

Abstract

This research is based on the need of Muslims for legal guidance that is responsive to the development of modern Islamic economics and finance. Fatwas have a strategic role in addressing contemporary issues, particularly in Indonesia through the National Sharia Council of the Indonesian Ulema Council (DSN-MUI) as the authoritative institution in issuing fatwas. The purpose of this research is to analyze the role of the principle of *maslahat* as the main basis in the legal *istinbath* process carried out by DSN-MUI. The method used is a descriptive qualitative approach with a literature review of DSN-MUI fatwas as well as references to *fiqh* books and the principles of *ushul fiqh*. The results show that the principles of *maslahat*, such as *ainama wujudati al-maslahatu fasamma hukmullahi*, *dar'u al-mafāsīd muqaddam 'alā jalb al-maṣāliḥ*, and *tasharruful imam 'ala raiyatihi manutun bi al-maslahah*, play an important role in adapting Sharia law to the dynamics of modern finance. In conclusion, the application of the principle of *maslahat* allows the DSNMUI fatwa to remain contextual, flexible, and relevant without abandoning the basic principles of Islamic law.

Keywords: Principles of Islamic Jurisprudence on Welfare, Fatwa of DSN MUI, Sharia Economics

Abstrak

Penelitian ini dilandasi oleh kebutuhan umat Islam terhadap panduan hukum yang responsif terhadap perkembangan ekonomi dan keuangan syariah modern. Fatwa memiliki peran strategis dalam menjawab persoalan kontemporer, khususnya di Indonesia melalui Dewan Syariah Nasional Majelis Ulama Indonesia (DSN-MUI) sebagai lembaga otoritatif dalam penetapan fatwa. Tujuan penelitian ini adalah menganalisis peran kaidah *maslahat* sebagai dasar utama dalam proses *istinbath* hukum yang dilakukan DSN-MUI. Metode yang digunakan adalah pendekatan kualitatif deskriptif dengan kajian literatur terhadap fatwa-fatwa DSN-MUI serta referensi kitab fikih dan kaidah *ushul fikih*. Hasil penelitian menunjukkan bahwa kaidah *maslahat*, seperti *ainama wujudati al-maslahatu fasamma hukmullahi*, *dar'u al-mafāsīd muqaddam 'alā jalb al-maṣāliḥ*, dan *tasharruful imam 'ala raiyatihi manutun bi al-maslahah*, berperan penting dalam menyesuaikan hukum syariah dengan dinamika keuangan modern. Kesimpulannya, penerapan kaidah *maslahat* memungkinkan fatwa DSN-MUI tetap kontekstual, fleksibel, dan relevan tanpa meninggalkan prinsip-prinsip dasar syariat Islam. Kata kunci: Kaidah Fiqih *Maslahat*, Fatwa DSN MUI, Ekonomi Syariah