

## Reconstructing Fiqh Muamalah for the Digital Age

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### ABSTRACT

*Fiqh Muamalah Iqtishadiyah (the Islamic legal framework for economic transactions) confronts a transformative imperative amidst the rapid digitization of finance. This critical review identifies a substantive gap between its classical juridical constructs and the operational demands of systems like Shariah fintech, cryptocurrency, and smart contracts. While core principles – al-'uqud (contracts), and the proscriptions of riba (usury/interest), gharar (excessive uncertainty), and maysir (gambling) – remain axiomatic, the paradigm exhibits limitations in digital contract law, real-time oversight, and consumer protection. However, significant adaptive pathways exist. These include leveraging ilhaq (legal assimilation) to reinterpret contemporary 'urf (customary practice), institutionalizing digital Shariah governance through Shariah Compliance Tech, and formulating hybrid models that integrate blockchain and AI. The study concludes that an evolution is not only necessary but inevitable, proposing a framework that marries normative resilience with technological flexibility. The central implication is prescriptive, it furnishes regulators, academics, and practitioners with a direct blueprint for designing a robust, inclusive, and competitive Islamic financial architecture capable of thriving in the digital era, thereby ensuring the continued relevance and application of Shariah principles in a fundamentally transformed economic landscape*

### ABSTRAK

*Fiqh Muamalah Iqtishadiyah (kerangka hukum Islam untuk transaksi ekonomi) menghadapi imperatif transformatif di tengah pesatnya digitalisasi keuangan. Kajian kritis ini mengidentifikasi kesenjangan substantif antara konstruksi yuridis klasiknya dengan tuntutan operasional sistem-sistem seperti fintech syariah, cryptocurrency (mata uang kripto), dan smart contract (kontrak cerdas). Meskipun prinsip-prinsip inti – al-'uqud (akad), serta larangan riba (bunga/ usuri), gharar (ketidakpastian berlebihan), dan maysir (judi) – tetap aksiomatis, paradigma ini menunjukkan keterbatasan dalam hukum kontrak digital, pengawasan real-time, dan perlindungan konsumen. Namun, terdapat jalur-jalur adaptif yang signifikan. Jalur ini mencakup pemanfaatan ilhaq (asimilasi hukum) untuk menafsirkan ulang 'urf (praktik kebiasaan) kontemporer, pelembagaan tata kelola syariah digital melalui Shariah Compliance Tech (Teknologi Kepatuhan Syariah), serta perumusan model-model hibrid yang mengintegrasikan blockchain dan artificial intelligence (kecerdasan buatan). Kajian ini menyimpulkan bahwa evolusi tersebut tidak hanya diperlukan namun tak terelakkan, dengan mengusulkan sebuah kerangka kerja yang memadukan ketangguhan normatif dengan fleksibilitas teknologi. Implikasi utamanya bersifat preskriptif, kajian ini memberikan cetak biru langsung bagi regulator, akademisi, dan praktisi untuk merancang arsitektur keuangan Islam yang tangguh, inklusif, dan kompetitif sehingga mampu berkembang di era digital, yang dengan demikian menjamin keberlanjutan relevansi dan penerapan prinsip-prinsip syariah dalam lanskap ekonomi yang telah berubah secara fundamental.*

### Kata kunci:

Fiqh Muamalah

Transformasi Digital

Ekonomi Islam

Syariah Fintech

Integrasi Keuangan

## A. INTRODUCTION

The rapid and disruptive evolution of digital finance propelled by innovations such as blockchain, artificial intelligence (AI), and financial technology (fintech) is fundamentally reconfiguring global economic architecture, transaction models, and value chains<sup>1</sup>. This paradigm shift presents a critical juncture for Islamic economics, which is grounded in the normative legal framework of *Fiqh Muamalah Iqtishadiyah*. Historically, this jurisprudence has demonstrated a dynamic capacity to adapt (*al-murunah*) to socio-economic changes while upholding immutable ethical principles (*al-thabat*), including the prohibitions of *riba* (usury), *gharar* (excessive uncertainty), and *maysir* (gambling)<sup>2</sup>. However, its classical and contemporary formulations now encounter a profound conceptual and operational disconnect with the decentralized, algorithmic, and intangible nature of the digital economy, raising seminal questions about the legal status of cryptocurrencies, the compliance of smart contracts, and governance in data-driven platforms<sup>3</sup>.

