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Al-'Urf As a Legal Proof in Islamic Economics and Finance: An Analysis of Its Application in Contemporary National Sharia Board (DSN-MUI) Fatwas

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ABSTRACT

Al-'urf, the customary practice prevailing in society, is one of the subsidiary legal proofs employed by usul al-fiqh scholars to establish rulings in Islamic economics and finance for cases not explicitly addressed by the primary texts. Although the literature on al-'urf as a source of Islamic economic law is abundant, most existing studies remain conceptual, relying on conventional illustrations such as bay' al-mu'atah or istisna' without examining the doctrine's application to contemporary digital sharia-economy products. This study analyzes the juristic standing of al-'urf as a legal proof and its application across five contemporary legal instruments: the DSN-MUI fatwas on the Sharia Card, Sharia Electronic Money, Sharia Peer-to-Peer Fintech Financing, and Dropshipping, together with the Ijtima Ulama Decision on cryptocurrency. The method employed is structured library research using content analysis of usul al-fiqh literature and fatwa consideranda. The findings show that the maxim al-'adah muhakkamah is explicitly invoked as a legal basis in DSN-MUI Fatwa No. 54/DSN-MUI/X/2006 on the Sharia Card, and implicitly underlies the acceptance of cashless transaction customs and order-based contracts in the remaining products, provided four conditions of valid ('urf sahih) custom are satisfied: it must embody genuine benefit (maslahah), be widely practiced, predate the case at hand, and not contradict the revealed texts. The study further corrects a recurring error in the secondary literature that attributes the report "ma ra'a al-muslimuna hasanan" to a marfu' hadith of the Prophet, whereas its properly authenticated status is a mawquf report traced to Ibn Mas'ud in the Musnad of Ahmad ibn Hanbal. The principal contribution of this study is an analytical framework mapping sahih and fasid 'urf onto contemporary digital economic instruments through the lens of maqasid al-shariah.

ABSTRAK

Al-'urf, yaitu praktik adat yang berlaku di masyarakat, merupakan salah satu dalil hukum subsidier yang digunakan oleh para pakar usul fikih untuk menetapkan hukum dalam ekonomi dan keuangan Islam untuk kasus-kasus yang tidak dijelaskan secara eksplisit oleh teks-teks utama (Al-Qur'an dan Hadis). Meskipun literatur tentang al-'urf sebagai sumber hukum ekonomi Islam sangat melimpah, sebagian besar studi yang ada masih bersifat konseptual, dengan mengandalkan ilustrasi konvensional seperti bay' al-mu'atah atau istisna' tanpa menguji penerapan doktrin tersebut pada produk ekonomi syariah digital kontemporer. Studi ini menganalisis kedudukan fikih al-'urf sebagai dalil hukum dan penerapannya pada lima instrumen hukum kontemporer: fatwa DSN-MUI tentang Kartu Syariah, Uang Elektronik Syariah, Fintech Pembiayaan P2P Syariah, dan Dropshipping, berserta Keputusan Ijtima Ulama tentang mata uang kripto (cryptocurrency). Metode yang digunakan adalah penelitian kepustakaan terstruktur menggunakan analisis isi (content analysis)

terhadap literatur usul fikih dan konsideran fatwa. Temuan menunjukkan bahwa kaidah al-'adah muhakkamahsecara eksplisit dijadikan sebagai dasar hukum dalam Fatwa DSN-MUI No. 54/DSN-MUI/X/2006 tentang Kartu Syariah, dan secara implisit mendasari penerimaan adat transaksi nontunai serta kontrak berbasis pesanan pada produk-produk selebihnya, dengan syarat memenuhi empat kondisi adat yang valid ('urf sahih): harus mengandung kemaslahatan nyata (maslahah), dipraktikkan secara luas, telah ada sebelum kasus yang bersangkutan terjadi, dan tidak bertentangan dengan teks wahyu. Studi ini lebih lanjut mengoreksi kesalahan yang sering berulang dalam literatur sekunder yang mengatribusikan riwayat "ma ra'a al-muslimuna hasanan" sebagai hadis marfu' dari Nabi, padahal status validnya yang terautentikasi adalah riwayat mawquf yang bersumber dari Ibnu Mas'ud dalam Musnad Ahmad bin Hanbal. Kontribusi utama dari studi ini adalah kerangka kerja analitis yang memetakan 'urf sahih dan fasid ke dalam instrumen ekonomi digital kontemporer melalui lensa maqasid al-shariah

