

## Methodological Analysis of the Transformation of Contemporary Fiqh Muamalah Practices at Maahad Vokasional Aman Bistari Selangor

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**Abstract:** This study investigates the transformation of contemporary fiqh muamalah practices at Maahad Vokasional Aman Bistari Selangor (MVABS), focusing on the dynamics of *ijtihad jamā'ī* and the methodologies of legal reasoning (*istinbāt al-ḥukm*) in addressing challenges arising from modern economic transactions. The research is driven by the need to bridge the epistemological gap between classical Islamic legal thought and the realities of digital finance and global Islamic economics. Adopting a qualitative case study design, data were obtained through in-depth interviews, participant observation, and document analysis, then examined using thematic analysis. The findings reveal a distinctive model of collective *ijtihad* that integrates *maqāṣid al-sharī'ah* principles with the operational mechanisms of contemporary financial systems. This integration has resulted in a contextualized framework of fiqh muamalah that supports the formulation of adaptive legal opinions (*fatāwā*) aligned with modern socio-economic realities. The study's novelty lies in demonstrating how a vocational-based pesantren can function as a living laboratory of Islamic law, producing dynamic, applicable jurisprudence while maintaining fidelity to classical traditions. Conceptually, this research contributes to the development of living fiqh theory in Islamic education, and practically, it provides a replicable model for designing responsive Islamic legal and economic governance in the digital era.

**Keywords:** Fiqh muamalah; *ijtihad jamā'ī*; *maqāṣid al-sharī'ah*; Islamic vocational education.

### Introduction

The development of the global economy in the digital era has posed new challenges in the practice of Islamic law, especially in the field of fiqh muamalah, which is required to be able to respond to the dynamics of contemporary financial transactions such as fintech innovation, digital payment systems, and technology-based investment models.<sup>1</sup> Recent studies have shown that Islamic financial innovation requires the integration of classical fiqh principles with modern needs in order to maintain justice, transparency, and sustainability of Islamic economic practices.<sup>2</sup> At the global level, awareness of the role of muamalah fiqh in regulating modern transactions is increasing, especially in the framework of *maqāṣid al-sharī'ah* which emphasizes the protection of property (*ḥifz al-māl*) and justice (*al-'adl*) in economic contracts.<sup>3</sup>

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<sup>1</sup> Atikah Nurul Ihsan et al., "Sharia Fintech: The Collaboration of Information Technology and Morality as A Financing Instrument for The Future," *International Journal of Information System and Innovation Management (IJISIM)* 2, no. 1 (2024): 1-8.

<sup>2</sup> Salah Alhammadi, "Islamic Finance as a Driver for Enhancing Economic Sustainability and Innovation in the GCC," *Journal of Science and Technology Policy Management*, 2024, <https://doi.org/10.1108/JSTPM-11-2023-0206>.

<sup>3</sup> Setiadi Setiadi et al., "Legal Framework for Protecting Online Business Transactions in Indonesia: A Sharia Economic Law Perspective," *International Journal of Business, Law, and Education* 6, no. 2 (2025): 1485-96. <https://doi.org/10.56442/ijble.v6i2.1277>.

However, there is still a significant gap in the application of contemporary muamalah fiqh at the grassroots level, especially in Islamic educational institutions such as Islamic boarding schools.<sup>4</sup> Most of the existing research focuses more on the formal regulatory aspects and institutional aspects of Islamic finance, while studies examining the actual practice of fiqh muamalah in an Islamic educational environment that combines religious and vocational learning are still very limited.<sup>5</sup> In fact, Islamic boarding schools often function as socio-economic laboratories that implement the principles of fiqh muamalah through sharia cooperatives, student business units, and community-based microeconomic activities.<sup>6</sup> This gap shows the academic urgency to examine how *istinbat al-hukm* (the process of determining law) and *ijtihad jama'i* (collective *ijtihad*) are applied in the context of *pesantren* to answer the challenges of modern economic transactions.<sup>7</sup>

The *ijtihad jama'i* approach is seen as an important instrument in uniting the views of scholars in responding to the complexity of modern financial transactions that cannot be answered by the classical method of individualism alone.<sup>8</sup> In the context of the establishment of Islamic law, this collectivity-based methodological approach offers a unique alternative that is able to bridge classical Islamic legal theory with contemporary economic practices, thus allowing the birth of a more adaptive and applicable model of muamalah fiqh.<sup>9</sup>

The formulation of the problem in this study is focused on three main aspects, namely: first, how the transformation of contemporary muamalah fiqh practice occurred in the Vocational Maahad Aman Bistari Selangor (MVABS); Second, how the methodology of *Istinbat al-Hukm* and the mechanism of *ijtihad Jama'i* are applied in responding to modern economic transactions in the institution; and third, the extent to which the local *pesantren* model can contribute to the development of the global discourse of fiqh muamalah.

Based on the formulation of the problem, the purpose of this research is to analyze the transformation of the practice of fiqh muamalah in vocational-based Islamic boarding schools, examine the legal methodology used in the context of contemporary economics, and develop a conceptual model of Islamic boarding schools as an alternative solution to global muamalah fiqh problems.<sup>10</sup> The urgency of this research lies in its contribution to bridging the epistemological gap between classical Islamic law and the realities of the modern digital economy.<sup>11</sup> In the midst of the

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<sup>4</sup> Setiadi et al.

<sup>5</sup> Rifqi Muhammad and Peni Nugraheni, "Sustainability of Islamic Banking Human Resources through the Formulation of an Islamic Accounting Curriculum for Higher Education: Indonesian Perspective," *Sage Open* 12, no. 1 (2022): 21582440221079840, <https://doi.org/10.1177/21582440221079838>.

<sup>6</sup> Ibnu Qizam, Izra Berakon, and Herni Ali, "The Role of Halal Value Chain, Sharia Financial Inclusion, and Digital Economy in Socio-Economic Transformation: A Study of Islamic Boarding Schools in Indonesia," *Journal of Islamic Marketing* 16, no. 3 (February 3, 2025): 810–40, <https://doi.org/10.1108/JIMA-03-2024-0108>.

<sup>7</sup> Andi Syathir Sofyan et al., "Local Economic Practices in Developing Islamic Financial Products in Indonesia," *Al-Tijary*, 2021, 141–63. <https://doi.org/10.15408/mimbar.v41i1.38602>.