A persistent gap exists between traditional juridical discourse and the technical-philosophical complexities of digital markets. While contemporary scholarship has extended fiqh analysis to modern institutions like Islamic banking, it often remains reactive and fragmented – focusing on isolated instruments such as crypto assets<sup>4</sup> or specific fintech applications<sup>5</sup> – without critically examining the paradigmatic adequacy of Fiqh Muamalah Iqtishadiyah as a coherent system for the digital age. This highlights a significant literature lacuna: the absence of a holistic, transformative critique that simultaneously addresses normative integrity and technological adaptation<sup>6</sup>.

To address this gap, this article aims to: (1) critically analyse the conceptual and practical limitations of the classical Fiqh Muamalah paradigm in engaging with digital finance realities; (2) identify strategic pathways for the proactive integration of Shariah principles into digital financial architecture; and (3) formulate a forward-looking theoretical framework that balances normative resilience with adaptive innovation. The significance of this research is threefold: it enriches Islamic economic jurisprudence through a futurist lens, provides actionable insights for regulators and standard-setters (e.g., OJK, DSN-MUI), and contributes to designing an inclusive, ethical, and competitive digital financial ecosystem.

Methodologically, this study employs a qualitative approach centered on a systematic literature review<sup>7</sup>. Primary sources include classical fiqh texts and contemporary regulatory fatwas, while secondary sources comprise peer-reviewed articles, industry reports, and conference proceedings (2019–2024). Data is analysed thematically to deconstruct existing arguments and synthesize a transformative proposal. The subsequent discussion will articulate the need for an epistemological shift towards a *Fiqh al-Waqi' al-Dijitali* (Jurisprudence of Digital Reality), apply core principles to digital contexts, and finally introduce a framework for "Embedded Shariah" as a pathway for synthesis.

## B. RESEARCH METHOD

<sup>1</sup> Dirk A Zetsche, "The Future of Financial Inclusion," Available at SSRN 4988417, 2024.

<sup>2</sup> M Asutay and N R Mohd Zain, "Digitalization and Islamic Finance: A Review of the Literature and Future Research Agenda," *International Journal of Islamic and Middle Eastern Finance and Management* 14, no. 5 (2021): 1011–30.

<sup>3</sup> M Mohieldin et al., *The Role of Islamic Finance in Financing Sustainable Development* (Washington, D.C.: World Bank, 2021).

<sup>4</sup> K Mansoor and N R M Mohd Zain, "Cryptocurrency from an Islamic Perspective," *ISRA International Journal of Islamic Finance* 14, no. 2 (2022): 162–79; M Mansur, "BANK SYARIAH : Antara Labelisasi Dan Pemberdayaan Ekonomi Masyarakat," *Ulumuna: Jurnal Studi Keislaman* 4, no. 1 (2018): 54–70, <https://doi.org/10.36420/ju.v4i1.3547>.

<sup>5</sup> (Ascarya2022; Mansur, Samsuri, et al. 2022)

<sup>6</sup> Mansur, *Fiqh Muamalah Iqtishadiyah* (Bojonegoro: Madza Media, 2024).

<sup>7</sup> M Mansur, "Understand The Application Of Qualitative Research In Indonesia," in *Research Methodology: Concepts and Cases* (Maharashtra, India: Novateur Publication, 2021), 102–8, <https://doi.org/https://novateurpublication.com/index.php/np/catalog/book/49>.

This study employs a qualitative, non-empirical design to conduct a conceptual analysis and theory-building inquiry<sup>8</sup>. A systematic literature review (SLR), guided by an adapted PRISMA protocol, was undertaken to synthesize relevant scholarship and normative sources<sup>9</sup>. The data corpus consists of primary sources—including classical *fiqh* texts, contemporary fatwas from Indonesia's National Shariah Council (DSN-MUI, 2019–2024), and technical documents on blockchain and fintech architecture—and secondary sources, such as peer-reviewed articles (2019–2024) from Scopus, Web of Science, and SINTA databases, alongside institutional reports.