1. INTRODUCTION

Beyond the Qur'an, the Sunnah, ijma', and qiyas, the four legal proofs upon which the jurists concur (muttafaq 'alaih), usul al-fiqh scholars have also developed a range of subsidiary proofs (mukhtalaf fih) to resolve legal questions not explicitly addressed by the primary texts, among them istihsan, maslahah mursalah, istishab, and al-'urf. Al-'urf, the recurrent custom prevailing in a society whether expressed in speech or in conduct, occupies a distinctive place in the formation of Islamic economic and financial law, since a substantial share of contemporary commercial practice arises from market habits that evolve faster than formal juristic reasoning can follow.

This dynamic is especially visible in the digital economy. Cashless transactions conducted through electronic money, financing obtained via financial-technology (fintech) platforms, retail sales structured as dropshipping on online marketplaces, and the emergence of crypto-assets are all novel customs that classical jurists could not have anticipated when formulating the maxim al-'adah muhakkamah. The pertinent question is therefore no longer merely "what is al-'urf", but rather "how do fatwa-issuing authorities apply the doctrine of al-'urf to determine whether a given digital custom qualifies as valid ('urf sahih) and may be accommodated, or as corrupt ('urf fasid) and must be rejected."

Scholarship on al-'urf as a source of Islamic economic law is indeed considerable. Rizal (2019) surveys the application of 'urf as a method and source of Islamic economic law in general terms; Rahman (2019) discusses the practice of al-'urf in the legal reasoning underlying contemporary economic transactions; while Wahyuni and Harisah (2023) connect the concept of al-'urf to the challenges of the Society 5.0 era. Other scholars have examined the 'urf maxim within a single fatwa: Rizal, Hafidhuddin, and Ayuniyyah (2023), together with Rizaludin, Susanto, and Mubarak (2022), both analyze the 'urf maxim in DSN-MUI Fatwa No. 54 on the Sharia Card, while Dakum and Tamtowi (2019) evaluate Fatwa No. 116 on Sharia Electronic Money from a maqasidi perspective.

Nevertheless, a significant gap persists in this literature. First, conceptual studies generally stop at explaining the definition and classification of 'urf without offering a comparative analysis across multiple contemporary legal products. Second, single-fatwa studies have not yet synthesized analysis across several fatwas simultaneously in order to map the pattern of 'urf application systematically. Third, no study has been found that explicitly juxtaposes an object that is rejected as fasid 'urf (cryptocurrency as currency) alongside objects accepted as sahih 'urf, so that the reader can observe the dividing line between the two in concrete terms.

Building on this gap, the novelty of the present study lies in constructing an analytical framework that maps the application of the four conditions of sahih 'urf (embodying benefit, being widely practiced, predating the case, and not contradicting the nass) comparatively across five contemporary Islamic economic legal products at once: the DSN-MUI fatwas on the Sharia Card, Sharia Electronic Money, Sharia Fintech Financing, and Dropshipping, together with the Ijtima Ulama Decision on cryptocurrency, thereby making explicit both the pattern of acceptance (sahih 'urf) and the pattern of rejection (fasid 'urf). This study also corrects a hadith-attribution error commonly circulating in the Indonesian usul al-fiqh literature concerning the evidentiary basis for the authority of 'urf.

On this basis, the study poses two research questions: (1) what is the juristic standing of al-'urf as a legal proof within the structure of usul al-fiqh, and what are the conditions for its evidentiary validity; and (2) what pattern characterizes the application of the al-'urf doctrine in contemporary Islamic economic fatwas and legal decisions

in Indonesia. The study aims to clarify the standing of al-'urf as a legal proof with precision and to map its pattern of application across the five contemporary legal products identified above.

2. LITERATURE REVIEW

The Concept of Al-'Urf and Its Distinction from Al-'Adah

Etymologically, the word 'urf derives from the root 'arafa – ya'rifu – 'irfan, meaning "to know" or "that which is recognized as good." In technical usage, usul al-fiqh scholars define 'urf as whatever a society has habituated and continuously practiced, whether in speech or in conduct (Yahya & Fatchurrahman, 1997; see generally al-Khudari, 2003; al-Zuhayli, 1999; Zahrah, 2004; Zaidan, 1998). The same root gives rise to related terms such as ma'rifah (recognition), ta'rif (definition), and ma'ruf (that which is known to be good).

