

Dynamics of Fatwa DSN-MUI on Financing Products at Shari'ah Financial Institutions (LKS) from 2010 to 2021

Ahmad Satiri, Beni Ahmad Saebani, Ah. Fathonih, Ending Solihuddin

Universitas Islam Negeri Sunan Gunung Djati Bandung

Email: asatiri77@gmail.com, beniahmadsaebani@uinsgd.ac.id, ah.fathonih@uinsgd.ac.id,
endingsolehudin@uinsgd.ac.id

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Abstract

Sharia Economic Law develops in line with the development of Sharia Economics in Indonesia. This is certainly with the support of various stakeholders who handle it. It is interesting to discuss how DSN-MUI as an authority that issues fatwas related to sharia economics, especially in the field of financing, is able to balance the needs of Sharia Financial Institutions and customers until now the existence of Sharia Financial Institutions is getting better. This study is intended to examine the dynamics of sharia economic fatwas by DSN-MUI using analytical descriptive methods. It was found that DSN-MUI uses various methods and approaches in compiling fatwas that are in line with the needs of Sharia Financial Institutions while still adhering to the principles of Islamic law in the field of economics.

I. Introduction

The implementation of Islamic law in today's requires a comprehensive and deep dig of meaning and reactualization.¹ Amid the complexity of social life and compound state order, efforts to compose a legal order in line with the value of Islamic sharia are a very valuable effort both by Allah SWT and in the eyes of Muslims.² The most important digging of meaning is in the context of how *nash* texts can be implemented in the present day by staying in the Sharia corridor.³ This can be confirmed by excavating meaning to the implementation of *riba* by eliminating all characters in *riba* transactions which then become characters in sharia economies without *riba*.

As for the reactualization of the value of *Sharia* can be seen in the implementation of *Maqosid Shari'ah* in the field of distribution of treasures and transactions, that *Hifzu al-mal* (keeping property) becomes the spirit in every transaction is based on Sharia, so that transactions are speculative for example in the case of buying and selling securities into transactions prohibited.⁴

At this time many *muamalah* transactions are never existed in the days of His Majesty or the Imam of the school, such as e-commerce transactions, for example, selling shares and many more, requires legal certainty and credibility of fatwa so that it is safe and secure in carrying out such transactions if stated in accordance with Shari'ah.

The rapid development in the field of Islamic financial institutions requires the rules that become the operational foundation for the institution. The problem arises because institutions that have authority regulate and supervise the Islamic Financial Institution, namely the Financial Services Authority (OJK) and Bank Indonesia, do not have the authority to formulate the principles of sharia directly from the text of the Qur'an, al-Hadist, or the fikih Books.

The rapid development in this case is mainly in terms of the growth of Islamic financial institutions and banking since 1992 according to OJK data until 2024, there are about 189 Islamic banks comprising 14 Islamic Common Banks (BUS), 19 Sharia Business Units (UUS), and 175 Sharia People Financing Bank (BPRS) in Indonesia.⁵

The National Sharia Board of the Indonesian Council of Ulama (MUI) has a role in finding the law in the field of Sharia economy as an answer to the needs of the business people and Sharia economy who require *fatwa* and clues to the certainty of legal status to

¹ Amir Syarifudin, *Ushul Fiqih Jilid I* (Prenada Media, 2014), p.v

² Faisal Ismail, *Islam, Konstitusionalisme dan Pluralisme* (IRCiSoD, 2019).p. 89

³ <https://www.ojk.go.id/id/kanal/syariah/tentang-syariah/Pages/Prinsip-dan-Konsep-PB-Syariah.aspx>, accessed on May 20th 2023

⁴ Dandi Lukmadi, *Income Dan Expenditure Dalam Perspektif Masalah (Kajian Terhadap Hifzu al-Mal)*, in *Proceeding International Islamic Research Forum 2017*, IAIN Palangkaraya, p.167

⁵ <https://ojk.go.id/id/kanal/syariah/data-dan-statistik/statistik-perbankan-syariah/Pages/Statistik-Perbankan-Syariah---Oktober-2024.aspx>, accessed on January 26th, 2025

the business activities it undertakes.⁶ If viewed from the historical root of the formation of DSN-MUI, starting in 1997, MUI held a workshop on Sharia Mutual Fund. One of the recommendations of the workshop is the need for the establishment of the National Sharia Board (DSN).⁷ The formation of DSN was agreed at the meeting on October 14, 1997 and formally formed in 1998. The presence of DSN in the same year with the establishment of the Sharia Development Expert Committee in Bank Indonesia. That the National Sharia Board, (abbreviated as DSN), was formed by the Indonesian Council of Ulama with the task of supervising and directing Islamic institutions to encourage the implementation of Islamic teachings in economic and financial activities. Until 2024, DSN – MUI has published 160 Fatwas of diverse content. In response to the growth of Sharia Financial Institutions triggered the emergence of creative products offered to the community.⁸ Offer these new products as one of the marketing strategies to improve customers amid increasingly open competition. With the advent of the new product, the product requires fatwa from the National Shari'ah Council as its legitimator.

DSN-MUI fatwas since two decades ago, have spearheaded the massive Islamic economic movement in Indonesia.⁹ In line with the global trend, the sharia economic movement that was originally in the hands of the community and scholars finally received positive response from various parties, and influenced the political laws of government/state, marked by the entry of the fatwa material DSN-MUI into various laws and policies. Although technically there are some obstacles that must be resolved including fatwas that are difficult to translate or difficult to apply in banking regulations, DSN-MUI fatwas that are not in harmony with positive laws.

The Genealogy of Fatwa in Islamic Law

Alfayumi argues that fatwa comes from the word *al-afta* meaning strong young man. The meaning of this word is that a mufti should be strongly analyzed and provide answers to the problems faced with the argument and the foundation of a strong and capable law.¹⁰ Al-Jurjani in our al-ta'rifat provides the definition of fatwa with "an answer to something that is polykil in the field of law". While in the Islamic encyclopedia published by the Kuwait government, described fatwa is a *mashdar* (gerund) of the word *ifta*, meaning answer. In plural form it is called *al-fatawa*. Literally means explaining something that is polykil in the legal aspect. In the term fatwa, it is interpreted by: "explain

⁶ Muhammad Zamroni, Peran DSN-MUI Dalam Kegiatan Perbankan Syari'ah, Jurnal *At Tasyri'*, vol 5, April 2018.,p. 45

⁷ Khotibul Umam, 'Legislasi Fikih Ekonomi Perbankan: Sinkronisasi Peran Dewan Syariah Nasional Dan Komite Perbankan Syariah', *Mimbar Hukum - Fakultas Hukum Universitas Gadjah Mada* 24, no. 2 (2012): 357–75, <https://doi.org/10.22146/jmh.16139>