<sup>8</sup> Aznan Hasan, "An Introduction to Collective Ijtihad (Ijtihad Jama' i): Concept and Applications," *American Journal of Islam and Society* 20, no. 2 (2003): 26–49. <https://doi.org/10.35632/ajis.v20i2.520>.

<sup>9</sup> M Pauzi, Darul Hipni, and Anwar M Radiamoda, "The Importance of the Ijtihad Jama'i Method in Contemporary Fiqh Formulations," in *Al-Risalah: Forum Kajian Hukum Dan Sosial Kemasyarakatan*, vol. 23, 2023, 13–20. <https://doi.org/10.30631/alrisalah.v23i1.1322>.

<sup>10</sup> Hasyim Mahmud Wantu et al., "The Contribution of Islamic Boarding Schools In Advancing Islamic Education In Indonesia (Case Study of Al Huda Islamic Boarding School Gorontalo)," *Edukasi Islami: Jurnal Pendidikan Islam* 12, no. 04 (2023), <https://doi.org/10.30868/ei.v12i04.5422>.

<sup>11</sup> Mohamed Fouz Mohamed Zacky and Md Moniruzzaman, "'Islamic Epistemology' in a Modern Context: Anatomy of an Evolving Debate," *Social Epistemology* 38, no. 4 (2024): 511–25, <https://doi.org/10.1080/02691728.2023.2227945>.

acceleration of fintech and digital finance innovation that often exceeds the speed of adaptation of legal regulations, the *ijtihad jama'i* model applied at MVABS offers a community-based legal reasoning framework that is contextual and responsive to socio-technological changes.<sup>12</sup> By presenting the local perspective of pesantren as an innovative micro model, this research not only enriches the scientific treasures of contemporary muamalah fiqh but also makes a practical contribution to the development of an Islamic economic system that is more inclusive, sustainable, and in accordance with global financial ethical standards.<sup>13</sup>

## Method

This study employs qualitative case studies to examine the transformation of fiqh muamalah practice in Maahad Vocational Aman Bistari Selangor, with a focus on the dynamics of collective *ijtihad* and the methodology of legal *istinbat* in addressing contemporary economic transactions. Primary data were obtained through semi-structured interviews with caregivers, fiqh teachers, and senior students, as well as participatory observation of legal deliberation forums. Secondary data includes curriculum documents, internal fatwas, minutes of deliberations, and scientific literature related to contemporary fiqh muamalah.<sup>14</sup> The research instruments consist of interview guidelines, field notes, and document analysis sheets. Validity is maintained through triangulation of sources and methods, namely comparing the results of interviews, observations, and documents.<sup>15</sup> The inclusion criteria include participants with at least five years of experience in the field of fiqh muamalah, while exclusion applies to individuals who are not directly involved in legal decision-making. The unit of analysis is the *ijtihad* of the *jama'i*.<sup>16</sup> in Islamic boarding schools as a collective practice of legal *istinbat*. The data were analyzed by thematic analysis, This approach was chosen to produce a comprehensive and objective understanding of the transformation of the practice of fiqh muamalah in the context of contemporary Islamic education.

## Result and Discussion

### Transformation of Contemporary Fiqh Muamalah Practice at Maahad Vocational Aman Bistari Selangor (MVABS)

This study found that the transformation of the practice of fiqh muamalah in Maahad Vocational Aman Bistari Selangor (MVABS) occurred comprehensively through three main dimensions, namely pedagogical, institutional, and technological dimensions. These three dimensions are the main foundation for building an Islamic law learning system that is adaptive to the times. This transformation reflects the efforts of Islamic boarding schools in integrating classical fiqh values with the needs of the modern economy, which is now increasingly influenced by the

<sup>12</sup> Dwi Fidhayanti et al., "Regulatory Frameworks in Islamic Fintech: Comparative Insights from Indonesia and Malaysia," *Jambura Law Review* 7, no. 2 (2025): 664–95.

<sup>13</sup> Muhamad Fauzi, Yusuf Haji-Othman, and Mukhaer Pakanna, "Micro Waqf Bank Priority Strategy Determines Business Financing Criteria," *Journal of Islamic Economics and Philanthropy* 8, no. 1 (2025).

<sup>14</sup> Omer Awass, *Fatwa and the Making and Renewal of Islamic Law: From the Classical Period to the Present* (Cambridge University Press, 2023), <https://doi.org/10.1017/9781009260923>.

<sup>15</sup> Todd D. Jick, "Mixing Qualitative and Quantitative Methods: Triangulation in Action," *Administrative Science Quarterly* 24, no. 4 (December 1979): 602, <https://doi.org/10.2307/2392366>.

<sup>16</sup> *jama'i* terminology means collective *ijtihad*, which is the process of determining sharia law carried out jointly by a number of scholars, fiqh experts, and multidisciplinary experts who are competent in their fields. See: Wahbah Az-Zuhaili, *Al-Fiqhu Al-Islam Wa Adillatuhu* (Dar al-Fikr, 1996).

development of digital technology and online-based financial systems.<sup>17</sup> MVABS plays the role of an Islamic educational institution that not only maintains the authenticity of traditional scientific heritage but also actively adapts it to contemporary social and economic contexts.<sup>18</sup>

In the pedagogical dimension, the changes that occurred in MVABS show a paradigm shift from theoretical fiqh learning to applicative and contextual learning.<sup>19</sup> If previously, fiqh muamalah was only taught through the study of classical texts and memorization of books, now the approach prioritizes real practices that are directly associated with the daily lives of students.<sup>20</sup> The principle of experiential learning is at the core of the teaching system.<sup>21</sup> Through this method, students not only learn the laws of akad and fihiyyah rules from books such as Fath al-Qarib or Bidayat al-Mujtahid, but also practice them directly through sharia business simulations, management of student cooperatives, and microeconomic activities that are professionally managed under the guidance of fiqh teachers. This approach fosters a deeper understanding because each legal concept studied can be implemented directly in the form of real transactions, such as buying and selling with murabahah contracts, loans with the qard hasan system, or shirkah-based business cooperation.<sup>22</sup>

This kind of learning process also instills fundamental Islamic economic moral values and ethics, such as honesty, responsibility, trust, and the principle of fairness in every transaction.<sup>23</sup> Fiqh teachers act as supervisors as well as internal sharia supervisors who ensure that every economic activity in the pesantren environment is in accordance with the provisions of Islamic law.<sup>24</sup> For example, when students want to start a small business, they are required to draft a written agreement that includes a fair distribution of capital, risks, and profits. Each transaction is then evaluated in a discussion forum to assess the suitability of the contract with Sharia principles. Thus, students not only understand Islamic law as a normative theory but are also able to apply it as a practical guideline in modern economic life.

