/DSN-MUI/IV/2015 on Sharia Hedging Transactions (*al-Tahawwuth al-Islami*/Islamic Hedging). This fatwa states that sharia hedging is permissible provided that there is a real need (not for speculation/*gharar*) and is carried out through a forward agreement mechanism (mutual promise) for future currency exchange.

Hedging is a technique to reduce the risk of exchange rate fluctuations (*maisir*/speculative), while Islamic hedging (*al-Tawawwuth al-Islami*/Islamic Hedging) is based on sharia principles for similar purposes. Based on DSN Fatwa No. 96/DSN-MUI/IV/2015, these transactions are carried out for real needs (*al-hajah al-massah*) and must involve underlying transactions, avoiding speculation. In Islamic economics, forward and option transactions related to hedging are only allowed for urgent needs, as stipulated in DSN Fatwa No. 28/DSN-MUI/III/2002 on currency trading (*al-sharf*). Without underlying transactions, such activities are considered speculative and not in accordance with sharia principles that emphasise transactions based on real needs (Fikri et al., 2024).

Akad and *muwa`adah* (mutual promises) in terms of form have similarities; both are carried out by two or more parties and have a binding nature (*mulzim*). However, in *muwa`adah* no rights and obligations arise, so it needs to be emphasised that mutual promises are not contracts (*wa laisa al-muwa`adatu `aqdan*). Mutual promises are only preparatory and preliminary agreements before rights and obligations are fully established in a valid contract.

The basic difference between a contract and *muwa`adah* is that in *muwa`adah*, rights and obligations have not yet arisen. Thus, mutual promises are similar to agreements (*al-muwa`adatu tusybih al-`aqd*), but not to contracts. If mutual promises were considered to be the same as contracts, then hedging transactions would be prohibited because they involve buying and selling debt for debt (*bai` al-dain bi al-dain*) (Amin, 2017).

The stipulation that mutual promises are not contracts makes Islamic hedging transactions permissible transactions because they avoid buying and selling debt for debt (Hasanudin, 2023). This shows the flexibility in the application of sharia law to answer real needs in modern financial transactions without violating the basic principles of sharia.

The application of the *taysir manhaji* method using the *al-alfazh wa al-mabani* rule shows the importance of substantive understanding in the development of Islamic law. The DSN-MUI fatwa that regulates modern financial transactions while adhering to sharia principles shows

that Islamic law can be adaptive and relevant to the times, as long as it keeps in mind the main purpose (*maqasid*) of the law.

CONCLUSION

The *taysir manhaji* method, which is rooted in the fundamental principles of Islamic teachings, plays an important role in the development of sharia law, especially in the context of fiqh and economic law. The principle of *raf' al-haraj*, which prioritises the removal of hardship, is the main foundation of this method, underpinning rules that aim to minimise burdens and harms in the application of the law. Rules such as taking the lightest ruling and avoiding hudud sanctions in situations of doubt reflect efforts to adapt sharia law to make it more flexible and humane, according to the context and needs of society. With these principles in place, Islamic law can be applied in a more adaptive manner, taking into account the benefit and avoiding harm.

In the context of applying the *taysir manhaji* method, the rule of *rukhsah* also plays an important role. This rule underlines the importance of providing convenience in applying the law when perfection cannot be achieved. The principle of *لَا يُزَكُّكَ كُلُّهُ لَا يَنْزِلُكَ كُلُّهُ* emphasises that religious injunctions should be implemented as much as possible, even if they are not perfect. This shows that sharia law does not rely solely on perfection, but also takes into account individual abilities and circumstances. With allowances such as *isqath*, *tabdil*, and *taqdim*, sharia law can be applied in a variety of diverse and complex conditions.

The *taysir manhaji* method has an important role in the formation of DSN-MUI fatwas in the field of Islamic economics, especially in the context of fund raising, fund distribution, and services. The use of the principle of convenience or *taysir* allows the application of *wadiah* and *mudharabah* contracts with flexibility that maintains the main objectives of sharia, as in the rule *الْعَبْرَةُ فِي الْعُقُودِ لِلْأَلْفَافِ وَالْمَعَانِي وَالْمَقَاصِدِ وَالْمَقَاصِدِ فِي الْعُقُودِ لِلْمَقَاصِدِ وَالْمَعَانِي لَا لِلْأَلْفَافِ وَالْمَعَانِي*. This can be seen in the fatwa on current accounts and savings accounts, which although in the form of *wadiah* contracts, are substantially similar to *qardh* contracts. With this approach, the DSN-MUI fatwa is able to answer practical challenges in the modern banking world without neglecting the basic principles of sharia.

In addition, the application of the *taysir manhaji* method is also reflected in the fatwa on *mudharabah* financing, which accommodates leeway in the application of collateral to protect Islamic financial institutions. The use of the rules of *raf' al-haraj* and *rukhsah* allows for the refinement of contracts to overcome unavoidable risks, without changing the substance of the

contract itself. This shows that sharia is not rigid, but can adapt to the needs of the modern financial world, as long as it remains based on the *maqasid al-shari'ah*, which emphasises justice, transparency and the welfare of the people.

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