The Binding Authority of DSN-MUI Fatwas in the National Legal System: An Analysis from the Perspective of Islamic Law and Legislative Theory

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Article Info

Received: 2025-04-21
Revised: 2025-05-28
Accepted: 2025-06-29

Keywords:
DSN-MUI Fatwas, Islamic Law, Legislative Theory, Islamic Economic Law, Living Law, Regulation.

Abstract

The National Sharia Council of the Indonesian Ulema Council (DSN-MUI) plays a central role in shaping the principles of Islamic economic law in Indonesia through its fatwas. These fatwas serve as primary references in the practices of Islamic financial institutions. However, the legal status of DSN-MUI fatwas within national legislation remains a subject of debate, particularly regarding their binding authority. This article aims to analyze the position of DSN-MUI fatwas from the perspective of Islamic law and legislative theory within the national legal system. This study employs a qualitative method with a normative and literature-based approach, examining various legal regulations and legal theories. The findings indicate that in Islamic law, fatwas are not absolutely binding unless institutionalized by an official authority. In the national context, DSN-MUI fatwas attain functional binding power as they are used as references in regulatory frameworks by Bank Indonesia, the Financial Services Authority (OJK), and Islamic financial institutions. Although these fatwas do not possess formal legal authority within the hierarchy of national legislation, they have become part of the living law that is internalized in national economic legal practices. Therefore, normative reinforcement is needed through explicit recognition in sectoral regulations to prevent legal vacuums. This study recommends the codification of DSN-MUI fatwas into derivative regulations to enhance their juridical legitimacy in supporting a just and legally certain Islamic economic legal system.

I. Introduction

The development of the Islamic economy in Indonesia has experienced significant growth over the past two decades. The emergence of various Islamic financial institutions such as Islamic banking, Islamic insurance, Islamic capital markets, and Islamic fintech has fostered the need for legal certainty grounded in Sharia principles (Ade Zuki Damanik 2024). In this context, the National Sharia Council of the Indonesian Ulema Council (DSN-MUI) plays a vital role as the authority that issues Sharia fatwas to be used as references in Islamic economic practices. DSN-MUI fatwas serve as the normative foundation for the development of products, services, and policies in Indonesia's Islamic financial sector (Hardiati, Fitriani, and Nugroho 2024).

However, a fundamental legal issue arises: do DSN-MUI fatwas possess formally binding legal force within the national legal system? In the tradition of Islamic law, fatwas are legal opinions issued by a mufti or religious institution that are not legally binding unless institutionalized by state authority. In the Indonesian context, although DSN-MUI fatwas are often referred to in financial sector regulations, their position within the hierarchy of national legislation remains unclear. This creates a normative gap, especially when disputes or differing interpretations arise concerning Sharia-compliant financial products based on these fatwas.

Furthermore, from the perspective of legislative theory, DSN-MUI fatwas fall outside the formal regulatory structure as outlined in Law No. 12 of 2011 on the Formulation of Laws and Regulations. On the other hand, DSN-MUI fatwas have become part of the living law, namely the law that lives and is practiced within society, particularly among the Islamic economic community. This reality invites academic discourse on how legal theory, particularly legislative theory and the theory of Islamic legal authority, can portray the position of fatwas within the national legal landscape of Indonesia.

Several previous studies have discussed the position of fatwas in the legal system. For example, Hardiati emphasizes that MUI fatwas are not legally binding but possess strong moral legitimacy (Hardiati et al. 2024). Meanwhile, Triyanta's study explores the relationship between fatwas and formal legislation, highlighting the importance of institutional strengthening of fatwas so they can synergize with the national legal system (Triyanta 2014). On the other hand, Achmad and Thamrin examine the implementation of DSN-MUI fatwas in OJK and Bank Indonesia regulations and conclude that fatwas have been substantially adopted, even though they still lack formal legal force (Achmad and Thamrin 2024). Nonetheless, few studies have specifically analyzed DSN-MUI fatwas through two perspectives simultaneously—Islamic law and modern legislative theory—to

explain their validity and binding power in national legal practice.

Previous studies have touched on the role of fatwas within the national legal system, particularly those related to the authority of fatwas issued by the Indonesian Ulema Council (MUI) and the National Sharia Council (DSN-MUI). However, there is a gap in the existing literature, as few have explicitly analyzed DSN-MUI fatwas through both lenses—Islamic legal perspective and modern legislative theory. Most studies tend to focus on the normative Islamic aspects or on institutional implementation but have not extensively integrated analyses of fatwa validity within the national legal structure based on contemporary legal theory. This approach is highly necessary, considering that DSN-MUI fatwas occupy an intermediary position: on one hand, rooted in religious authority recognized in fiqh tradition, and on the other hand, operating within a positive legal system that requires formal legitimacy through statutory law or government regulations.