⁸ <https://dsnmu.or.id/kategori/fatwa/>, accessed on January 26th, 2025

⁹ Ahmad Zuhdi, 'Positivisasi Fatwa Dewan Syariah Nasional Majelis Ulama Indonesia (DSN-MUI) Dalam Sistem Hukum Indonesia' (Universitas Gadjah Mada, 2015), <http://etd.repository.ugm.ac.id/penelitian/detail/91361>

¹⁰ Panji Adam, *Fatwa-Fatwa Ekonomi Syariah: Konsep, Metodologi & Implementasinya pada Lembaga Keuangan Syariah* (Amzah, 2022), p.20

the law by the proposition of the proposition of syar'i to the person who asks this fatwa includes an event / event or something else".¹¹

In a definition not far different is described in the book of *Mu'jamu lughat al-fuqaha*: "Fatwa is the law of syar'i described by a *faqih* against a question of the law which is asked to him."¹² Yusuf al-Qardlawi defines fatwa by "explaining the law of Shari'ah" in a question as the answer to a questioner whether the questioner is clearly his identity or not, both individual and collective.¹³ The person or institution that performs the fatwa is called mufti, while the person who pleads or requests the fatwa is called *mustafti*. Asharofy argues that a *mufti* should have a criterion as a person who has extensive knowledge of the Qur'an, Sunnah and the law's court order. While Imam al-Zarkashi argues a mufti should have a broad establishment of Sharia law.

The Big Dictionary of Indonesian Language (KBBI) defines fatwa with answers (decisions, opinions) given by the *mufti* on a problem.¹⁴ To explain the characteristics of fatwa, Ma'ruf Amin provides an explanation that in the process of granting fatwa is related to the following:¹⁵

- 1) *Al-Iftwa* or *al-futya*, meaning the activity of explaining the law of Shara' as an answer to the question asked
- 2) *Mustafti*, the individual or group asking a question or asking a fatwa.
- 3) *Mufti*, the person who gives the answer to the question or the person who gives the fatwa
- 4) *Mustafti fih*, problems, events, cases or events that are asked for legal status.
- 5) Fatwa, legal answers to the problem of events, cases or events that are asked.

Based on some definitions above can be concluded that fatwa contains some characters as follows:¹⁶

- 1) An attempt to provide an explanation
- 2) An explanation given is the law of shara' obtained by the path of ijtihad
- 3) which provides an explanation must be the person who is expert in the field.
- 4) Explanation is given to applicants who do not know the law.

The Dynamics of Fatwa is a phrase consisting of two tribes, namely dynamics and fatwa. Dynamics comes from English, dynamic, meaning "a process, relationship or system always changing and making progress" is literally defined by a process, relationship or system that is constantly changing and heading to update. In the Besarab Basa Indonesia, the word dynamic becomes an absorption word with dynamic writing

¹¹ Wizaratulawqaf wasyuun al-Islamiyah, *Almausu'ah al-fiqhiyah*, (Kuwait,1996), jil 28, p.20

¹² Adam, *Fatwa-Fatwa Ekonomi Syariah*, p.20

¹³ Yusuf al- Qaradhawi, *Fatwa: antara ketelitian & kecerobohan* (Gema Insani, 1997), p. 5.

¹⁴ Kamus Besar Bahasa Indonesia, edisi ke 3, cetakan I, (Jakarta, Balai Pustaka 2001), p. 314

¹⁵ M. Amin, *Fatwa dalam sistem hukum Islam* (eLSAS Jakarta, 2008), 21,
<https://books.google.co.id/books?id=CIMOAQAAMAAJ>.

¹⁶ Amir Syarifudin, *Ushul Fiqih Jilid II* (Prenada Media, 2014), p.455

that is interpreted with the part of the physical science that relates to moving objects and moving energy, motion (from within), power that moves, spirit. Ilham Fikriansyah argues that the origin of the word dynamics from Greek dynamics meaning force. In subsequent developments to date, the word dynamics is often used with meaning as a movement that occurs in life. Furthermore, he explained that dynamics is essentially part of the science of physics.¹⁷

Yusuf al-Qardawi argues that fatwa is a way of Quran and Sunnah in explaining the law. In fact, the fatwa or legal explanation is not always accompanied by the question raised to the Prophet Muhammad (pbuh), but not a few fatwas preceded by the problem facing the Prophet Muhammad (pbuh). Among them begins with the phrase **يَسْأَلُونَكَ**. (they ask you). This is in some verses including Surah al-Baqarah: 189¹⁸ Surah al-Baqarah: 219¹⁹ However, not all verses that begin with these two words are the answer to the question of the Ummah. There is also a verse that answers the question of the Ummah without beginning with these words, including as Imam al-Tirmidhi narrated when a friend said to the Prophet (pbuh): "If I consume meat, my desire for women will rise up and forbid myself from eating meat."

Similarly, the Prophet (pbuh) in the face of the question of the Moslems which was asked to him very much, among them when Thariq bin Said asked about khamr, then the Prophet (pbuh) prohibited him and Thariq bin Said said that he made only for medicine, and the Prophet (pbuh) said: "The Qur'an is not medicine but disease."²⁰ Basically fatwa has character in response to a question or question asked to the mufti. A *mufti* may refuse to ask answers to questions that have not yet occurred.²¹ In terms of its legal power, fatwa is not binding. The person who asks for fatwa does not have to follow the content or laws given to him. However, if the fatwa is adopted into a court decision, the authorities must comply with and obey it.

Fatwa has a strategic role in resolving the problem of Muslims facing the ignorance of the law that has already been rules and ignorance of the Ummah in facing new problems that are unequivocally unregulated in existing legal sources. Based on its history series of fatwā activities have been done since the time of the Prophet, the companions when they found an unknown problem the law immediately asked the Prophet (saw). In the next development after the Prophet's death, the position and role of

¹⁷ <https://kbbi.web.id/dinamika>, diakses pada 25 Mei 2023

¹⁸ **يَسْأَلُونَكَ عَنِ الْهِجْرِ وَالْحَجِّ**

Meaning : They ask you about the crescent moon. Say: "The crescent is a sign of time for mankind and Hajj;

¹⁹ **يَسْأَلُونَكَ عَنِ الْخَمْرِ وَالْمَيْمِرِ** **قُلْ فِيهِمَا إِثْمٌ كَبِيرٌ وَمَنْفَعَةٌ لِلنَّاسِ وَبِئْسَ الْبَيْعُ**

الَّذِينَ لَا يَتْلُونَ

"They ask you about khamar and gambling. Say: "In both there are great sins and some benefits to mankind, but they are both greater than their benefits." And they ask you what they spend. Say: "That is more than necessary." Thus Allah will explain His signs to you that you may think.

²⁰ Yusuf al- Qaradhawi, *Fatwa: antara ketelitian & kecerobohan* (Gema Insani, 1997), p.5

²¹ Amin, *Fatwa dalam sistem hukum Islam*, p. 20

the fatwa giver switched the hands of the scholars as heirs of the Prophet. Legal products made post prophetic include fatwa is the result of mufti thought. Some of the legal products of thought out in the context of Islamic law are the laws made in Muslim countries, court decisions, fiqh books and fatwa ulama.