Thematic analysis, following Braun and Clarke's<sup>10</sup> framework, was applied to identify, code, and synthesize key themes and conceptual tensions. Normative texts were further interpreted through a qualitative content analysis with a hermeneutic lens<sup>11</sup>. To enhance rigor, triangulation across source types and peer debriefing were utilized. While the study provides a structured conceptual synthesis, its findings are bounded by the available literature and the interpretive nature of normative analysis.

### C. RESULTS AND DISCUSSION

The systematic analysis of the literature reveals an Islamic economic jurisprudence in a state of transformative flux, pressured by the advent of a digital financial paradigm. The findings are synthesized into three interconnected thematic dimensions that collectively address the research objectives: (1) the conceptual dissonance between classical *fiqh* constructs and the ontology of digital assets and contracts; (2) the evolving, yet fragmented, landscape of normative and regulatory adaptation; and (3) the emergent technological initiatives that signal a shift from passive coexistence to potential active integration. This tripartite analysis confirms that the transformation of *Fiqh Muamalah Iqtishadiyah* is not merely incremental but necessitates a fundamental epistemological reconstruction to remain a relevant and coherent system of knowledge in the digital age.

#### 1. Reconceptualising Core Principles: Bridging the Digital-Conceptual Gap

The most profound finding of this study is the significant conceptual gap (*conceptual gap*) that challenges the direct application of classical *fiqh* to the digital economy. This gap is most evident in the core juridical pillars of property, contractual certainty, and risk-reward correlation.

First, the classical definition of *al-māl* (property), traditionally understood as a tangible (*'ayn*), valuable, and storable entity<sup>12</sup>, is fundamentally challenged by digital assets. Cryptocurrencies, non-fungible tokens (NFTs), and data streams derive value not from corporeal substance but from network consensus, utility, and cryptographic scarcity<sup>13</sup>. The classical requirement of *qabḍ* (physical possession or constructive receipt) becomes semantically strained when ownership is represented by a private key on a distributed ledger, devoid of any physical manifestation. This necessitates a jurisprudential expansion of *al-māl* to encompass *al-māl al-ma'nawī al-dijitalī* (intangible digital property), whose legitimacy can be anchored in the principle of *'urf* (custom), provided it holds recognized transactional value (*manfa'ah muta'āraf*).

Second, the prohibition of *al-gharar* (excessive and harmful uncertainty) requires a multidimensional reinterpretation. In classical contract law, *gharar* primarily pertained to

<sup>8</sup> John W Creswell and Vicki L Plano Clark, *Designing and Conducting Mixed Methods Research* (Sage, 2021); Leon Andretti Abdillah et al., *Metode Penelitian Dan Analisis Data Comprehensive* (Cirebon: Insania, 2021).

<sup>9</sup> M J Page et al., "The PRISMA 2020 Statement," *International Journal of Surgery* 88 (2021): 105906.

<sup>10</sup> (2022)

<sup>11</sup> K Krippendorff, *Content Analysis: An Introduction to Its Methodology*, 4th ed. (Thousand Oaks: SAGE Publications, 2019).

<sup>12</sup> W Al-Zuhayli, *Al-Fiqh Al-Islamī Wa Adillatuhu*, vol. 4 (Damascus: Dar al-Fikr, 2019).

<sup>13</sup> R Böhme et al., "Bitcoin: Economics, Technology, and Governance," *Journal of Economic Perspectives* 29, no. 2 (2021): 213–38; Mansur et al., "The Meaning of Low Acknowledgment of Cryptocurrency Existence Regulations in Transitional Country," in *Proceedings of International Postgraduate Conference on Interdisciplinary Islamic Studies*, vol. 1, 2023, 110–21.

ambiguity in the subject matter (*mahall al-'aqd*) or price. In the digital ecosystem, this concept proliferates into new forms:

- Technical *Gharar*: This arises from vulnerabilities in smart contract code, the risk of network forks, or private key loss. A bug in an automated *murābahah* contract constitutes a modern, potent form of contractual uncertainty<sup>14</sup>.
- Algorithmic *Gharar*: This stems from the opacity of “black-box” algorithms used in robo-advisory services, credit scoring, or automated market-making. The inability to scrutinize the decision-making process creates a novel type of informational asymmetry and potential injustice (*ẓulm*)<sup>15</sup>.
- Regulatory *Gharar*: The absence of clear, harmonized legal frameworks for digital assets across jurisdictions creates a pervasive uncertainty that impacts contractual enforceability and consumer protection.