One textual basis for treating 'urf as a legal proof is God's command in the Qur'an, Surat al-A'raf 7:199: "Hold to forgiveness, command what is right (al-'urf), and turn away from the ignorant." Exegetes understand this verse as a command to perform what a society has come to regard as good, thereby granting the revealed law's recognition to beneficial customs that serve the common welfare.

The term 'urf is frequently paired with al-'adah (custom). Etymologically, both denote recurrent practice. Two scholarly positions exist regarding their relationship. The first distinguishes them on three grounds: al-'adah may be practiced by an individual or a group, whereas al-'urf must be practiced by the majority of society; al-'adah may arise spontaneously, whereas al-'urf is formed through collective thought and experience; and al-'adah carries no inherent evaluation of good or bad, whereas al-'urf is invariably subject to evaluation. The second position, held by the majority of jurists, treats the two terms as substantively equivalent, since both refer to recurrent conduct that has become widely recognized, a view reflected in the legal maxim al-'adah muhakkamah, which applies equally to 'urf (Djazuli, 2010).

Al-'urf must also be distinguished from ijma', a legal proof upon which the jurists concur. Ijma' is formed through the explicit agreement of the mujtahidin on a point of revealed law after the Prophet's death, and is therefore absolutely binding absent an abrogating text (al-Zuhayli, 2005). Al-'urf, by contrast, arises from the customs of diverse strata of society without requiring explicit agreement or direct textual grounding, and its binding force depends on whether it is classified as sahih or fasid. The three proofs are compared in Table 1.

Table 1. Comparison of Al-'Urf, Al-'Adah, and Ijma' as Legal Proofs

Aspect	***Al-'Urf***	***Al-'Adah***	***Ijma'***
Actor	Must be practiced by the majority of society	May be practiced by individuals or groups	Exclusive agreement of the mujtahidin
Formation	Formed through collective thought and experience	May arise spontaneously in society	Formed through ijtihad and explicit agreement
Value judgment	Always evaluated (sahih/fasid)	Carries no inherent good/bad judgment	Deemed correct as the product of collective ijtihad
Textual grounding	Not required to derive from the nass	Not required to derive from the nass	Must derive from revealed law
Binding force	Binding if sahih; rejected if fasid	Contingent on recognition as 'urf	Absolutely binding absent abrogation

Classification and Evidentiary Authority of Al-'Urf

To facilitate its application, usul al-fiqh scholars classify al-'urf along three dimensions, as depicted in Figure 1: by object ('urf lafzi and 'urf 'amali), by validity ('urf sahih and 'urf fasid), and by scope ('urf al-'am and 'urf al-khas).