The purpose of this research is to systematically and normatively explain the legal standing of DSN-MUI fatwas within Indonesia's national legal system. Moreover, this study aims to analyze the position of fatwas from the perspective of Islamic law, especially regarding their authority, legitimacy, and binding nature. At the same time, legislative theory will be used to assess how fatwas may or may not attain a position within the structure of positive law, and how this position affects regulatory practices in Islamic economic law. Furthermore, this study is expected to formulate concrete recommendations for the normative strengthening of DSN-MUI fatwas within the national legal system, thereby more effectively supporting the increasingly strategic development of the Islamic financial industry.

The novelty of this research lies in its interdisciplinary approach, which combines classical Islamic legal frameworks on fatwas and muftis with modern legislative theories typically applied in positive legal studies. By integrating these two approaches, this article offers a new perspective on how fatwa authority can attain normative and operational recognition within the national legal system. This study also contributes theoretically to the understanding of the interaction between religious and state law in a pluralistic country like Indonesia and offers solutions to the legal gaps that frequently arise in the practice of Islamic economic and financial law. As such, this article is expected to provide a significant intellectual contribution to the discourse on strengthening Islamic economic legal regulations based on fatwas and to promote stronger synergy between Islamic law and national law.

II. Method

This study employs a qualitative approach using the library research method (Endah Marendah Ratnaningtyas et al. 2023), focusing on a normative analysis of DSN-MUI fatwas within the Indonesian national legal system. The primary data sources used in this research include collections of DSN-MUI fatwas, Law Number 21 of 2008 on Islamic Banking, Financial Services Authority (OJK) regulations, as well as other relevant legislation related to the Islamic finance industry. In addition, classical works of usul al-fiqh such as Al-Mustashfa by Al-Ghazali and Al-Muwafaqat by Al-Syatibi are employed to understand the concept of fatwa authority from the perspective of classical Islamic law. On the other hand, modern legislative theories, such as those proposed by Hans Kelsen and Lon Fuller, are utilized as analytical tools to assess the position and validity of fatwas within the formal legal system.

The data analysis technique used is content analysis, conducted in a deductive and comparative manner (Faisar Ananda and Watni Marpaung 2016). This study not only normatively describes the legal position of fatwas but also critically examines the extent to which DSN-MUI fatwas gain legal recognition in national regulatory practices. The analysis is carried out by linking Islamic legal concepts regarding fatwas, the authority of the mufti, and the characteristics of Islamic public law with legislative theory in positive law—particularly concerning the concepts of soft law, living law, and the hierarchy of legislation. In this way, the study aims to provide a comprehensive and integrative understanding of the status of DSN-MUI fatwas from two distinct yet interconnected legal traditions.

III. Result and Discussion

The Status of Fatwas in the Tradition of Islamic Law

In the tradition of Islamic law (fiqh), fatwas hold a significant position in bridging normative texts with the social realities of the Muslim community. A fatwa is a response to legal issues not explicitly addressed in the nass (the Qur'an and Hadith), making it highly relevant in responding to changing circumstances. A fatwa is issued by a mufti—a scholar possessing scholarly authority and moral integrity to deliver legal opinions based on ijtihad methodology. In this regard, fatwas differ from qadha' (judicial decisions), as fatwas are not formally binding but may serve as strong guidelines in legal decision-making (Nurlaila and Zulihafnani 2019).

Epistemologically, fatwas emerge from the process of istinbath al-hukm—the derivation of legal rulings from Sharia sources—through an ijtihadi approach grounded in legal reasoning and the objectives of Sharia (maqasid al-shariah). Classical scholars such

as Al-Ghazali, Al-Juwayni, and Al-Syatibi emphasized that fatwas are not merely reflections of normative law but also expressions of legal morality that respond to the needs of the ummah. In Al-Mustashfa, Al-Ghazali explains that a fatwa is a declaration by a legal expert regarding Allah's law based on their knowledge of legitimate shar'i evidences. Therefore, although fatwas are not coercive, their authority rests on scholarly legitimacy and the public's trust in the mufti's expertise (Amin 2017; Mustafa Kamal 2022; Musfira 2022).