After the death of the Prophet, the fatwa activities were continued by friends (*sahabah*), among the best friends of the fatwa in this period was: Abu Bakr al-Shiddiq (d. 13 H), 'Umar Ibn Khaththab (d. 23 H), 'Uthman Ibn 'Affan (d. 35 H), 'Ali Ibn Abi Talib (d. 40 H), Abu Musa al-Ash'ari (d. 44 H), 'Abdullah Ibn Mas'ud (d. 32 H), and Zaid Ibn Tsabit (d. 45H). At this time, the laws and results of their fatwa have not been recorded, and have not yet been formulated as a systematic science.²²

The position of fatwa in Islamic law is not separated from the dynamic characteristics of Islamic law in providing answers to the problems of human life that constantly change over time, over time. The question of human social, political and economic life is constantly evolving, giving birth to new things that must be solved and answered based on Islamic Shari'a. The newest problem of life faced by Muslims who want to carry out sharia appropriately faced with the problem of the source of the law that has stopped. The Prophet as the carrier of revelation is gone, the Qur'an has been completed by Allah's Messenger while the question of life is faced and requires the right and right answer so that life is not haunted by guilt and sin.

During the development of fiqh science, the development of fiqh science and fatwa groups began to be compiled. The appearance of fiqh schools such as Hanafi, Maliki, Shafi'i, and Hanbali, provides a systematic foundation for the preparation of fatwa.²³ The scholars who became the leader of this school compiled works containing fatwa and explanation of Islamic law. During the time of the Abbasid Caliphate, fatwa institutions were formally established. The Abbasid Caliph established a fatwa board comprising leading clerics to provide official fatwas at the request of government and society. This institution helps in the spread of Islamic law and answers complex legal questions. While in the modern era, fatwa institutions became more structured with the establishment of fatwa institutions in various Islamic countries. These institutions consist of qualified scholars and provide fatwas based on their understanding of Islamic law. Information Technology has also affected the spread of fatwas, with the advent of websites and social media platforms providing fatwas online.

As the times develop, the role of fatwa continues and evolves. Fatwa remains an important source of guidance in the daily lives of Muslims, taking into account the social, cultural and new developments in society. It is highly recognized that the role of fatwa is quite significant in understanding religious teachings to the community. through fatwa society can know what to do. Especially in the context of the fatwa type that is thematic.

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²³ Romli SA, Studi Perbandingan Ushul Fiqh (Prenada Media, 2021), 51

All ready. Nevertheless, in its development, fatwa has become an intermediary between society and religion. In fact, it can be said that the community is much closer to the fatwa than religion itself. People exercise religion according to the fatwa. Although the fatwa is presented in a casuistic manner but in historical reality a number of “top” scholars have been codified although the systematics are different from the systematics of the fiqh books.²⁴

Fuqoha from various times and times and countries have compiled many fatwa references that are generally compiled based on chapters in the book of fiqh. In Hanafi schools are mentioned among others Kitab Fatawa Qadhikan, al-Fatawa al-Kubro, al-Fatawa al-Şughra, al-Bazaziyyah, ath-Thuriyyah, al-Hamidiyah and Fatawa al-Hindiyyah wa al-Mahdiyyah.²⁵ While in the Shafi'i school is collected in the books of Ibn al-Şolah, al-Nawawi, al-Subki, al-Syeikh Zakariya, ibn Hajar al-Haitami and others.²⁶ Fatwa books of Maliki school include the book Fatawa Ibn al-Rushd, Fatawa al-Syatibi, and the Mausua'ah by al-Wansyarisi. The Hanafi School is also known as fatwa – fatwa sheikhu al-Islam Ibn Taymiyah which was compiled in several years until it was realized in 35 volumes. The Book was compiled by Sheikh Abdurrahman bin Muhammad bin Qasim al-‘Aşimi an Najdi.²⁷ In this era, some of the books of fatwa are composed by the Shaykh Muhammad Ulayasi, a scholar of Maliki school, with the book named *Fathul Aliya al Malik 'ala mazhabu Malik*.

The fatwa activities that a mufti conducts have a pera and an important position in Islamic Law. This is because not all Muslims have a knowledge and understanding of Islam. Both of the aspects of aqidah, Sharia and morals. A person who has a broad understanding of Islam is needed to provide explanation and clarity related to Islamic Shari'a. Related to this, the Prophet (pbuh) asserted in a hadith narrated by Imam Tirmidhi:

العلماء ورثة الانبياء - روا ابو داود و الترمذي

The Ulama are the heirs of the prophets (HR Abu Dawud and Tirmidzi)²⁸

The important role of the *mufti* is because it continues the duty of the prophets in continuing the divine treatise. Because of the importance of the role, care is needed when the *mufti* gives fatwa to the problem faced with him. This important role requires a broad and well-known understanding of religious knowledge with various aspects. Imam Shafi'i gives certain criteria for someone who deserves to be mufti as follows:²⁹

²⁴ Masnun Tahir, Menimbang Etika Berfatwa dalam Pemikiran Hukum Islam, p. 391

²⁵ Qaradhawi, *Fatwa*... p. 9.

²⁶ Qaradhawi, *Fatwa*...p. 10

²⁷ Qaradhawi, *Fatwa*..p 10

²⁸ Qaradhawi, *Fatwa* ..p.12.

²⁹ Qaradhawi, *Fatwa* ..p.15.

- 1) A *mufti* should know the ins and outs of the Book of Allah (the Qur'an), both the *nasikh mansukh*, the *muhkam* and the *mutasyabbih*, the *ta'wil* and its *tanzil*, the *makkiyya* and the *madaniyyah*, what he wants and in what case the verse is revealed.
- 2) Have a broad understanding of the *hadiş*, about the *nasikh* and its *mansukh*, including the ins and outs,
- 3) Understand Arabic and the ins and outs of Arabic, understand the sense of Arabic.
- 4) Understand the necessary problem devices in science and Quran
- 5) Being able to be quiet, not talk much
- 6) Respect the disagreement of the opinions of experts think
- 7) Have the potential (ability) to fatwa.

On the other hand, Imam Ahmad asserted that a person who is fatwa without sufficient knowledge is the source of dispute. This is because they have a little knowledge about the history of the Prophet (pbuh). Imam Ahmad further gives the criteria of a person who can become a mufti as follows:³⁰

- 1) Do with right intentions and determination, for if the mufti does not intend such a thing, it will be far from Nur (the light of Allah) as well as he said.
- 2) Authoritative and quiet maker
- 3) Steadfast and strong knowledge
- 4) Enough economy, otherwise it will be underestimated
- 5) Knowing about people.

Al-Qardlawi in his book *al-Fatwa bayna indibath wa tasayyub* expressed concerns about the quality of fatwa and the capability of *mufti* in providing fatwa. Furthermore, he asserted that the emergence of haste and carelessness in giving fatwas carried out by certain people. This needs to be straightened so that one who gives fatwa should include the people who deserve to be considered *mujtahid*.