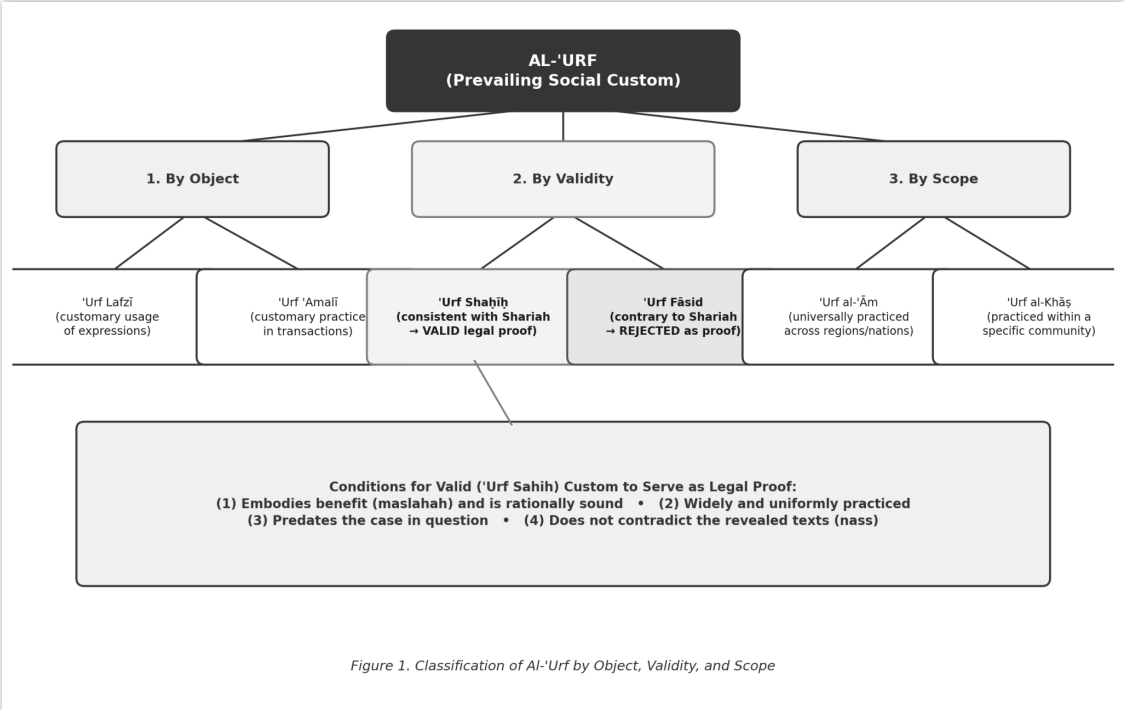

Figure 1. Classification of Al-'Urf by Object, Validity, and Scope

'Urf lafzi denotes a society's customary use of particular vocabulary or expressions, such that this usage becomes the meaning generally understood, as with the word "meat," which is customarily understood not to include fish. 'Urf 'amali denotes customary conduct in daily life or in civil transactions, such as bay' al-mu'atah, a sale concluded without a verbal offer and acceptance because the price and the object of sale are already mutually known.

From the standpoint of validity, 'urf sahih is custom that does not contradict the revealed law and may therefore serve as a legal proof, whereas 'urf fasid is custom that contradicts the revealed law (containing elements of riba, gharar, maysir, or injustice) and must consequently be rejected. From the standpoint of scope, 'urf al-'am is practiced broadly across regions and nations, whereas 'urf al-khas is confined to a particular community or sector, such as customs prevailing among a specific trade guild.

On the question of evidentiary authority, jurists concur in recognizing sahih 'urf as a legal proof, though they differ on the intensity of its application. The Hanafi jurists go so far as to treat sahih 'urf that is both general and constant (al-'urf al-sahih al-'amm al-muntharid) as the basis of istihsan bi al-'urf, capable of overriding hidden analogy (qiyas khafi) and of particularizing (takhsis) general revealed texts; this form of juristic preference and its continuing relevance to Islamic economic reasoning have been examined in the recent literature (Ngizzul & Musyafa, 2020; Panji Adam, 2021; Hidayat & Billa, 2021; Hidayat, 2022). The Maliki jurists made the custom of the people of Medina a legal basis taking precedence over solitary (ahad) hadith reports, while Imam al-Shafi'i revised part of his earlier doctrine (from his qawl qadim to his qawl jadid), a change attributable in part to the differing 'urf of Baghdad and Egypt, alongside other factors such as the discovery of stronger textual evidence and his scholarly engagement with Maliki fiqh and the fiqh of al-Layth ibn Sa'd in Egypt. It was on the strength of this cross-madhhab acceptance that usul al-fiqh scholars formulated the legal maxim al-'adah muhakkamah (custom is given the force of law), as affirmed by al-Suyuti in al-Ashbah wa al-Naza'ir (1998) and consistently applied in subsequent muamalah scholarship (Fawzi, n.d.).

Correcting the Attribution of the Report of Ibn Mas'ud

A report commonly cited in support of the authority of 'urf is attributed to Ibn Mas'ud: "ma ra'a al-muslimuna hasanan fahuwa 'inda Allahi hasanun" (whatever the Muslims regard as good is, in God's sight, good). Careful verification (takhrij) of this report is essential, since the Indonesian usul al-fiqh literature frequently presents it, without further qualification, as a saying of the Prophet transmitted by Ahmad.