One of the real practices of learning fiqh muamalah at MVABS is the bahts al-masā'il forum, which functions as a forum for legal study and deliberation of sharia economics. This forum is held

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<sup>17</sup> Safwan Kamal, Nanda Safarida, and Erne Suzila Kassim, "Investigating the Role of Fiqh Zakat Knowledge in Moderating the Behaviour of the Acehnese to Pay Zakat Digitally," *Journal of Islamic Marketing* 15, no. 11 (2024): 3048–83, <https://doi.org/10.1108/JIMA-02-2023-0055>.

<sup>18</sup> Eko Nursanty and Astari Wulandari, "UNVEILING THE AUTHENTICITY OF ISLAMIC VALUES: THE EVOLUTION AND TRANSFORMATION OF TRADITIONAL VILLAGES," *Journal of Islamic Architecture* 7, no. 4 (2023), <https://doi.org/10.18860/jia.v7i4.21258>.

<sup>19</sup> Khalilullah Amin Ahmad et al., "Mobile Learning of Islamic Studies: A Comprehensive Review," *Journal of Advanced Research in Applied Sciences and Engineering Technology* 48, no. 2 (2025): 211–24, <https://doi.org/10.37934/araset.48.2.211224>.

<sup>20</sup> Muthoifin Muthoifin, Ishma Amelia, and Aisha Bahaeldin Eprahim Ali, "Islamic Accounting: Ethics and Contextualization of Recording in Muamalah Transactions," *Multidisciplinary Reviews*, 2024, <https://doi.org/10.31893/multirev.2024132>.

<sup>21</sup> Kenneth A Grant, "Experiential Learning," *Practical Applications of Experiential and Community-Engaged Learning Methods in Business: High-Impact Teaching Practices in Business Education* 1 (2025): 91.

<sup>22</sup> Nurul Ilyana et al., "Leveraging Qardhul Hasan Practices from Zakat Funds for Sustainable Development : A Maqasid Sharia Perspective and Its Contribution to SDGs in Malaysia" 4, no. 9 (2024): 1–28, <https://doi.org/10.47172/2965-730X.SDGsReview.v4.n00.pe0>.

<sup>23</sup> Niyaz Panakaje et al., "Exploring the Role of Islamic Ethical Training and Business Integrity in Shaping Ethical Decision-Making and Business Performance: A Mediated-Moderated Analysis," *Journal of Islamic Accounting and Business Research*, 2025, 1–33, <https://doi.org/10.1108/JIABR-02-2025-0099>.

<sup>24</sup> "Interview with Ust. Abdul Karim Bin Mahamad (Teacher of Fiqh Maahad Vocational Aman Bistari)," n.d.

regularly by involving fiqh teachers<sup>25</sup>, caregivers<sup>26</sup>, and senior students<sup>27</sup>. Through the forum, various modern economic problems were discussed in depth, such as transaction laws using e-wallets, the use of digital investment applications, technology-based employment contracts, and various issues related to sharia fintech. One interesting example is the discussion about the use of the "Touch 'n Go" application, which is popular among students.<sup>28</sup> After going through in-depth studies and discussions, the forum decided that transactions using e-wallets are allowed as long as they meet the requirements of fiqh muamalah, such as the clarity of the contract, the absence of elements of usury, and transaction transparency.<sup>29</sup> The decision then became an official guideline for Islamic boarding school cooperatives and students in conducting digital transactions.

Significant changes are also seen in the institutional aspect. The bahts al-masā'il forum which originally functioned as a traditional means of discussion has now evolved into an institution of *ijtihad jamā'ī* or collective *ijtihad*.<sup>30</sup> In this system, legal decisions no longer depend on a single authority such as caregivers or professors, but are generated through joint deliberation involving various parties of fiqh teachers, senior students, and even external sharia economic practitioners. This pattern is in line with the concept of *ijtihad mu'assasī* (institutional *ijtihad*)<sup>31</sup>, that is, the shift of legal authority from the individual to the collective institution. Such an approach is relevant to the complexity of the modern economy that requires multidisciplinary and collaborative analysis.

In the institutional context, MVABS also seeks to build a transparent and accountable system.<sup>32</sup> Every legal decision produced through deliberation will be applied directly in Islamic boarding school economic units such as cooperatives, canteens, or student businesses. For example, when there is a problem related to additional fees in top-up e-wallet balances, the forum decides that the additional fees are halal as long as they are categorized as service administration fees and do not include interest. This decision then became an official reference in all Islamic boarding school economic activities. Such a process shows that pesantren has succeeded in creating a dynamic and applicable legal system without having to abandon the basic principles of fiqh.<sup>33</sup>

In addition, MVABS also collaborates with various external institutions such as Islamic universities, Islamic financial institutions, and national fatwa authorities to enrich students' perspectives on the reality of modern economic law. Through this partnership, students get the opportunity to participate in seminars, training, and internships at Islamic financial institutions. This activity broadens their horizons

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<sup>25</sup> "Interview with Ust. Abdul Karim Bin Mahamad (Teacher of Fiqh Maahad Vocational Aman Bistari)."

<sup>26</sup> "Interview with Ust. Mohd Asri Bin Yunus (Caregiver of Maahad Vocational Aman Bistari)," n.d.

<sup>27</sup> "Interview of Senior Santri Maahad Vocational Aman Bistari," n.d.

<sup>28</sup> Yang Tian et al., "Does Personal Innovativeness and Personal Anxiety Matter? The Predictors of Continuance Use Intention of an e-Wallet System," *Kybernetes* 54, no. 11 (2025): 6519–43, <https://doi.org/10.1108/K-10-2023-2213>.

<sup>29</sup> Asmadi Mohamed Naim et al., "E-Wallet Models: An Appraisal of Shariah Related Issues," *AHKAM: Jurnal Ilmu Syariah* 23, no. 2 (2023).