This evolution demands a shift from a jurisprudence of avoidance (*fiqh al-muwājahah*) to one of management and mitigation (*fiqh al-muwāzanah*). The principle of *kashf al-'aib* (disclosure of defects) must be technologically operationalized as mandatory code audits, transparency in algorithmic logic, and clear terms of service. Consequently, a more granular analytical framework is required. A mere binary debate on the permissibility of “crypto” is insufficient. This study proposes a new taxonomy for digital assets to guide juridical assessment:

- a. *Al-Thamaniyyah al-Dijitaliyyah* (Digital Currency): Primarily designed as a medium of exchange (e.g., Bitcoin). Its ruling hinges on its stability, widespread acceptance (*ta'āmul*), and whether it fulfills the conditions of *thamaniyyah*.
- b. *Al-'Urūd al-Dijitaliyyah* (Digital Commodities): Unique digital assets with scarcity and specific utility, such as NFTs representing digital art or in-game items. Their permissibility is tied to the underlying utility and the avoidance of pure speculative trading (*maysir*).
- c. *Al-Huqūq al-Dijitaliyyah* (Digital Rights/Utility Tokens): Assets granting access to a network, service, or governance right. Their assessment focuses on the underlying service's compliance and the token's structure to avoid *riba*.

Third, the principle of *al-kharāj bi al-ḍamān* (entitlement to return is contingent on bearing liability) is tested in decentralized models. In peer-to-peer (P2P) financing or crowdfunding platforms<sup>16</sup>, fixed platform fees charged irrespective of the underlying project's success raise questions. Are these fees a permissible *ujrah* (service charge) for platform provision and risk management, or do they constitute a guaranteed return detached from liability, akin to *riba*?<sup>17</sup>. This underscores the need for innovative contract (*'aqd*) structuring that aligns incentives and risk-sharing more transparently in digital platforms.

This conceptual analysis directly addresses the first research objective by meticulously delineating the limitations of the classical paradigm. It moves beyond identifying a generic “gap” to specifying the exact points of tension—property ontology, the nature of uncertainty, and risk-reward structures—thereby providing a clear agenda for epistemological renewal, as visualized in Figure 1.

<sup>14</sup> A Belabes, *Islamic Finance and Digital Transformation: Challenges and Opportunities* (Cheltenham: Edward Elgar Publishing, 2022).

<sup>15</sup> H Mohamed and H Ali, “Big Tech and Islamic Finance: Navigating the New Digital Landscape,” *Journal of Islamic Accounting and Business Research* 13, no. 5 (2022): 789–805.

<sup>16</sup> Ansori Ansori, Fatchor Rahman, and Manida niti Purbayudha, “Dampak Sosial Peer To Peer Lending Lending Syariah Bagi Pertumbuhan Pelaku Usaha Di Indonesia,” *JIESP Journal of Islamic Economics Studies and Practices* 2, no. 2 (2023): 142–60, <https://doi.org/10.54180/jiesp.2023.2.2.142-160>.

<sup>17</sup> A Ascarya and M N Hosen, “Developing Islamic Financial Technology in Indonesia,” *Journal of Islamic Marketing* 13, no. 7 (2022): 1557–81.

Principle	Classical (Pre-Digital) Context	Digital Context (Fintech / Blockchain)
<i>Gharar</i> (Uncertainty)	<ul style="list-style-type: none"> <li>– Focus on physical objects, and informational asymmetry.</li> <li>– Solution: prohibition of contracts involving excessive uncertainty (<i>gharar fāhish</i>).</li> <li>– Solution: technical audits, algorithmic transparency.</li> </ul>	<ul style="list-style-type: none"> <li>– New sources of uncertainty: software bugs, algorithmic bias, oracle failure, and regulatory ambiguity.</li> <li>– Solution: ' technical audits, algorithmic transparency, and disclosure mechanisms.</li> </ul>
<i>Riba</i> (Interest)	<ul style="list-style-type: none"> <li>– Prohibition of non-simultaneous exchange of homogeneous <i>ribawi</i> goods.</li> <li>– Permissible alternatives: trade-based contracts and profit-and-loss sharing.</li> </ul>	<ul style="list-style-type: none"> <li>– Challenges emerge through stablecoins, fixed yields; and interest-like returns in DeFi protocols.</li> <li>– Solution: smart contracts programmed to prevent automatic interest accrual.</li> </ul>
<i>Maysir</i> (Speculation/ Gambling)	<ul style="list-style-type: none"> <li>– Prohibited due to resemblance to gambling and zero-sum games.</li> <li>– Permissible: investment involving real economic risk and productive activity.</li> </ul>	<ul style="list-style-type: none"> <li>– Requires clear criteria to distinguish speculative behavior from legitimate digital entrepreneurship.</li> <li>– Regulatory frameworks must define acceptable trading boundaries.</li> </ul>