Historically, fatwas have also played a strategic role in governance systems. During the Abbasid caliphate, for instance, the Dar al-Ifta institution emerged as an official body providing fatwas to both government and society (Zakirun Pohan 2021). In the Hanafi school of law adopted by the Ottoman Empire, fatwas issued by the grand mufti (Shaykh al-Islam) had considerable influence on state policy. This illustrates that in certain contexts, fatwas evolved into semi-formal legal instruments serving as sources of moral legitimacy for governance.

Nevertheless, the nature of fatwas remains within the domain of non-binding legal opinion. In other words, a fatwa does not automatically possess legally binding force like a court judgment or statutory regulation. Its strength lies in its societal or institutional acceptability. In traditional Muslim societies, adherence to fatwas is often determined by the personal authority of the mufti and the alignment of the fatwa's content with local values. As a result, it is not uncommon for a single issue to give rise to multiple fatwas depending on the madhhab, sociological context, and methodological approach employed (Faisal Yahya 2018).

However, it is important to note that fatwas also carry a high degree of ta'zīm (reverence), especially when issued by widely recognized institutions. In Indonesia, the position of the Indonesian Ulema Council (MUI) and the National Sharia Council (DSN) serves as a concrete example of how fatwas can attain collective legitimacy and even be officially referenced in the Islamic financial industry (Nurkholidah, Mursid, and Kamaruddin 2024). This signifies a shift from fatwas as individual opinions to institutional fatwas. In this context, DSN-MUI fatwas are not merely the opinions of a single mufti, but rather the outcome of collective ijtihad, involving deliberation, methodological validation, and legal assessment.

On the other hand, the status of fatwas in Islamic law must also be interpreted within the framework of Islamic public law (fiqh siyasah). Fatwas significantly contribute to the development of social and legal norms by providing legal flexibility for contemporary cases not addressed in the nass. While fatwas do not claim absolutism,

their flexibility becomes a unique strength. Herein lies the vitality of Islamic law—being adaptive and responsive—making fatwas a dynamic mechanism that maintains the connection between Sharia and reality (Nilhakim, Marilang, and Kurniati 2021).

Moreover, in Islamic legal theory, the epistemic status of fatwas may elevate depending on their public acceptance and application. According to Wahbah al-Zuhayli, if a fatwa is widely accepted and used as a basis in legislation or jurisprudence, it transcends the level of mere opinion and becomes part of al-hukm al-'amali—practical legal rulings that regulate human conduct. In this regard, although fatwas are not formally binding, in practice they can attain a status nearly equivalent to statutory law—especially in legal systems that accommodate the plurality of legal sources, such as Indonesia (Simanjuntak 2015).

Therefore, it can be concluded that in the tradition of Islamic law, fatwas possess a dual dimension: normative and social. Normatively, they are products of ijtihad rooted in scholarly authority and methodological validity. Socially, they serve as instruments of moral legitimacy and legal guidance respected by the Muslim community. Their position is not identical to legislation, but their presence is undeniable, as they shape a dynamic, contextual, and welfare-oriented Islamic legal landscape. Accordingly, in the construction of national law, fatwas may serve as legal references with high moral authority and are thus relevant to be used as the basis for policy formulation, especially in the field of Islamic economics and finance.

DSN-MUI as a Fatwa Authority in Sharia Economics

The National Sharia Council of the Indonesian Ulema Council (DSN-MUI) was established in response to the need for a legitimate and credible normative guide in the practice of Sharia economics in Indonesia. Since its inception in 1999 through MUI Decree No. Kep-754/MUI/II/1999, DSN-MUI has officially been mandated to issue fatwas governing Sharia principles in financial, banking, insurance, capital market, and other Sharia-based business sectors. The existence of DSN-MUI is not merely a complement to the national Sharia legal system; it has become a central institution that bridges the principles of fiqh muamalah and the modern economy based on financial systems (Tamam 2021).

DSN-MUI performs this role through an organized and systematic institutional structure. The institution comprises scholars of fiqh muamalah, Islamic economic experts, and representatives from financial authorities such as Bank Indonesia and the Financial Services Authority (OJK). This composition makes DSN-MUI a forum for collective ijtihad

(ijtihad jama'i) that considers not only the normative aspects of Islamic law but also the technical and contextual aspects of the contemporary financial system. This represents an essential synergy in producing fatwas that are not only valid according to Sharia but also implementable within the national economic system (Ismail Pane et al. 2022).