<sup>30</sup> Wahbah Al-Zuhailiy, "Al-Ijtihādul Jamā'iy Wa Ahammiyyatuh Fi Muwājahah Musykilātil 'Aṣr," n.d.

<sup>31</sup> Dwi Aprilianto, Farida Ulvi Na'imah, and Ahmad Fauzi, "The Controversy of Child Marriage Culture in The Perspective of Maqāsid Al-Urah: A Case Study of The Authority of Lebe'in Brebes," *Al-Manahij: Jurnal Kajian Hukum Islam*, 2024, 199–218, <https://doi.org/10.24090/mnh.v18i2.11554>.

<sup>32</sup> Muhammad Aiman Asyraf Hanafi, Norzarina Md Yatim, and Abdullah Sallehuddin Abdullah Salim, "Unveiling the Transition: Factors Influencing True and Fair View Reporting in the Accrual-Based Accounting Migration of Malaysian Federal Statutory Bodies," *Asian Economic and Financial Review* 14, no. 5 (2024): 389, <https://doi.org/10.55493/5002.v14i5.5071>.

<sup>33</sup> Muhammad Jauhari Sofi, Sofwan Manaf, and Jauhar Ali, "PESANTREN IN DYNAMIC TRANSFORMATION: Harmonizing Classical Roots and Modern Practices," *MIQOT: Jurnal Ilmu-Ilmu Keislaman* 49, no. 2 (2025): 333–53.

about the implementation of fiqh muamalah in the real world of work, while strengthening the synergy between Islamic boarding schools and the national Islamic economic sector.<sup>34</sup>

The third and most prominent transformation is the integration of digital technology in the economic and education systems in MVABS. This pesantren realizes that technology cannot be separated from today's economic life. Therefore, MVABS develops various technological innovations that support the practice of digital muamalah. One of the real implementations is the implementation of a QR code-based payment system in student cooperatives.<sup>35</sup> With this system, all transactions can be carried out quickly, efficiently, and transparently. In addition, Islamic boarding school cooperatives also use digital financial recording applications that help in monitoring cash flow, managing student funds, and accountable monthly financial statements.

The integration of digital technology is not only aimed at administrative efficiency, but also as a means of learning modern fiqh muamalah. Students are trained to understand legal aspects related to digital transactions, such as the validity of electronic contracts, consumer protection, and gharar risks in non-cash transactions. In this process, fiqh teachers play an active role in guiding students to be able to assess the validity of each digital transaction according to sharia principles.<sup>36</sup> Through this learning, students gain an understanding that technology is not a threat to fiqh, but a means to strengthen the application of Islamic law in the modern context.

Islamic boarding school cooperatives act as laboratories for digital fiqh muamalah practice.<sup>37</sup> Students who are members of the cooperative are directly involved in savings and loan activities, the sale of daily necessities, and the management of small business funds. Various contracts such as murabahah, qard hasan, and shirkah are applied in a real way, so that they understand the difference between a valid contract and one that is not in accordance with sharia. For example, in the "Kredit Santri Amanah" program, cooperatives provide interest-free loans for students who need learning equipment or small business capital. Through this program, students learn directly about the concepts of financial responsibility, economic justice, and the importance of maintaining trust in financial transactions.

This transformation in this aspect of technology has a big impact on the mindset of all pesantren residents. Teachers and students began to see technology as part of da'wah and the teaching of Islamic law. Digital applications are now used for contract simulation, transaction recording, and online classroom management. This approach reflects a paradigm shift from conventional traditions to a learning system that is dynamic, interactive, and relevant to the challenges of the industrial era 4.0.<sup>38</sup>

The three dimensions of pedagogical, institutional, and technological transformation ultimately complement each other and form a complete and sustainable fiqh muamalah education system. MVABS has succeeded in showing that fiqh muamalah is not a static discipline, but can live and develop with the changing times without losing its normative substance. This pesantren is an example that Islamic law can

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<sup>34</sup> Qizam, Berakon, and Ali, "The Role of Halal Value Chain, Sharia Financial Inclusion, and Digital Economy in Socio-Economic Transformation: A Study of Islamic Boarding Schools in Indonesia."

<sup>35</sup> Prabhakar Nandru, Senthil Kumar SA, and Madhavaiah Chendragiri, "Adoption Intention of Mobile QR Code Payment System among Marginalized Street Vendors: An Empirical Investigation from an Emerging Economy," *Journal of Science and Technology Policy Management* 15, no. 6 (2024): 1709–33, <https://doi.org/10.1108/JSTPM-03-2023-0035>.

<sup>36</sup> "Interview with Ust. Abdul Karim Bin Mahamad (Teacher of Fiqh Maahad Vocational Aman Bistari)."

<sup>37</sup> Zakia Zuzanti, "Interdisciplinary Drivers of Fiqh Muamalah: Social, Economic, and Technological Perspectives," *Sinergi International Journal of Islamic Studies* 2, no. 2 (May 31, 2024): 123–35, <https://doi.org/10.61194/ijis.v2i2.604>.

<sup>38</sup> Arjita Jain et al., "Reimagining Management Education: Navigating the Shift to Education 4.0 in the Digital Era," *The International Journal of Management Education* 23, no. 2 (2025): 101182, <https://doi.org/10.1016/j.ijme.2025.101182>.

be applied contextually while still being based on the principle of maqāṣid al-sharī'ah, namely the protection of religion, soul, intellect, descent, and property.

Through practice-based learning, collective ijthad mechanisms, and the use of digital technology, MVABS has produced a generation of students who not only understand Islamic law but also possess the competence to professionally manage the sharia economy.<sup>39</sup> They are able to think critically, adapt to change, and be committed to the value of social justice.<sup>40</sup> This transformation shows that Islamic educational institutions have great potential to become drivers of legal, economic, and social innovation in the era of globalization. By combining classical Islamic scientific traditions with the spirit of technological modernization, MVABS has proven itself to be a contemporary Islamic education model that is applicable, relevant, and oriented towards the benefit of the ummah.