Based on the current context of fatwa is more institutional than the previous era that is still individual. This institutional fatwa can be formulated to provide a more qualified quality assurance when compared to the fatwa given individually.³¹ On the other hand, with the development of *mufti* transforming into an institution, the need of society to law is always questioned to institutions that have authority. In this position, fatwa is increasingly widespread not only the legal question but so is its institutionalities. The position of the mufti is increasingly important in answering questions on various sectors and life lines such as political, economic and other interests. Fatwa products are needed in certain political constellations as well as in economic and welfare aspects of society, fatwa products are needed by the community. Fatwa institutions in Indonesia are an inseparable part of some Islamic norms, in the Nahdlatul Ulama organization known as Bahtsul Masail, in the Muhammadiyah organization known as the Tarjih

³⁰ Qaradhawi, *Fatwa* ..p.26.

³¹ Adam, *Fatwa-Fatwa Ekonomi Syariah*.96

Assembly, while in the Islamic Union (Persis) organization known Hisbah.

In some Muslim countries the fatwa institution also has a vital role. As in Malaysia, the Mufti is the main ruler after the Sultan in religious affairs for every state for religious affairs.³² In Malaysia, the Mufti has general the following duties: a) Advisor to Islamic religious affairs to the Kingdom of the country; b) Member of the Council (Member of the Council) Religious State; c) Chairman of the Power Office (Chairman of the Committee) Fatwa/Shariah State; d) Authorized Judgement Text (Member of the Committee) National Rating Fatwa (Member of the National Level Fatwa Committee); e) Chairman of the Power Office (Masjid/Surai; f) Solve or answer problems related to Islam; g) Check the text of the Friday sermon; h) Levitating Taqwim Islam at the state level; i) Leave lectures and proclaims at mosques, surau and others; j) Reading prayers in the official royal majlis.³³

While in Brunei Darussalam State since 7 November 1994 at the order of Sultan Hassanal Bolkiah, the Mufti Kingdom is no longer under the Ministry of Ehwat Ugama, but it becomes a department under the Prime Minister. The Mufti Kingdom is directly responsible to the Underworld of Duli The Majesty relates to the duties of the Mufti of the Kingdom.³⁴

In Egypt, the fatwa-giving institution was named *Dar al-Ifta'* which was established in 1895 based on a decision letter from the Egyptian Khedive Abbas Hilmi addressed to *Nizharah Haqqaniyyah* No. 10 dated November 21st 1895. The letter was received by Nizharah on Jumadil Late 7th 1313, number 55. Egypt's Fatwa Institute has two main duties: religious and related to the court. Religious duties of the Egyptian Fatwa Institute concerning: a) Receive fatwa questions and applications and answer them in various languages; b) Determine the beginning of each hijri month; c) organize fatwa training for students from abroad; d) Publish official statements regarding religious matters; e) Organize scientific research; f) Answer misunderstandings against Islam; and g) Organize distance education. While the task related to the court is to give Shar'i consideration related to the death penalty.³⁵

In Saudi Arabia, three fiqh institutions can be found. Two of them are international and have headquarters in the country, namely Majma' Fiqih Islamic Ad-Dauli, are sub-organisasi of the Organization of Islamic Conference (OIC), and Majma' Fiqih Islamic under Rabithah Alam Islami. While the third is the institution belonging to the Saudi Working Government of Saudi Arabia, namely *Hay'atu Kibari al-Ulama*.³⁶

In India, the fatwa institution was named Majma' al-Fiqhi al-Islami fi al-Hindi.

³² Isa Ansori, "Kedudukan Fatwa di Beberapa Negara Muslim (Malaysia, Brunei Darussalam dan Mesir)," *Analisis: Jurnal Studi Keislaman* 17, no. 1 (1 Juli 2017): 143, <https://doi.org/10.24042/ajsk.v17i1.1790>.

³³ Ansori, *Kedudukan Fatwa di Beberapa* .p.144

³⁴ Ansori, *Kedudukan Fatwa di Beberapa* .p.146.

³⁵ Ansori, *Kedudukan Fatwa di Beberapa* .p.156.

³⁶ Achmad Sarwat, *Fiqh Kontemporer : Lembaga Fatwa Kontemporer (ttp,tth)*,p.15

The institution is based in India and was founded by the great scholars of India in 1989.³⁷

In Europe there is also an official fatwa institution named Al-Majelis al-Urubi li al-Ifta' wa al-Buhuts or the European Council for Fatwa and Research (المجلس الأوروبي للإفتاء), based in the Republic of Ireland.³⁸

In the Americas there is also a fatwa institution, officially the Assembly of Muslim Jurists in America (AMJA) or the Sharia Fuqaha League. Founded on October 2, 2002 in Maryland America, the inauguration of 40 major scholars, not only Sharia scholars but also scientists from different disciplines.³⁹

Some Fatwas DSN MUI on Financing period of 2010-2021

Fatwa – DSN MUI fatwa published from 2010 to 2021 as the object of this study in general amounting to 63 fatwas, the data can be described as follows:

1. Fatwa Number 138/DSN-MUI/V/2020 on the Application of Sharia Principles in Clearing Mechanism, and Guarantee of the Completion of Exchange Transactions on Equity Stock Exchange
2. Fatwa Number 137/DSN-MUI/IX/2020 on Sukuk
3. Fatwa Number 136/DSN-MUI/VII/2020 on Convert, Convert, Convert, Transfer of Asset-Liability of Conventional Bank into Sharia Bank Asset-Liability
4. Fatwa Number 135/DSN-MUI/V/2020 on Shares
5. Fatwa Number 134/DSN-MUI/II/2020 on Riil Cost As a result of Scheduling Bill
6. Fatwa Number 133/DSN-MUI/X/2019 on al-Musearakah al-Muntahiyah Bi al-Tamlik
7. Fatwa Number 132/DSN-MUI/X/2019 on the Meeting of Receivable Receivable (Muqasṣah) Based on Sharia Principles
8. Fatwa Number 131/DSN-MUI/X/2019 on Sukuk Wakaf
9. Fatwa Number 130/DSN-MUI/X/2019 on Guidelines for the Storage Guarantee Institution in the Implementation of Sharia Bank Handling or Solving Problems
10. Fatwa No. 129/DSN-MUI/VII/2019 on Real Cost as Ta'widh Due to Wanprestasi (at-Takalif al-Fi'liyah an-Nashi'ah'an al-Nukul)
11. Fatwa Number 128/DSN-MUI/VII/2019 on the implementation of Insurance Broker Enterprises and Reinsurance Broker Enterprises Based on Sharia Principles
12. Fatwa No. 127/DSN-MUI/VII/2019 on Sukuk Wakalah bi al-Istitsmar
13. Fatwa Number 126/DSN-MUI/VII/2019 on Akad Wakalah bi al-Istitsmar