Figure 1. Classical vs. Digital Approaches to Gharar, Riba, and Maysir

## 2. Normative-Regulatory Adaptation

The response from official Shariah authorities and financial regulators demonstrates an evolutionary trajectory marked by cautious adaptation alongside persistent structural gaps.

On the normative front, fatwas from Indonesia's National Shariah Council (DSN-MUI) reveal a discernible shift. Earlier fatwas often exhibited a cautious (*iḥtiyāt*) stance toward novel instruments. However, more recent pronouncements indicate a movement towards engaging with the functional logic of modern finance. A seminal example is Fatwa No. 139/DSN-MUI/IX/2021 on *Tathawwuq* (Options). This fatwa is epistemologically significant as it moves beyond a purely prohibitive approach. By recognizing options as tools for risk management (*ibtīlāgh al-ghurm*) and price hedging, it implicitly validates the economic objective (*maqṣad*) of mitigating uncertainty. This opens the door for the application of analogical reasoning (*qiyās*) to other digital hedging and derivative-like instruments, aligning with scholarly calls for a more *maqāṣidī* (objectives-based) and *maṣlahī* (welfare-oriented) approach in *ijtihād*<sup>18</sup>.

On the regulatory side, agencies like Indonesia's Financial Services Authority (OJK) have established crucial foundational frameworks. OJK Regulation No. 10/POJK.05/2022 on Information Technology-Based Funding Services sets essential rules for governance, transparency, risk management, and consumer protection (*ḥifẓ al-māl*) for fintech platforms<sup>19</sup>. This provides a necessary layer of oversight and legal certainty for the platform economy.

Despite this progress, a critical regulatory fragmentation is identified as a major impediment to holistic integration. As illustrated in Figure 2, the regulatory landscape is disjointed. Platform-based financial services (like peer-to-peer lending) fall under OJK's purview, which provides higher legal certainty but has been cautious in integrating volatile digital assets like cryptocurrencies. Conversely, crypto asset trading is regulated by the Commodity Futures Trading Regulatory Agency (Bappebti), an environment with high digital asset involvement but significantly lower Shariah-specific regulatory certainty and consumer protection standards. This schism creates a legal "no man's land" for innovators seeking to build Shariah-compliant decentralized finance (DeFi) protocols

<sup>18</sup> A A Rahman and A Sarea, "Towards a Maqasid Al-Shariah Based Framework for Evaluating Digital Currencies," *International Journal of Islamic and Middle Eastern Finance and Management* 16, no. 1 (2023): 120–38.

<sup>19</sup> OJK, "Peraturan Otoritas Jasa Keuangan Nomor 10/POJK.05/2022 Tentang Penyelenggaraan Layanan Pendanaan Berbasis Teknologi Informasi," 2022.

or integrate crypto assets into Islamic fintech products<sup>20</sup>. The ideal "Controlled Innovation Zone" – characterized by both high Shariah certainty and high digital asset integration – remains largely aspirational due to this fragmented oversight.