### Methodology for Determining and Adjusting Contemporary Fiqh Muamalah Practices by MVABS

The methodology of determining and adjusting the practice of fiqh muamalah at Maahad Vocational Aman Bistari Selangor (MVABS) is a reflection of the ability of Islamic educational institutions to respond to contemporary economic challenges through a systematic, inclusive, and adaptive approach to Islamic law. This process rests on three main methodological pillars, namely ijthad jamā'ī (collective ijthad), maqāṣid al-sharī'ah (the goals of Islamic law), and the application of qawā'id fiqhiyyah (universal rules of fiqh). These three pillars are not only a theoretical framework, but also serve as a practical guide in making legal decisions involving all elements of the Islamic boarding school. This approach emphasizes that fiqh muamalah in MVABS is not just a normative textual study, but a legal system that is alive and responsive to the needs of modern society.

The process of determining the law at MVABS begins with the mechanism of ijthad jamā'ī<sup>41</sup>, which is a form of collective legal deliberation carried out by pesantren caregivers<sup>42</sup>, fiqh teachers<sup>43</sup>, and senior students<sup>44</sup>. In this forum, contemporary problems that arise in the lives of students and the economic activities of the pesantren are discussed openly and argumentatively. Each member of the forum has the opportunity to express their views based on the evidence of the Qur'an, hadith, the opinions of classical scholars, and contemporary fatwas.<sup>45</sup> This discussion process shows an important shift from the individual ijthad prevalent by classical scholars to institutional ijthad (ijthad mu'assasi) that reflects the principles of collectivity and democratization of Islamic science.<sup>46</sup> This approach is relevant to the complexity of the

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<sup>39</sup> Achmad Faqihuddin, Abdillah Muflih, and Iif Syarifudin, "Vocational Education and Training (VET) in the Field of Learning Media of Digital-Based Islamic Religious Education through the Teaching Practitioner Program," *TARBAWY: Indonesian Journal of Islamic Education* 11, no. 1 (2024): 34–48, <https://doi.org/10.17509/t.v11i1.69406>.

<sup>40</sup> Ariel Sarid, "Crossing Boundaries: Connecting Adaptive Leadership and Social Justice Leadership for Educational Contexts," *International Journal of Leadership in Education* 27, no. 5 (2024): 1009–30, <https://doi.org/10.1080/13603124.2021.1942995>.

<sup>41</sup> Hossam Sabry Othman, *Collective Ijthad: Regulating Fatwa in Postnormal Times* (International Institute of Islamic Thought (IIIT), 2024), <https://doi.org/10.35632/ajis.v41i3-4.3561>.

<sup>42</sup> "Interview with Ust. Mohd Asri Bin Yunus (Caregiver of Maahad Vocational Aman Bistari)."

<sup>43</sup> "Interview with Ust. Abdul Karim Bin Mahamad (Teacher of Fiqh Maahad Vocational Aman Bistari)."

<sup>44</sup> "Interview of Senior Santri Maahad Vocational Aman Bistari."

<sup>45</sup> Jamal Abdul Aziz et al., "Rethinking 'Interest' in Islamic Finance: A Critique of the Method of Fatwā MUI and Its Legitimacy in Indonesia," *Journal of Islamic Thought and Civilization* 15, no. 1 (2025): 81–98, <https://doi.org/10.32350/jitc.151.05>.

<sup>46</sup> Rayhan Kevin Rifaldy, "Ijthad Dalam Hukum Islam: Solusi Atas Tantangan Zaman," *JURNAL AKADEMIK EKONOMI DAN MANAJEMEN* 2, no. 3 (2025): 873–80, <https://doi.org/10.61722/jaem.v2i3.6034>.

modern economy, where legal issues often require multidisciplinary perspectives and contextual understanding of social, technological, and market phenomena.<sup>47</sup>

One concrete example of the application of this methodology can be seen in the economic practice of Islamic boarding school cooperatives. When the issue of the law of additional fees in e-wallet top-up transactions in cooperatives arose, the *ijtihad jamā'ī* forum at MVABS held a special deliberation. The *fiqh* teachers and students examined the transaction structure in depth whether the additional fee was included in the category of *riba* or simply a service administration fee.<sup>48</sup> After referring to the *fiqh* rules of "*al-umūr bi maqāṣidiha*" (everything depends on the intention and purpose) and paying attention to the principle of fairness in transactions, the forum determined that such additional fees are *halal* as long as they are clear service charges and do not give rise to an element of oppression. This decision was then used as an operational guideline in the *pesantren* cooperative system and became part of MVABS' internal economic policy. Such a process shows how collective *ijtihad* is translated into concrete and contextual legal mechanisms.<sup>49</sup>

Furthermore, the second pillar in the MVABS methodology is the *maqāṣid al-sharī'ah* approach, which is the philosophical foundation for all legal decisions. The *maqāṣidiyyah* approach emphasizes that every Islamic law must be directed to achieve benefits (*maslahah*) and avoid harm (*mafsadah*).<sup>50</sup> In the context of *muamalah*, the main focus of *maqāṣid al-sharī'ah* is the protection of the five main purposes of *sharia*: religion, soul, intellect, descent, and property (*ḥifẓ al-dīn, al-nafs, al-'aql, al-nasl, al-māl*).<sup>51</sup> The *fiqh* teacher at MVABS explained that every legal decision produced by the *ijtihad* forum must be able to meet these values, especially in the context of economic justice and social welfare.<sup>52</sup>

For example, in the case of financing laptops for students used for learning activities, MVABS implements the *qard hasan* contract, which is an interest-free loan accompanied by a written agreement and a flexible payment scheme. This policy not only fulfills the principle of *ḥifẓ al-māl* (protection of property) but also supports *ḥifẓ al-'aql* (protection of intellect), as these facilities are used to strengthen the learning ability of students. This kind of approach shows that *maqāṣid al-sharī'ah* at MVABS does not stop at the theoretical level, but is operationalized in real economic policies and has a direct impact on the lives of students.

In addition, *maqāṣid* is also used to assess and filter modern economic innovations to remain in accordance with *sharia* principles.<sup>53</sup> In the context of the use of financial technology such as e-wallets or *fintech*<sup>54</sup>, the MVABS forum emphasizes the importance of contract transparency (*al-ṣafā' al-'aql*) and the

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<sup>47</sup> Hamid Mavani, "Ijtihad in Contemporary Shiism: Transition from Individual-Oriented to Society-Oriented," *American Journal of Islam and Society* 27, no. 3 (2010): 24–52.

<sup>48</sup> "Interview with Ust. Abdul Karim Bin Mahamad (Teacher of *Fiqh* Maahad Vocational Aman Bistari)."