³⁷ Achmad Sarwat, *Fiqh Kontemporer*..p. 22

³⁸ Achmad Sarwat, *Fiqh Kontemporer*.., p.23

³⁹ Achmad Sarwat, *Fiqh Kontemporer*.., p.25

14. Fatwa Number 125/DSN-MUI/XI/2018 on the Collective Investment Contract-Bet-Legged Effects (KIK EBA) Based on Sharia Principles
15. Fatwa Number 124/DSN-MUI/XI/2018 on the Application of Sharia Principles in the Implementation of Service Storage and Completion of Transactions Effects and Management of Integrated Investment Infrastructure
16. Fatwa No. 123/DSN-MUI/XI/2018 on the Use of Funds that Cannot be Recognized as Revenue for Sharia Financial Institutions, Sharia Business Institutions, and Sharia Economic Institutions
17. Fatwa Number 122/DSN-MUI/II/2018 on Management of BPIH Funds and Special BPIH Based on Sharia Principles
18. Fatwa Number 121/DSN-MUI/II/2018 on EBA-SP Based on Sharia Principles
19. Fatwa Number 120/DSN-MUI/II/2018 on Securitization Shaped Asset-Based on Sharia Principles
20. Fatwa No. 119/DSN-MUI/II/2018 on Ultra Micro Financing Based on Sharia Principles
21. Fatwa No. 118/DSN-MUI/II/2018 on the Guidelines of the Sharia Bank Customer Storage Guarantee.
22. Fatwa Number 117/DSN-MUI/II/2018 on Information Technology-based Financing Services Based on Sharia Principles
23. Fatwa No. 116/DSN-MUI/IX/2017 on Sharia Electronic Money
24. Fatwa Number 115/DSN-MUI/IX/2017 on Akad Mudharaba
25. Fatwa No. 114/DSN-MUI/IX/2017 on Akad Shirkah
26. Fatwa No. 113/DSN-MUI/IX/2017 on Akad Wakalah bi Al-Ujah
27. Fatwa No. 112/DSN-MUI/IX/2017 on Ijarah Akad
28. Fatwa No. 111/DSN-MUI/IX/2017 on Selling Akad Murabahah
29. Fatwa No. 110/DSN-MUI/IX/2017 on Selling Akad Buy
30. Fatwa Number 109/DSN-MUI/II/2017 on Short-Term Liquidity Financing Sharia
31. Fatwa Number 108/DSN-MUI/X/2016 on Tourism Organization Guidelines Based on Sharia Principles
32. Fatwa Number 107/DSN-MUI/X/2016 on Hospital Maintenance Guidelines Based on Sharia Principles
33. Fatwa Number 106/DSN-MUI/X/2016 on the Waqf Benefits of Insurance and Investment Benefits on Sharia Life Insurance
34. Fatwa Number 105/DSN-MUI/X/2016 on Guarantee of Refund of Mudharabah, Musyarakah, and Wakalah bil Istitsmar
35. Fatwa Number 104/DSN-MUI/X/2016 on Subrogation Based on Sharia Principles

36. Fatwa Number 103/DSN-MUI/X/2016 on Subjective Novation Based on Sharia Principles
37. Fatwa Number 102/DSN-MUI/X/2016 on Akad al-Ijarah al-Mauṣufah fi al-Dzimmah for Home Ownership Financing Products (PPR)-Indent
38. Fatwa Number 101/DSN-MUI/X/2016 on Akad al-Ijarah al-Mauṣufah fi al-Dzimmah
39. Fatwa Number 100/DSN-MUI/XII/2015 on Transaction Guidelines Multi Benefits Sharia
40. Fatwa Number 99/DSN-MUI/XII/2015 on Sharia Annuity For Retirement Program
41. Fatwa Number 98/DSN-MUI/XII/2015 on Sharia Health Social Security Management Guidelines
42. Fatwa Number 97/DSN-MUI/XII/2015 on Sharia Deposit Certificate
43. Fatwa Number 96/DSN-MUI/VI/2015 on Sharia Value Hedging Transactions (al-Tahawwuth al-Islami/Islamic Hedging) Over Exchange Rate
44. Fatwa Number 95/DSN-MUI/VII/2014 on State Sharia Valuable Letter (SBSN) Wakalah
45. Fatwa Number 94/DSN-MUI/VI/2014 on Sharia Valuable Letter Repo (SBS) Based on Sharia Principles
46. Fatwa Number 93/DSN-MUI/IV/2014 on Automation (Wasathah) in Property Business
47. Fatwa Number 92/DSN-MUI/IV/2014 on Financing accompanied by Rahn (al-Tamwil al-Mautsuq bi al-Rahn)
48. Fatwa Number 91/DSN-MUI/IV/2014 on Syndication Financing (al-Tamwil al-Maṣrifi al-Mujamma')
49. Fatwa Number 90/DSN-MUI/XII/2013 on the Transfer of Murabahah Financing Inter-Sharia Financial Institutions (LKS)
50. Fatwa Number 89/DSN-MUI/XII/2013 on Sharia Refinancing.
51. Fatwa Number 88/DSN-MUI/XI/2013 on General Guidelines on the implementation of the Retirement Program Based on Sharia Principles.
52. Fatwa Number 87/DSN-MUI/XII/2012 on the Income Smoothing Method of Third Party Fund.
53. Fatwa Number 86/DSN-MUI/XII/2012 on the Prize in the Association of Sharia Financial Institutions Funds.
54. Fatwa Number 85/DSN-MUI/XII/2012 on Promises (Wa'd) in Financial Transactions and Sharia Business.
55. Fatwa Number 84/DSN-MUI/XII/2012 on the Tamwil bi al-Murabahah Profit Recognition Method (Murabahah Financing) at Sharia Financial Institutions.

56. Fatwa Number 83/DSN-MUI/VI/2012 on Direct Sales Tiegi Sharia Travel Services Umrah.
57. Fatwa Number 82/DSN-MUI/VIII/2011 on Commodity Trading Based on Sharia Principles on Commodity Exchange.
58. Fatwa Number 81/DSN-MUI/III/2011 on Tabarru Fund Return for Insurance Participants who Stop Before the Term of Agreement
59. Fatwa Number 80/DSN-MUI/III/2011 on Application of Sharia Principles in Equity Effects Trading Mechanism in the Regular Market of Stock Exchange
60. Fatwa Number 79/DSN-MUI/III/2011 on Qardh using Customer Fund
61. Fatwa Number 78/DSN-MUI/IX/2010 on Mechanisms and Instruments of Interbank Money Market Based on Sharia Principles.
62. Fatwa No. 77/DSN-MUI/VI/2010 on Selling Gold In Cash.
63. Fatwa Number 76/DSN-MUI/VI/2010 on SBSN Ijarah Asset to be Leased.