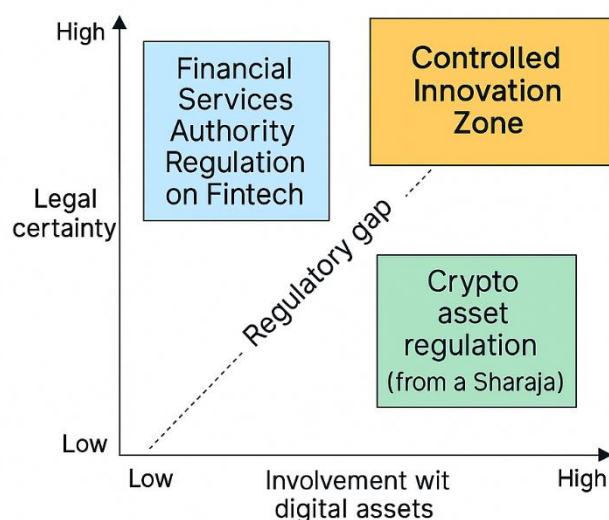


Figure 2. Regulatory and Normative Mapping of Shariah Digital Finance in Indonesia

This analysis of the adaptive yet fragmented response directly informs the second research objective. It identifies strategic opportunities (e.g., building on progressive fatwas) while pinpointing the critical challenge of regulatory harmonization. The findings suggest that achieving seamless integration requires not just scholarly *ijtihad* but also coordinated policy action to create an enabling regulatory sandbox.

### 3. From Technological Co-existence to Integrative Co-creation

The examination of industry and scholarly initiatives reveals a spectrum of integration, from simple co-existence to promising steps toward co-creation. These practical cases populate the domain of technological initiatives within the overall integrative landscape (see Figure 3).

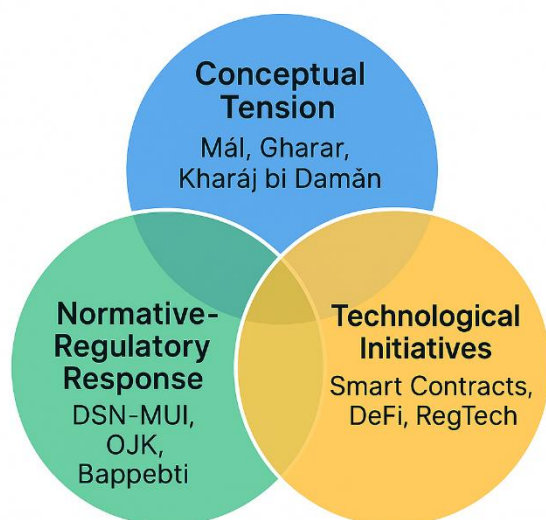


Figure 3. Conceptual, Regulatory, and Technical Findings

At the level of co-existence, there are numerous examples of applying digital technology to automate traditional Islamic finance contracts. This includes the development of smart contracts for automated *murābahah* (cost-plus sale), *ijārah* (lease),

<sup>20</sup> Mansur et al., *Tinjauan Cryptocurrency Dalam Berbagai Perspektif Hukum* (Yogyakarta: Nuta Media, 2022).

and *mushārah* (profit-sharing) agreements. These digitize the execution but often leave the fundamental contract structure unchanged. Similarly, the emergence of "Shariah-screening" algorithms and RegTech tools that monitor transactions for *riba* or non-compliant activities represent a digitization of the audit function, enhancing efficiency from ex-post to near real-time supervision <sup>21</sup>.

More transformative potential lies in moves toward integrative co-creation. This involves designing new financial primitives native to the digital environment while being inherently compliant with Shariah axioms. Examples include:

- Shariah-compliant Decentralized Finance (DeFi) Protocols: Projects exploring profit-and-loss sharing pools structured as automated *mushārah* contracts on blockchain, where code enforces capital contribution, profit distribution, and loss-bearing according to pre-agreed ratios.
- Asset-Backed Digital *Ṣukūk*: Tokenizing real-world assets (e.g., property, commodities) on a blockchain to create fractionalized, transparent, and liquid *ṣukūk*, with smart contracts managing cash flows and ownership records.
- Algorithmic Zakat and Waqf Distributions: Using data analytics and AI to optimize the collection, calculation, and distribution of social finance tools like Zakat and Waqf, enhancing their impact and reach <sup>22</sup>.

However, a deeper challenge is revealed: the fundamental tension between deterministic code and interpretative fiqh. Technology operates on binary logic, while *fiqh* incorporates ethical objectives (*maqāṣid*), contextual considerations (*‘urf*), and juristic discretion (*ijtihād*). Encoding a rigid rule may fail in an unanticipated context, while an overly flexible system may violate a core prohibition.