<sup>49</sup> Ismail Jalili, Fadillah Ulfa, and Muallimin Mochammad Sahid, "Nahdlatul Ulama's Ijtihad Method in Fatwa: Analysis of The Content of Legal Decisions and Their Validity in Indonesia," *Justicia Islamica* 20, no. 2 (November 29, 2023): 341–60, <https://doi.org/10.21154/justicia.v20i2.5971>.

<sup>50</sup> Muhammad Najib Abdullah and Syaryanti Hussin, "Maqasidic General Parameters in Utilizing Al-Maslahah as a Mechanism for Shariah Decision Making in Islamic Financial Transactions," *AL-MAQASID: The International Journal of Maqasid Studies and Advanced Islamic Research* 5, no. 1 (2024): 17–32, <https://doi.org/10.55265/al-maqasid.v5i1.98>.

<sup>51</sup> Agus Sunaryo and Ahmad Hadidul Fahmi, "Evaluation of the Maqāṣid Al-Sharī'ah Liberalization: An Examination of the Notion of 'Prioritizing Public Interest over Textual Evidence'." *Al-Manahij: Jurnal Kajian Hukum Islam* 18, no. 1 (2024).

<sup>52</sup> "Interview with Ust. Abdul Karim Bin Mahamad (Teacher of *Fiqh* Maahad Vocational Aman Bistari)."

<sup>53</sup> Yudhi Achmad Bashori, Khairil Umami, and Soleh Hasan Wahid, "Maqasid Shariah-Based Digital Economy Model: Integration, Sustainability and Transformation," *Malaysian J. Syariah & L.* 12 (2024): 405, <https://doi.org/10.33102/mjssl.vol12no1.647>.

<sup>54</sup> Naim et al., "E-Wallet Models: An Appraisal of Shariah Related Issues."

absence of fraud (gharar).<sup>55</sup> This is in line with the idea that the sustainability of the modern Islamic financial system depends on the ability of Islamic institutions to apply maqāṣid as the basis for legal decision-making.<sup>56</sup> Thus, maqāṣid serves as an ethical and normative compass that ensures that any technological innovation remains within the sharia corridor.<sup>57</sup>

The third pillar in the MVABS methodology is the application of qawā'id fiqhiyyah, which is the universal rules of fiqh that function as a practical guide in making legal decisions. Principles such as "al-yaqīn lā yazūlu bi al-syak" (belief cannot be eliminated by doubt), "al-ḍarar yuzāl" (harm must be eliminated), and "al-'ādah muḥakkamah" (habits can be used as legal basis) are often used as grounds for argument when dealing with economic cases that do not yet have classical precedents. For example, in digital transactions involving the risk of system errors or delays in the delivery of goods, fiqh teachers use the principle of "al-ḍarar yuzāl" to establish a refund policy as a form of protection of consumer rights.<sup>58</sup> Meanwhile, the rule of "al-'ādah muḥakkamah" is used to assess local customs such as the use of digital wallets as a legitimate muamalah practice because it has become an urf (custom) of modern society.<sup>59</sup>

This methodological approach based on qawā'id fiqhiyyah makes fiqh muamalah in MVABS more flexible and inclusive without losing its normative validity. Fiqh teachers in Islamic boarding schools emphasized that fiqh rules are not only a tool to decide laws, but also a bridge between classical texts and modern socio-economic realities.<sup>60</sup> Therefore, MVABS does not reject technological advances or economic innovations, but rather seeks to adapt Islamic law to new situations through the universal principles of fiqh.

The methodology developed by MVABS shows a harmonious synthesis between turāth (classical Islamic intellectual heritage) and waqī' (contemporary reality).<sup>61</sup> In each legal istinbat process, students are trained to trace the evidence from the classical book, then relate it to the modern context through the study of maqāṣid and qawā'id fiqhiyyah. This approach not only maintains the continuity of the Islamic scientific tradition, but also trains critical, analytical, and adaptive thinking skills. Thus, a living fiqh methodology model was born, which is not static in the text but is able to interact with the times.<sup>62</sup>

This process makes MVABS an institution that performs a dual role: first, as an educational institution that transmits fiqh knowledge in a classical way; and second, as a socio-economic laboratory that tests the validity of Islamic law in real practice. Fiqh teachers act as internal mufti, while Islamic boarding school cooperatives become a test vehicle for the implementation of fatwa.<sup>63</sup> The result is an Islamic legal system that is dynamic, empirical, and contextual.

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<sup>55</sup> Dimas Handoyo Putro et al., "Contextualization of Ushul Fiqh in Muamalah and Modern Banking: Sharia Solutions in the Global Economic System," *International Journal of Integrative Sciences* 3, no. 11 (November 30, 2024): 1243–54, <https://doi.org/10.55927/ijis.v3i11.12424>.

<sup>56</sup> Putro et al.

<sup>57</sup> Tri Hidayati et al., "Digitalization of Islamic Finance: Epistemological Study of the National Sharia Board-Indonesian Council of Ulama's Fatwa," *Al-Ahkam* 33, no. 2 (October 31, 2023): 255–78, <https://doi.org/10.21580/ahkam.2023.33.2.17324>.

<sup>58</sup> "Interview with Ust. Abdul Karim Bin Mahamad (Teacher of Fiqh Maahad Vocational Aman Bistari)."

<sup>59</sup> Safaruddin Harefa, "The Fundamental Principles of Islamic Law in the Digital Era: An Ushul Fiqh and Maqashid Sharia Approach," *Journal of Islamic Law on Digital Economy and Business*, 2025, 84–99, <https://doi.org/10.20885/JILDEB.vol1.iss1.art6>.

<sup>60</sup> "Interview with Ust. Abdul Karim Bin Mahamad (Teacher of Fiqh Maahad Vocational Aman Bistari)."

<sup>61</sup> Saulat Pervez, "Muslim Intellectual History: A Survey," *American Journal of Islam and Society* 39, no. 3–4 (2023): 206–72. <https://doi.org/10.35632/ajis.v39i3-4.2332>.

<sup>62</sup> Zelfeni Wimra et al., "The Living Fiqh: Anatomy, Philosophical Formulation, and Scope of Study," *Juris: Jurnal Ilmiah Syariah* 22, no. 1 (2023), <http://dx.doi.org/10.31958/juris.v22i1.9491>.