From the 63 fatwas above can be classified by the business sector as follows:

Table 1. Classification of fatwa based on business and sharia business sectors

No	Classification of sharia business and enterprise	Fatwa Number	About
1	Business and Banking Operations	1. 78/DSN-MUI/IX/2010	Interbank Money Market Mechanisms and Instruments Based on Sharia Principles
		2. 83/DSN-MUI/VI/2012	Direct Selling Syariah Umrah Travel Services
		3. 86/DSN-MUI/XII/2012	Prizes in Islamic Financial Institution Fundraising
		4. 100/DSN-MUI/XII/2015	Sharia Multi Benefit <i>Voucher</i> Transaction Guidelines
		5. 138/DSN-MUI/V/2020	on the Implementation of Sharia Principles in Clearing Mechanisms, and Guarantees of Settlement of Stock Exchange Transactions for Equity Securities on the Stock Exchange

No	Classification of sharia business and enterprise	Fatwa Number	About
		6. 136/DSN-MUI/VII/2020	Conversion, Change and Transfer of Conventional Bank Assets-Liabilities to Sharia Bank Assets-Liabilities
		7. 130/DSN-MUI/X/2019	Guidelines for the Deposit Insurance Agency in the Implementation of Handling or Settlement of Islamic Banks Experiencing Solvency Problems
		8. 123/DSN-MUI/XI/2018	Use of Funds That May Not Be Recognized as Income for Islamic Financial Institutions, Islamic Business Institutions, and Islamic Economic Institutions
		9. 122/DSN-MUI/II/2018	Management of BPIH and Special BPIH Funds Based on Sharia Principles
		10. 118/DSN-MUI/II/2018	Guidelines for Guaranteeing Sharia Bank Customer Deposits
2	Investment	1. 137/DSN-MUI/IX/2020	Sukuk
		2. 135/DSN-MUI/V/2020	Share
		3. 131/DSN-MUI/X/2019	Sukuk Waqf
		4. 127/DSN-MUI/VII/2019	Sukuk Wakalah bi al-Istitsmar
		5. 126/DSN-MUI/VII/2019	The Contract of Deed of Intent to Obey
		6. 125/DSN-MUI/VII/2019	Collective Investment Contract-Asset Backed Securities (KIK EBA) Based on Sharia Principles

No	Classification of sharia business and enterprise	Fatwa Number	About
		7. 124/DSN-MUI/XI/2018	Implementation of Sharia Principles in the Implementation of Securities Transaction Depository and Settlement Services and Integrated Investment Infrastructure Management
		8. 121/DSN-MUI/II/2018	EBA-SP Based on Sharia Principles
		9. 120/DSN-MUI/II/2018	Securitization in the Form of Asset-Backed Securities Based on Sharia Principles
		10. 82/DSN-MUI/VIII/2011	Commodity Trading Based on Sharia Principles on Commodity Exchanges
		11. 80/DSN-MUI/III/2011	Implementation of Sharia Principles in the Equity Securities Trading Mechanism in the Regular Market of the Stock Exchange
		12. 76/DSN-MUI/VI/2010	SBSN Ijarah Asset to be Leased
3	Financing	1. 133/DSN-MUI/X/2019	<i>Al-Musyarakah Al-Muntahiyah Bi al-Tamlik</i>
		2. 77/DSN-MUI/VI/2010	Cashless Buying and Selling of Gold
		3. 79/DSN-MUI/III/2011	Qardh Using Customer Funds
		4. 85/DSN-MUI/XII/2012	Promise (<i>Wa'd</i>) in Islamic Financial and Business Transactions
		5. 89/DSN-MUI/XII/2013	Sharia Refinancing
		6. 90/DSN-MUI/XII/2013	Transfer of Murabahah Financing Between Islamic Financial Institutions (LKS)

No	Classification of sharia business and enterprise	Fatwa Number	About
		7. 7. 84/DSN-MUI/XII/2012	Profit Recognition Method <i>for Tamwil bi al-Murabahah</i> (Murabahah Financing) in Islamic Financial Institutions
		8. 92/DSN-MUI/IV/2014	Financing Accompanied by Rahn (<i>al-Tamwil al-Mautsuq bi al-Rahn</i>)
		9. 91/DSN-MUI/IV/2014	Syndicated Financing (<i>al-Tamwil al-Ma ş rifi al-Mujamma'</i>)
		10. 110/DSN-MUI/IX/2017	Sale and Purchase Agreement
		11. 109/DSN-MUI/II/2017	Sharia Short Term Liquidity Financing
		12. 105/DSN-MUI/X/2016	Guaranteed Return of Capital for Mudharabah, Musyarakah and <i>Wakalah bil Istitsmar Financing</i>
		13. 102/DSN-MUI/X/2016	<i>Al-Ijarah Al-Mau ş ufah fi Al-Dzimmah</i> Agreement for Home Ownership Financing Products (PPR)-Indent
		14. 101/DSN-MUI/X/2016	<i>Akad al-Ijarah al-Mau ş ufah fi al-Dzimmah</i>
		15. 119/DSN-MUI/II/2018	Ultra Micro Financing Based on Sharia Principles
		16. 117/DSN-MUI/II/2018	Information Technology-Based Financing Services Based on Sharia Principles
		17. 115/DSN-MUI/IX/2017	Mudharabah Contract
		18. 114/DSN-MUI/IX/2017	Partnership Agreement
		19. 113/DSN-MUI/IX/2017	The Contract of <i>Wakalah by Ujrah</i>
		20. 112/DSN-MUI/IX/2017	Ijarah Contract

No	Classification of sharia business and enterprise	Fatwa Number	About
		21. 111/DSN-MUI/IX/2017	Murabahah Sale and Purchase Agreement
		22. 140/DSN-MUI/VIII/2021	Offering of Sharia Securities Through Information Technology-Based Crowdfunding Services Based on Sharia Principles (<i>Islamic Securities Crowd Funding</i>)
		23. 132/DSN-MUI/X/2019	Meeting of Receivables (<i>Muqashshah</i>) Based on Sharia Principles
		24. 134/DSN-MUI/II/2020	Real Costs As A Result Of Rescheduling Bills
		25. 143/DSN-MUI/VIII/2021	Personal Financing (<i>al-Tamwil ash-Syakhshiyah</i> / <i>Personal Financing</i>)
		26. 142/DSN-MUI/VIII/2021	Islamic Financial Institutions' Income During Construction Period
4	Sharia Insurance	1. 128/DSN-MUI/VII/2019	Implementation of Insurance Brokerage Business and Reinsurance Brokerage Business Based on Sharia Principles
		2. 81/DSN-MUI/III/2011	Tabarru' Refund for Insurance Participants Who Resign Before the End of the Agreement Period
		3. 106/DSN-MUI/X/2016	Endowment Benefits of Insurance and Investment Benefits in Sharia Life Insurance
5	Pension fund	1. 88/DSN-MUI/XI/2013	General Guidelines for Implementing Pension

No	Classification of sharia business and enterprise	Fatwa Number	About
			Programs Based on Sharia Principles

Source : data published on web www.dsnmui.or.id

From the data above it appears that throughout 2010 to 2021 fatwas published by DSN-MUI can be classified related to business operations and Shari'ah banking there are 10 fatwas, about Shari'ah investment there are 12 fatwas, about financing there are 26 fatwas, about Sharia insurance there are 3 fatwas and about 1 fatwa pension funds.