Therefore, achieving true conceptual co-creation requires a new paradigm of cross-disciplinary collective *ijtihād* (*ijtihād jamā’i*). This involves a symbiotic dialogue where:

- Jurists (Fuqahā’) articulate the immutable principles (*thawābit*) and the higher objectives (*maqāṣid*) that must be upheld.
- Technologists (Developers, Cryptographers) explain the affordances and constraints of technologies like zero-knowledge proofs (for privacy), oracles (for real-world data), and consensus mechanisms.
- Regulators and Economists provide the framework for systemic stability, consumer protection, and economic viability.

Together, they can co-design systems where Shariah compliance is not an added layer but an embedded architectural feature (*embeddedness in code, governance, and value*). This discussion culminates in addressing the third research objective by proposing this co-creative framework as the transformative pathway forward. It advocates for a move beyond digitizing the old to inventing the new within a Shariah-ethical paradigm, ensuring the resilience and relevance of Islamic economics in the digital future. The findings collectively affirm that the required transformation is both necessary and achievable, contingent on closing the conceptual gaps, harmonizing regulations, and fostering deep, interdisciplinary collaboration.

#### 4. Limitations and Avenues for Future Research

This study is not without limitations. As a literature-based analysis, it is constrained by the availability and academic documentation of rapidly evolving field

<sup>21</sup> M A El-Gamal, "Fintech and the Future of Islamic Finance," in *Handbook of Blockchain, Digital Finance, and Inclusion*, vol. 2 (Cambridge, MA: Academic Press, 2020), 405–19.

<sup>22</sup> H S Bello, Y J Hassan, and N Ahmad, "Grameen Microcredit as an Archetype of Islamic and Ethical Micro Financing Experiences: Respondents' Perceptions on Its Viability in Nigeria," *ComFin Research* (pdfs.semanticscholar.org, 2020); I Gede Wahyu Antara Kurniawan et al., "The Rise of Decentralized Finance (DeFi): Opportunities for Disruption in Traditional Financial Models," *Journal of Education, Social & Communication Studies* 2, no. 2 (2025): 128–36.

practices, particularly in DeFi and Web3. Its focus on the Indonesian regulatory context limits direct generalizability. Furthermore, it does not empirically test the social acceptance or efficacy of the integrative models identified.

To address these gaps and advance the field, future research should pursue: (1) Participatory Action Research co-designing prototypes with scholars, regulators, and engineers; (2) Comparative Studies of regulatory approaches in other key Islamic finance jurisdictions (e.g., Malaysia, UAE); (3) Philosophical-Technical Inquiry into foundational questions like digital ownership in the metaverse or algorithmic justice; and (4) Impact Research measuring the socio-economic effects of Shariah digital finance on inclusion and *maqāṣid al-sharī'ah*.

## D. CONCLUSIONS

This research concludes that the transformation of *Fiqh Muamalah Iqtishadiyah* is a paradigmatic necessity driven by a fundamental conceptual gap. The classical constructs of *al-māl* (property), *al-gharar* (uncertainty), and *al-kharāj bi al-damān* (return accompanies liability) are significantly challenged by digital assets, smart contracts, and algorithmic platforms. The findings necessitate an epistemological reconceptualization, moving beyond adaptation toward a proactive *Fiqh al-Wāqī' al-Dijitalī* (Jurisprudence of Digital Reality) capable of generating new legal categorizations and parameters for the digital economy.

The study's primary theoretical contribution lies in synthesizing this conceptual gap with the identified regulatory fragmentation and nascent technological integration. While normative bodies like DSN-MUI show progressive evolution, disjointed oversight between authorities (e.g., OJK and Bappebti) creates legal uncertainty that stifles innovation. Consequently, successful transformation hinges on policy harmonization to establish a "Controlled Innovation Zone," providing a secure space for Shariah-compliant digital finance.

Practically, the research underscores that current technological initiatives remain largely at the level of co-existence rather than deep co-creation. The key implication is the urgent need for cross-disciplinary *ijtihād jamā'ī* (collective juridical reasoning) among jurists, technologists, and regulators. This collaboration is essential to co-design architectures where Shariah principles are inherently embedded, transforming *fiqh* from an ex-post auditor into an ex-ante designer of a just, inclusive, and sustainable digital financial ecosystem.

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