<sup>63</sup> "Interview with Ust. Abdul Karim Bin Mahamad (Teacher of Fiqh Maahad Vocational Aman Bistari)."

Furthermore, this methodology has far-reaching implications for the development of the study of fiqh muamalah in the Islamic world. The collective ijihad model and maqāṣidiyyah approach at MVABS can be used as a reference for other Islamic educational institutions that want to develop contextual economic fiqh.<sup>64</sup> By emphasizing the balance between text and context, between normative values and social benefits, MVABS succeeds in building an Islamic legal paradigm that is inclusive, sustainable, and relevant to the needs of the digital society.

Thus, the methodology of determining law at MVABS is not only a tool to produce internal fatwas, but also a means of Islamic law education that shapes the scientific and social character of students. Through the process of collective ijihad, maqāṣid-based learning, and the application of universal fiqh principles, students not only become recipients of knowledge, but also active actors in the dynamics of Islamic law. This methodological approach shows that muamalah fiqh in the modern era can remain authentic, but at the same time flexible to change.<sup>65</sup> This is a tangible manifestation of the living fiqh methodology, a living, dynamic Islamic legal methodology that is able to answer contemporary economic challenges without losing its scientific spirit.<sup>66</sup>

### **Implications and Challenges of Implementing Contemporary Fiqh Muamalah Practice in MVABS**

The application of contemporary muamalah fiqh practices at Maahad Vocational Aman Bistari Selangor (MVABS) has a very significant impact on improving students' competence, sharia economic literacy, and their readiness to face the challenges of the modern world of work based on the Islamic financial system. The transformation carried out by MVABS through the integration of fiqh education, vocational training, and the implementation of the digital economy has succeeded in creating a comprehensive education pattern. Students not only understand the concepts and theories of Islamic law, but also have the practical ability to apply them in a real context. Learning that was originally oriented to the text of the classic book is now developed towards direct practice, such as the management of student cooperatives, sharia business simulations, and the use of digital financial applications in daily transactions. This approach shows that MVABS plays an active role in preparing graduates who are not only religious and moral, but also have competitiveness in the growing sharia economic sector.

The learning model applied at MVABS is based on learning by doing, where students learn Islamic law through hands-on experience in the field. They not only learn the concepts of contracts such as murabahah, qard hasan, musyarakah, or wakalah, but also implement them in cooperative activities, business units, and digital transaction simulations. Fiqh teachers act as mentors who ensure that every business practice remains in accordance with sharia principles, such as clarity of contract (bayān al-'aqd), justice ('adl), and the absence of elements of riba or gharar.<sup>67</sup> This approach not only instills a strong understanding of Islamic law, but also forms sharia entrepreneurial skills among students. With this pattern, MVABS graduates are expected to become not only "memorizers of the law" but also "practitioners of fiqh" who are able to translate Islamic values in modern economic life.<sup>68</sup>

<sup>64</sup> Jasser Auda, *Maqasid Al-Shariah: A Beginner's Guide*, vol. 14 (International Institute of Islamic Thought (IIIT), 2008).

<sup>65</sup> Arditya Prayogi, Riki Nasrullah, and Singgih Setiawan, "The Evolution of Fiqh in the Digital Era: Challenges and Adaptations in Islamic Jurisprudence," *The Journal of Religion and Communication Studies* 2, no. 1 (2025): 15–25, <https://doi.org/10.61511/jorcs.v2i1.2025.1751>.

<sup>66</sup> Wimra et al., "The Living Fiqh: Anatomy, Philosophical Formulation, and Scope of Study."

<sup>67</sup> Interview with Ust. Abdul Karim Bin Mahamad (Teacher of Fiqh Maahad Vocational Aman Bistari)."

<sup>68</sup> Hasan Kazak and Osman Okka, "Islamic Finance-Growth Nexus: Evidence from Malaysia," *Economica: Jurnal Ekonomi Islam* 13, no. 1 (July 1, 2022): 1–23, <https://doi.org/10.21580/economica.2022.13.1.9517>.

The positive impact of this system can be seen in improving the professional and spiritual competence of students. Professionally, they are trained in financial management, business planning, and analysis of contemporary contracts such as leasing, sharia e-commerce, and digital investment. Spiritually, they have an ethical awareness and moral responsibility in carrying out economic activities. Students not only pursue profit, but also prioritize blessings (*barakah*) and social justice. This shows that the learning of fiqh muamalah at MVABS does not stop at the cognitive level, but also touches the affective and psychomotor realms, which makes education in this pesantren more comprehensive and oriented towards the formation of a complete Islamic character.

In addition, the integration between fiqh education and vocational training strengthens the readiness of graduates to enter the world of work based on Islamic finance. Many MVABS students after graduation work in the Islamic banking sector, zakat institutions, sharia cooperatives, and halal fintech startups. They have the ability to explain the legal basics of the contract used in the financial product, such as the *wakalah* contract in sharia insurance or *ijarah* in vehicle financing. This ability is an added value that public school graduates do not have. In the context of the global economy that now demands Islamic financial literacy, Islamic boarding school graduates such as MVABS have a competitive advantage because they master two things at once: the normative aspect (*sharia*) and the technical aspect (management and technology).

However, this success is inseparable from a number of major challenges faced by MVABS in implementing contemporary muamalah fiqh. The first challenge is the gap between classical understanding and the needs of modern economics. Some ustaz still adhere to traditional fiqh methodologies that focus more on text, while the development of the digital economy demands a more contextual approach. When new issues arise such as cryptocurrencies, digital investments, or the buy now pay later system, not all fiqh teachers are immediately ready to issue fatwas because this issue has not been widely discussed in the classical literature. This raises an urgent need for retraining for ustaz to be able to understand modern economic phenomena without abandoning the basis of authentic Islamic law.

The second challenge is the limitation of infrastructure and access to technology. Although MVABS has started implementing a QR code-based digital payment system and the use of e-wallets in cooperatives, technology facilities are still limited. Not all students have adequate devices or stable internet connections. This condition sometimes hinders the implementation of digital economy practices as a whole. In addition, not all teachers have expertise in digital literacy and fintech, so intensive training is needed so that the integration of technology in fiqh muamalah learning can run effectively and efficiently.