One of DSN-MUI's main strengths is its ability to align fatwa authority with the needs of state regulation. In practice, various DSN-MUI fatwas have been adopted by state financial authorities as normative references. For example, fatwas on murabaha, mudaraba, musharaka, ijarah, and wakala contracts have served as the basis for Islamic banking regulations issued by Bank Indonesia and the OJK. In some regulations, such as those issued by the OJK, references to DSN-MUI fatwas are explicitly mentioned as binding legal bases. This demonstrates that although fatwas are theoretically non-binding, in the context of Indonesia's Sharia economy, DSN-MUI fatwas have acquired a semi-legislative status (Alamudi and Hasan 2023).

It is important to understand that DSN-MUI fatwas do not exist in a legal vacuum. The institution operates within a national legal ecosystem that is pluralistic and open to various sources of law, including religious law, customary law, and state law. In this regard, DSN-MUI fatwas gain authoritative strength through functional integration between religious norms and positive legal norms. The concept of "living law," recognized in the Indonesian legal system, provides space for religious norms such as fatwas to influence legal behavior in society, especially in the Sharia economic sector, which heavily relies on Sharia legitimacy.

Nevertheless, DSN-MUI's role is not without challenges. One fundamental challenge is the absence of an explicit legal status for DSN-MUI in the hierarchy of national legislation (Hardiati et al. 2024; Tamam 2021). This creates a legal dilemma, particularly when there is a conflict between the contents of a fatwa and statutory norms. On the one hand, Sharia economic actors are required to adhere to DSN-MUI fatwas to maintain Sharia principles; on the other hand, these fatwas may not have binding force in litigation processes in court. Therefore, the legal recognition of DSN-MUI fatwas within the national legal system becomes a crucial issue in Islamic economic law discourse.

However, in practice, DSN-MUI fatwas have demonstrated effective normative force in both private and institutional domains. Many Islamic financial institutions, both banking and non-banking, adopt DSN-MUI fatwas as the legal foundation for their operations. In fact, the internalization of DSN-MUI fatwas is often more strictly adhered to than regulations from formal authorities because the fatwas are seen as sources of spiritual and legal legitimacy. In many cases, non-compliance with fatwas is regarded as a

violation of Sharia principles, potentially damaging the reputation and credibility of financial institutions in the eyes of Muslim customers and the broader community (Hastuti 2017; Triyanta 2014).

DSN-MUI also serves as an institution for legal harmonization. In situations where there is a legal vacuum or divergent interpretations of applicable law, DSN-MUI fatwas can function as ethical and alternative legal guidelines that bridge Islamic normative provisions with national legal realities. Through this role, DSN-MUI helps maintain the stability of the Sharia financial system and strengthens the role of Islamic law within the national legal framework (Ahadi 2022).

Moreover, DSN-MUI's strategic role is also reflected in its function as a producer of contemporary Islamic legal discourse. The fatwas issued by DSN-MUI are not only technical but also reflect the evolution of modern ijtihad methodologies. For instance, the application of the principles of maslahah, sadd al-dhara'i, and 'urf in fatwa formulation indicates an effort to make Islamic law more adaptive to contemporary challenges. This shows that DSN-MUI functions not only as a conventional fatwa institution but also as a modern Islamic legal laboratory continually developing ijtihad methodologies to meet societal needs and global economic dynamics.

Therefore, DSN-MUI is not merely a fatwa-issuing institution but has evolved into a critical pillar of the national Sharia economic legal system. Its presence strengthens the integration between Islamic law and national law within the framework of the Pancasila state, which respects religious values. Thus, enhancing the legal legitimacy of DSN-MUI fatwas and their formal integration into the national regulatory system is a strategic step toward increasing public trust in Sharia economics and creating a more inclusive, responsive, and just legal system.

Analysis of the Binding Power of DSN-MUI Fatwas in the National Legal System

The binding power of a legal norm is determined by various factors, including its source, institutional authority, and acceptance by society and state institutions. In this context, the fatwas of the National Sharia Council of the Indonesian Ulema Council (DSN-MUI) hold a unique position. On one hand, fatwas are not part of statutory legislation within the formal legal hierarchy as defined by Law No. 12 of 2011 on the Formulation of Laws and Regulations. On the other hand, in practice, DSN-MUI fatwas have significant influence and strong binding power, particularly in the Islamic economic and financial sectors in Indonesia (Triyanta 2014).