Table 2 Procentage of Fatwa Classification based on Islamic Finance sector since 2010-2021

No	Financial Sector Classification	Amount	Percentage
1	Sharia Business and Banking Operations	10	16%
2	Sharia Investment	12	19%
3	Financing	26	41%
4	Sharia Insurance	3	5%
5	Pension fund	1	2%
6	Other	11	17%
Amount		63	100%

Dynamics of Fatwa Methods DSN-MUI in Financing Years 2010 to 2021

From 26 fatwas related to financing from 2010 to 2021 DSN-MUI has compiled fatwas with various methods and approaches as follows:

Table 3 Dynamics Fatwa Method DSN MUI on islamic financing

No	Fatwa Number	About	Approach/istinbath	Fatwa Method
1	77/DSN-MUI/VI/2010	Cashless Buying and Selling of Gold	' <i>nash qathi, qouli</i>	<i>Tahqiqul manath and i'adatunnazhr, taysir al-manhaji</i>

No	Fatwa Number	About	Approach/istinbath	Fatwa Method
2	79/DSN-MUI/III/2011	Qardh Using Customer Funds	'nash qathi, qouli, manhaji	Interpretation of halal and haram
3	85/DSN-MUI/XII/2012	Promise (Wa'd) in Islamic Financial and Business Transactions	'nash qathi, qouli,	Taysiru al-manhaji
4	89/DSN-MUI/XII/2013	Sharia Refinancing	'nash qathi, qouli,	The good cause
5	90/DSN-MUI/XII/2013	Transfer of Murabahah Financing Between Islamic Financial Institutions (LKS)	qathi text, qouli, manhaji	Tafriqul is halal. Anil Haram, Taysir al-Manhaji
6	84/DSN-MUI/XII/2012	Al-Tamwil Bi Al-Murabahah Profit Recognition Method (Murabahah Financing) In Islamic Financial Institutions	Nash qath'i, qouli ,	Urf, the right thing to do
7	92/DSN-MUI/IV/2014	Financing Accompanied by Rahn (al-Tamwil al-Mautsuq bi al-Rahn)	Nash qath'i, qouli,	The cause of goodness
8	91/DSN-MUI/IV/2014	Syndicated Financing (al-Tamwil al-Masrifi al-Mujamma')	Nash qath'i, qouli,	tafriqul halal 'anil haram, mashlahah murlahah
9	110/DSN-MUI/IX/2017	Sale and Purchase Agreement	The text of the qath'i, qouli, manhaji	taysirul manhaji, tafriqu al-halal 'anil haram

No	Fatwa Number	About	Approach/istinbath	Fatwa Method
10	109/DSN-MUI/II/2017	Sharia Short Term Liquidity Financing	The text of the text, the verses, the manhaji of the manhaji	<i>The cause of goodness</i>
11	105/DSN-MUI/X/2016	Guaranteed Return of Capital for Mudharabah, Musyarakah and Wakalah bil Istitsmar Financing	The text of the qath'i, qouli, manhaji	<i>taysirul manhaji, mashlahah murlahah</i>
12	102/DSN-MUI/X/2016	Al-Ijarah Al-Maushufah fi Al-Dzimmah Contract for Home Ownership Financing Products (PPR)-Indent	<i>The text of the qath'i, qouli, manhaji</i>	<i>the great manhaji</i>
13	101/DSN-MUI/X/2016	Al-Ijarah Al-Maushufah fi Al-Dzimmah Agreement	The text of the qath'i, qouli, manhaji	<i>the great manhaji</i>
14	119/DSN-MUI/II/2018	Ultra Micro Financing Based on Sharia Principles	The text of the qath'i, qouli, manhaji	<i>taysirul manhaji</i> 8
15	117/DSN-MUI/II/2018	Information Technology-Based Financing Services Based on Sharia Principles	The text of the qath'i, qouli, manhaji	<i>interpretation of the halal and the haram</i>
16	115/DSN-MUI/IX/2017	Mudharabah Contract	The text of the qath'i, qouli, manhaji	<i>the great manhaji</i>

No	Fatwa Number	About	Approach/istinbath	Fatwa Method
17	114/DSN-MUI/IX/2017	Partnership Agreement	Nash qath'i, qouli	<i>the most perfect, the most perfect</i>
18	113/DSN-MUI/IX/2017	The Contract of <i>Wakalah by Al-Ujrah</i>	The text of the qath'i, qouli, manhaji	<i>the great manhaji</i>
19	112/DSN-MUI/IX/2017	Ijarah Contract	The text of the qath'i, qouli, manhaji	<i>The cause of goodness</i>
20	111/DSN-MUI/IX/2017	Murabahah Sale and Purchase Agreement	The text of the qath'i, qouli, manhaji	<i>The cause of goodness</i>
21	140/DSN-MUI/VIII/2021	Offering of Sharia Securities Through Information Technology-Based Crowdfunding Services Based on Sharia Principles (<i>Islamic Securities Crowd Funding</i>)	The text of the qath'i, qouli, manhaji	<i>Saddudzari'ah</i>
22	133/DSN-MUI/X/2019	<i>Al-Musyarakah Al-Muntahiyah Bi al-Tamlik</i>	The text of the qath'i, qouli, manhaji	<i>taysirul manhaji, mashlahah murlahah</i>
23	132/DSN-MUI/X/2019	Collection of Receivables (<i>Muqashshah</i>) Based on Sharia Principles	The text of the qath'i, qouli, manhaji	<i>the cause of misery</i>
24	134/DSN-MUI/II/2020	Real Costs As A Result Of Rescheduling Bills	The text of the qath'i, qouli, manhaji	<i>Interpretation of the halal 'anil forbidden</i>

No	Fatwa Number	About	Approach/istinbath	Fatwa Method
25	143/DSN-MUI/VIII/2021	Personal Financing (<i>At-Tamwil Asy-Syakhshi / Personal Financing</i>)	The text of the qath'i, qouli, manhaji	<i>interpretation of halal and haram I'adatunnazar</i>
26	142/DSN-MUI/VIII/2021	Islamic Financial Institutions' Income During Construction Period	The correct text, the correct method	<i>interpretation of halal and haram the cause of misery</i>

Based on the above description of 26 fatwas DSN MUI related financing mostly using a single method of 18 out of 26 (69%), while the remaining 31% use a combination method, in this case one method is used. of several times the method used, 'iadatunnazhar is used 1 times (3%), using the *taysiru al-manhaji* method, 7 out of 26 (21%) fatwa using the method *tafriq al-halal 'ani al-haram*, while the method *'tahqiq al-manath* is used only once (3%). Nevertheless, most approaches and methods used are not single. The approach used always uses three main things, namely *naş qath'i*, *qouli* and *manhaji*, while the method used experience diversity. This confirms that the fatwa of DSN MUI is more in the field of financing that is very dynamic does require a dynamic comprehensive study also so that the conformity of the transaction mu'amah is still in line with the demands and guidance of Sharia.