The third challenge concerns the process of *ijtihad jamā'i* which is collective and deliberative. Although this method guarantees the depth and legitimacy of legal decisions, The decision-making process is often time-consuming. This happens because there are differences of views between fiqh teachers, caregivers, and senior students, especially in interpreting the law on new issues that do not yet have precedents. Selain itu, The difference of views between the internal fatwa of the pesantren and the provisions of the Malaysian national fatwa sometimes requires a complicated harmonization process.<sup>69</sup> For example, when discussing the law on the use of crowdfunding platforms or sharia online loans, the

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<sup>69</sup> Mohd Harifadilah Rosidi, "Fatwa Institutions in Malaysia: Navigating Current Challenges and Changes," *International Journal of Research and Innovation in Social Science* 8, no. 9 (2024): 2375–85, <https://dx.doi.org/10.47772/IJRISS.2024.8090195>.

MVABS ijhtihad forum must adjust its views to the decision of the National Sharia Council so that there are no normative contradictions.<sup>70</sup>

Despite facing a number of obstacles, MVABS sees these challenges as opportunities for innovation and strengthening the Islamic education system. The pesantren realizes that the world of the digital economy demands a new way of thinking in understanding Islamic law. Therefore, they began to introduce a hybrid fiqh education learning model, which is a combination of classical book studies and contemporary case analysis based on digital data. In this model, students are invited to dissect actual cases such as e-commerce contracts, crypto payments, or halal investments, then assess their legal validity with the approach of maqāṣid al-sharī'ah and qawā'id fiqhiyyah. Thus, students not only understand the text, but also have analytical skills to solve legal problems in the real world.

Another effort made by MVABS to overcome these challenges is to establish strategic collaborations with external institutions such as Islamic universities, Islamic banks, and fatwa institutions. Through internship and training programs, MVABS students gain first-hand experience of Islamic financial operations and financial technology. This is in line with the concept of link and match in vocational education, where educational institutions must be able to prepare graduates in accordance with the needs of the industry. This collaborative approach also helps to enrich the insights of fiqh teachers to be more open to economic and technological innovations, while keeping each innovation within the corridor of maqāṣid al-sharī'ah.<sup>71</sup>

From a methodological perspective, the application of fiqh muamalah in MVABS forms a holistic cycle of Islamic law learning. Students study fiqh theory in class, apply it in the economic practice of Islamic boarding schools, and then analyze the results through the bahts al-masā'il forum. This cycle creates a synergy between science and charity, between law and economics, and between textual ideals and social reality. In the long term, this approach is expected to produce graduates who play the role of social mujtahid, namely individuals who are able to carry out legal reasoning on people's economic problems in a contextual and solutional manner.

In the end, the implications of the application of contemporary muamalah fiqh in MVABS are not only limited to improving the competence of graduates, but also make a major contribution to the development of modern Islamic education. This pesantren has proven that Islamic law is not rigid, but dynamic and adaptive to the changing times. Through the integration of tradition and technology, MVABS has succeeded in showing a progressive, rational, and solutive face of Islam in responding to global economic challenges. The applied educational model can be used as a reference for other Islamic institutions in Malaysia and in the Southeast Asian region to develop a contextual and applicative Islamic law learning system.<sup>72</sup>

Thus, the transformation of muamalah fiqh at MVABS not only enriches Islamic scientific treasures, but also proves that Islamic law has eternal relevance in facing the digital era. Students who are trained at this institution are not only equipped with critical thinking skills and Islamic business ethics, but also with spiritual wisdom that leads them to become honest, fair, and well-oriented economic actors for the benefit

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<sup>70</sup> Muhammad Fazlurrahman Syarif and Ahmet Faruk Aysan, "Sharia Crowdfunding in Indonesia: A Regulatory Environment Perspective," *Journal of Science and Technology Policy Management*, 2024, <https://doi.org/10.1108/JSTPM-07-2023-0108>.

<sup>71</sup> "Interview with Ust. Abdul Karim Bin Mahamad (Teacher of Fiqh Maahad Vocational Aman Bistari)."

<sup>72</sup> Rosidi Bahri et al., "Religious Moderation Education: A Comparative Study of Islamic Approaches in Indonesia and Malaysia with Implications for Faith-Based Education," *International Studies in Catholic Education*, 2025, 1-23, <https://doi.org/10.1080/19422539.2025.2519727>.

of the people. This approach that combines maqāṣid al-sharī'ah, vocational training, and digital literacy is a model of future Islamic education, an approach that places pesantren as the center of sustainable sharia legal, morality, and economic innovation.

## Conclusion

This study confirms that the transformation of contemporary muamalah fiqh practice in Maahad Vocational Aman Bistari Selangor (MVABS) is the result of a harmonious integration between classical fiqh principles, the framework of maqāṣid al-sharī'ah, and the needs of the modern digital economy. Through the ijtiḥad jamā'ī approach, MVABS has succeeded in presenting a contextual, participatory, and benefit-oriented Islamic legal methodology. This transformation is reflected in three main aspects: pedagogical, institutional, and technological. At the pedagogical level, pesantren have succeeded in implementing fiqh muamalah through practice-based learning; Institutionally, the Bahts al-Masā'il Forum acts as a deliberative forum in responding to the issue of digital muamalah; Meanwhile, in the technological aspect, the implementation of a sharia-based digital financial system shows the institution's adaptive ability to the times. Theoretically, the results of this study enrich the study of Islamic law by offering a living fiqh methodology model that is a living, dynamic, and applicable fiqh methodology in the context of contemporary economics. Practically, the application of this model at MVABS has direct implications for improving sharia economic literacy, vocational competence, and students' readiness to face the Islamic financial industry. Despite being faced with epistemological and technological challenges, MVABS has proven that pesantren are capable of becoming modern ijtiḥad laboratories that bridge the gap between normative texts and digital reality. Thus, MVABS can be used as a model for the development of Islamic education that not only preserves the values of classical Islamic law, but also produces contextual solutions to Sharia-based global economic challenges.<sup>73</sup>

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<sup>73</sup> Achmad Nursobah and Abu Hapsin, "Contextual Fiqh Paradigm in Determining the DSN-MUI Fatwa on Non-Cash Gold Purchase and Sale (Abdullah Saeed's Ethico-Legal Value Hierarchy Approach)," *Pena Justisia: Media Komunikasi Dan Kajian Hukum* 24, no. 1 (2025): 6511–27.

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