In theory, fatwas as products of classical Islamic law are not legally binding but

serve as moral and ethical guidelines for individuals or communities who recognize their religious authority. However, when such fatwas are issued by official institutions like DSN-MUI and adopted by state regulators such as Bank Indonesia, OJK, or the Supreme Court, their normative status transforms. They no longer remain merely religious opinions but evolve into operational norms used as a basis for policymaking and legal compliance assessments by Islamic financial institutions (Alamudi and Hasan 2023).

The adoption of DSN-MUI fatwas within the national legal system is evident in various regulations. For instance, Bank Indonesia Regulation No. 6/24/PBI/2004 on Islamic Commercial Banks and OJK Regulation No. 35/POJK.05/2017 on Sharia Microfinance Institutions explicitly refer to DSN-MUI fatwas as implementation guidelines for contracts and Sharia products. In such cases, the binding power of fatwas lies not in the fatwas themselves, but in the regulators' endorsement that incorporates fatwas as integral components of positive law. In other words, fatwas gain their normative status through integration mechanisms into the state legal system (Darti 2017; Prasetyo and Fatimah 2022).

Indonesia's legal system adopts an open and pluralistic legal paradigm. In such a system, non-state norms such as fatwas, customs, and conventions have the opportunity to be recognized and internalized into state law through secondary legislative mechanisms. This recognition is not always explicit but may occur through normative references in technical regulations or through legal enforcement practices by state institutions. In this context, DSN-MUI fatwas possess functional binding power, meaning they are binding because they are accepted and enforced by Islamic financial institutions, regulators, and even reflected in some judicial decisions in Islamic economic dispute resolutions (Rizki 2020).

Furthermore, the binding power of fatwas can also be analyzed from the perspective of legal effectiveness. The effectiveness of a norm is not only measured by its formal force but also by the extent to which it is obeyed and able to regulate social behavior. Observations of the Islamic finance industry in Indonesia reveal that DSN-MUI fatwas are highly effective in directing financial products and services, even at the operational and technical levels. Islamic financial institutions, such as Islamic banks and insurance companies, use fatwas as the basis for developing standard operating procedures (SOPs), internal policies, and Sharia audit systems. Therefore, although not possessing formal legal force, DSN-MUI fatwas still have a binding effect in economic and financial practices (Ahadi 2022; Achmad and Thamrin 2024).

Nonetheless, to ensure that DSN-MUI fatwas possess stronger legal power, formal

recognition within the statutory system is necessary. One step that can be taken is to strengthen DSN-MUI's role within the state institutional framework, for example, by integrating it into the normative formulation system or granting its fatwas the status of mandatory appendices in OJK and Bank Indonesia regulations. In addition, harmonization between DSN-MUI fatwas and higher regulations is essential to prevent normative overlaps that may lead to legal uncertainty.

Considering all these aspects, it can be concluded that the binding power of DSN-MUI fatwas is contextual and depends on the synergy between moral authority, social acceptance, and institutional recognition. In a pluralistic national legal system, this synergy is sufficient to make fatwas authoritative references in Sharia economic practice. However, to ensure legal consistency and certainty in the future, more progressive legislative and institutional measures are needed to strengthen the status of fatwas within the national legal order.

Legislative Theory Review and Its Implications for the Islamic Legal System in Indonesia

Legislative theory, or the theory of modern lawmaking, not only addresses how a legal norm is procedurally formulated but also examines the substance, legitimacy, and functionality of law within society. Within this framework, law is regarded as a rational product of legitimate state institutions. At the same time, however, law must also be able to absorb the social and religious values that live within society. Indonesia, as a pluralistic legal state both normatively and sociologically, presents unique challenges in integrating Islamic law—which lives within the majority Muslim community—into the national legislative system based on Pancasila and the constitution.

In classical legislative theory, heavily influenced by Hans Kelsen and legal positivism, a law is considered valid if enacted by an authorized legislative institution and follows established formal procedures (Yuga Adi Kusuma 2018). With this approach, religious or social norms are not considered state law unless institutionalized in the form of statutory law, government regulations, or other forms of written law. However, such positivistic approaches have increasingly been critiqued by more contextual and sociological legal theories, such as Eugen Ehrlich's living law theory and Gustav Radbruch's integrative theory, which emphasize that law is not solely determined by the state but also by living norms that evolve in society.