For all fatwas DSN-MUI always use the *istinbath* with a *nash qath'i* approach from both the Qur'an and al-Hadith. The Qur'anic verses that are often and almost always quoted are verses about the obligation to carry out the akad (QS al-Maidah verse 5), prohibition of eating the other's property in a bishil (QS an-Nisa verse 29), the prohibition of buying and selling and riba (al-Baqarah verse 275 and 278), the obligation to keep the promise (QS al-Isra verse 34), the obligation to perform the mandate (al-Baqarah verse 283, an-Nisa verse 58), the recommendation for recording debt (QS al-Baqarah verse 282).

The method of *istinbath* using the *nash qath'i* approach, DSN MUI refers to the hadith contextually depending on the subject matter in the fatwa. In addition to some hadiths that are common such as the advisory for peace among fellow Muslims (HR Tirmidhi from 'Amr bin 'Auf al-Muzani). Contextual Hadiths commonly referred to in discussing fatwas related to mudarabah and buying selling are hadiths about the urge to conduct three types of transactions that contain blessings, namely buying and selling in cash, *muqaradah* (*mudharabah*), and mixing wheat with jewawut for household purposes not for sale. The Hadith was narrated by Ibn Majah of Shuhaib. Next is the hadith about the prohibition of committing harmful deeds (narrated by Ibn Majah from 'Ubadah bin

Shamit).

While some fikih rules that almost always refer to the fatwa of DSN MUI are common rules about the basic law of transaction is allowed (*al 'ashlu fi al-mu'amalati al-ibahatu*), the rule of the existence of *mashaqqah* can lead to ease, the habit can be a source of law (*al'adatu muhakkamatun*). There is a Mashlahah there is God Laws (*iza wujudat al-mashlahatu fa tsamma hukmu Allah*). Then in using the *qouli* approach, the fatwas of DSN-MUI refer to the opinions of the previous scholars such as the four-magnum cleric of Imam Mazhab and his students such as Ibn Qudamah and also contemporary as well as the Wahbah al-Zuhaili, There are several fatwas if viewed from the title of the size of the previous fatwa, as does fatwa No. 140/DSN-MUI/VIII/2021 on Sharia Effect Offers Through Information Technology-based Funding Services Based on Sharia Principles (Islamic Securities Crowd Funding). In this fatwa there is a new meaning of the definition of the assembly, where the assembly is not conventional, in the form of the meeting place of the performers of the *shirkah* physically, but the assembly is also interpreted in the form of application systems. This refers to the opinion of some scholars including Muhyiddin Syarf al-Nawawi in his book *Raudlah al-Thalibin*, Riyadh: Dar al-Alam al-Polar, 1423 H/2003 M Juz V, page. 687, states that "the assembly of the will required there is a surrender is the assembly of tawajam; yattu a way that causes the engagement between the ijab and qabul, without considering where the will takes place".

Then if explored deeper, fatwa No. 114/DSN-MUI/IX/2017 about the *shirkah*. Contextually, DSN MUI conducted updates to several previous fatwas, namely fatwa No. 08/DSN-MUI/IV/2000 on *Musyarakah* Financing. In fatwa Number 114 there are several forms of fatwa confirmed in fatwa, including the wider form of *shirkah* on fatwa Number 114 compared to fatwa Number 08 which only mention the financing of *musyarakahah*.

Then DSN-MUI dynamics in composing laws conclusion about real cost fatwa as a result of scheduling the bill. In Fatwa 134/DSN-MUI/ II/2020 on Real Cost as a result of the scheduling of the Bill, compared to Fatwa No. 48/DSN-MUI/II/2005 on Scheduling Back of Murabahah bill. In fatwa 134, DSN-MUI is more clear to provide a description of the real cost criteria that can be charged to customers when rescheduling of financing occurs, it is not present in fatwa No. 48.

Then if further examined, the fatwa of DSN-MUI Number 143/DSN-MUI/VIII/2021 concerning personal financing (at-tamwil al-syakhshi/Personal Financing) there is a significant change compared to the fatwa of DSN-MUI Number 04/DSN-MUI/IV/2000 about *murabahah*. In fatwa Number 143 it is explained that if financing is done to customers in the form of buying and selling then LKS should not give the customer power in the form of a license in order to mitigate the risk of abuse. This is different from the substance of fatwa Number 04 about *murabahah* which is in a type of *accad* including one of the buy sale commitments. This fatwa is stated that it is allowed

to murabahaha with customers where the bank represents the customer to buy goods from third parties. This difference is very principle where there is a change in fatwa content in the accad that still exists is an adisability, namely the murabahah financing acad with personal financing acad. This needs to be questioned more firmly that sets the difference in fatwa content number 04 and 143. According to the observation of the authors there is a slightly revealed reason in fatwa 143, with the phrase “to mitigate risk” it is worthwhile that based on the long experience of LKS found murabahaha accadations between the customer and the customer when using the time to buy the *murabahah* object, there is a deviation so that in fatwa 143 must be confirmed no longer allowed.

4. Conclusion

The Dynamics of Methodological used by DSN-MUI in establishing Fatwa related to financing products from 2010 to 2021 is by methodical study by processing the results of *ijtihad jama'i* (collective) through approaches *naş qath'i*, *qouli* and *manhaji*. Using the *Taysiru al-manhaji* method, *Tafriqu al-halal'an al-haram*, *'iadata al-nazhar* and *Tahqiq al-manath*. The use of the method has been dynamically implemented and used combinatively in the financing-related fatwa in 2010 to 2021, from 26 fatwas DSN-MUI mostly, 12 out of 26 (36%) using the *taysiru al-manhaji* method, 7 out of 26 (21%) fatwas using the *tafriq al-halal 'ani al-haram* method, while the *tahqiq al-manath* method is used only once (3%). Nevertheless, most approaches and methods used are not single. The approach used always uses three main things: *naş qath'i*, *qouli* and *manhaji*, while the method used experience diversity, sometimes single and some of them are used simultaneously. Against new things that arise, DSN-MUI uses many *mashlahah al-mursalah* method to meet the operational needs of LKS while avoiding the things that are prohibited in *mu'amalah*. This confirms that the DSN-MUI fatwa in the field of financing is very dynamic. It must be recognized does require a dynamic comprehensive study also so that the conformity of your transaction remains in line with the demands and guidance of *Sharia* by always paying attention to general deeds (*maşalih al-'ammah*) and *maqasid al-shari'ah*. However, the pattern of school still appears in some of the published fatwas, this is very likely to occur given that the method used by DSN-MUI is not separated from the methods used by the earlier *mujtahid* scholars.

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