In this context, Islamic law in Indonesia—particularly in the form of fatwas issued by institutions such as the MUI or DSN-MUI—can be analyzed as a type of non-statutory

law that gains legitimacy through social acceptance and its regulatory function within society. Although fatwas do not take the form of positive law, they have practically influenced economic operations, banking, and dispute resolution in sharia arbitration bodies. This shows that overly positivistic legislative theories fall short of explaining legal realities in a country like Indonesia, where the legal system does not rely solely on legislative products but also incorporates plural and multicultural legal sources (Yanti 2022; Massadi 2019; Hikmatullah 2018).

Contemporary legislative theories have responded to this legal pluralism by developing the concepts of soft law, legal pluralism, and regulatory governance. Soft law refers to norms that are not legally binding but possess moral authority and are often referenced by policymakers. From this perspective, DSN-MUI fatwas can be categorized as soft law, legitimized by the trust of the Muslim public and functional recognition from regulators such as the OJK and Bank Indonesia. The existence of such fatwas enriches the national legal structure by providing normative alternatives aligned with sharia principles (Arrobi 2021).

Moreover, legal pluralism theory asserts that in plural societies, multiple legal systems coexist—state law, religious law, and customary law—each with its own mechanisms of recognition and influence within society (Amin 2021; Habibi 2020). Within this framework, the Islamic legal system need not be fully institutionalized within the formal state structure to function effectively. What is required is a normative bridge that enables interaction, integration, and mutual recognition between state law and Islamic law. For example, this can be achieved through explicit legal recognition that DSN-MUI fatwas serve as normative foundations for the sharia financial sector.

The implications of this legislative theory review for the Islamic legal system in Indonesia are strategic. First, it opens the door for a more adaptive legal approach that incorporates local and religious values. Islamic law is no longer viewed as a foreign or subordinate entity within the state legal system but as an integral component of legal diversity that must be accommodated. Second, it encourages the development of sectoral regulations based on Islamic legal sources, provided that the norms are relevant, constitutional, and publicly accepted. Third, it offers a theoretical basis for constructing national law through an integrative rather than exclusive approach between positive law and Islamic law (Darti 2017; Alamudi and Hasan 2023).

Nevertheless, achieving synergy between legislative theory and the Islamic legal system requires strong institutional and normative prerequisites. Religious institutions such as the MUI, DSN-MUI, and Sharia Courts must possess both academic and

institutional legitimacy and undertake methodological reform in issuing fatwas to align with principles of justice, transparency, and accountability. On the other hand, state institutions must create space for legal dialogue with Islamic legal sources as equals, rather than relegating them to mere supplements or subordinates of positive law (Mutiani and Burhanuddin 2023; Rokhim et al. 2025).

Furthermore, this analysis highlights the importance of interdisciplinary Islamic legal education—integrating fiqh studies with modern legal theory—so that Islamic legal scholars can actively contribute to national lawmaking (Muhammad Yasir et al. 2024; Karimuddin Abdullah Lawang et al. 2022). This will help avoid polarization between sharia scholars and positive law practitioners, and produce laws that are responsive to societal needs while aligning with contextual Islamic values.

In conclusion, modern legislative theory, when examined critically and contextually, does not conflict with the Islamic legal system. Instead, it can serve as a conceptual tool to strengthen the position of Islamic law within the national legal system. Fatwas, as products of contemporary Islamic law, have the potential to become sources of national law through mechanisms of adoption, integration, and recognition. Therefore, legislative theories that are inclusive of legal pluralism must be continuously developed, along with a lawmaking system that accommodates the religious aspirations of the Indonesian public.

IV. Conclusion

DSN-MUI fatwas play a central role in regulating sharia economic practices in Indonesia, even though they are not formally included in the hierarchy of statutory regulations. In Islamic legal tradition, fatwas carry strong religious legitimacy and serve as unwritten sources of law embedded in society. Meanwhile, in modern legislative theory, fatwas can be categorized as soft law that acquires regulatory force through institutional recognition and public acceptance. This study affirms that the binding force of DSN-MUI fatwas is functional and contextual, reinforced by state institutions such as the OJK and Bank Indonesia, and internalized within business contracts and arbitration bodies. The integration of Islamic law and the national legal system through fatwas underscores the importance of a plural and interdisciplinary legislative approach. Therefore, reformulating the national legislative system to be more accommodating of living Islamic legal sources is essential. In doing so, Islamic law will not only function as a moral norm but will also serve as a normative foundation for building a national economic legal system that is just, inclusive, and sustainable.

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