On the basis of hadith scholarship, the correct status of this report is mawquf on Ibn Mas'ud (not marfu' to the Prophet), recorded in the Musnad of Ahmad (No. 3600, per Ahmad Shakir's edition) through the chain Abu Bakr ibn 'Ayyash – 'Asim ibn Abi al-Najud – Zirr ibn Hubaysh – Ibn Mas'ud, and transmitted as well by al-Bazzar, al-Tabarani, and Abu Nu'aym. Al-'Ala'i, as cited by al-Suyuti in al-Ashbah wa al-Naza'ir, states that after extensive

search he found no version of this report with a marfu' chain whatsoever, concluding that it is solely the statement of Ibn Mas'ud, a conclusion echoed by Ibn Hajar al-'Asqalani in al-Dirayah fi Takhrij Ahadith al-Hidayah, where the report is likewise described as unattested in marfu' form. Al-Albani, in Silsilat al-Ahadith al-Da'ifah (No. 533), reaches the same conclusion: "it has no basis as a marfu' report; it is transmitted only as mawquf on Ibn Mas'ud." The mawquf chain itself is graded hasan by al-Sakhawi in al-Maqasid al-Hasanah (No. 969) and sahih by Ahmad Shakir in his critical edition of the Musnad, while Shu'ayb al-Arna'ut grades it hasan. It should be noted that al-Sakhawi himself attributed the report to Ahmad's Kitab al-Sunnah and considered it a mistake (wahm) to attribute it to the Musnad; later verifying scholars (al-Albani, Ahmad Shakir, and al-Arna'ut), however, consistently locate the report within the Musnad of Ahmad, so that it is al-Sakhawi's attribution that warrants correction.

The methodological implication of this correction is that the report may still serve as corroborating support, rather than as the principal proof, for the authority of 'urf, functioning as a Companion's dictum reflecting a consensus of practice among the Companions in their own time rather than as a prophetic statement of absolute and perpetual application. The principal textual basis for the authority of 'urf remains the Qur'an, Surat al-A'raf 7:199, together with the maxim al-'adah muhakkamah, accepted across the madhhabs, as depicted in Figure 3, which situates al-'urf among the subsidiary proofs (mukhtalaf fih) that operate wherever a decisive (qath'i) text is unavailable.

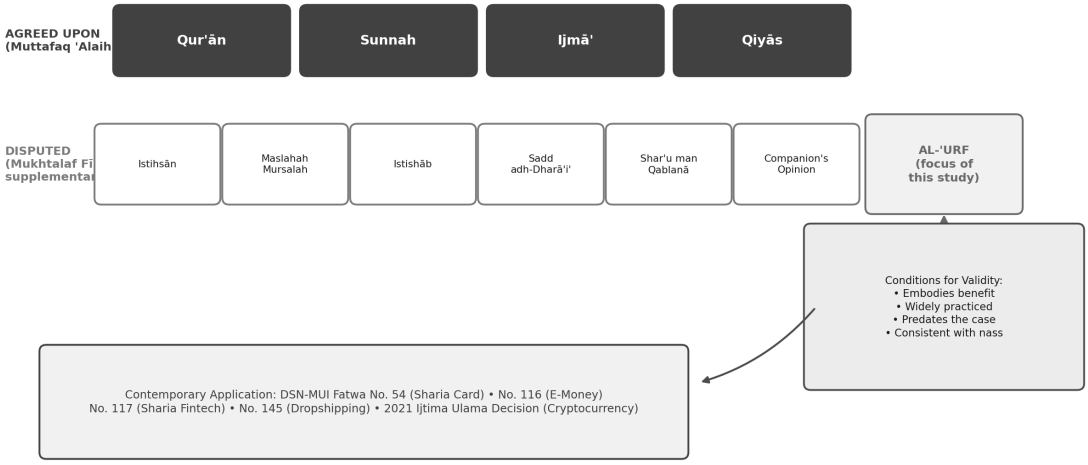

Figure 3. The Position of Al-'Urf within the Hierarchy of Islamic Legal Proofs and Its Application to Contemporary Sharia Economic Fatwas

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3. RESEARCH METHOD

This study adopts a qualitative approach through library research, structured according to the four stages depicted in Figure 2: (1) identification, comprising a search of classical usul al-fiqh literature and indexed journal articles in Garuda, DOAJ, and Google Scholar using the keywords "al-'urf", "al-'adah muhakkamah", and "legal proof in Islamic economic law"; (2) screening, applying inclusion criteria of primary usul al-fiqh sources and articles published between 2019 and 2026 relevant to Islamic economics and finance, and exclusion criteria of duplicate or unverifiable sources; (3) content analysis of two data corpora, namely usul al-fiqh literature on the concept and evidentiary authority of 'urf, and the considerans texts of five contemporary legal products (DSN-MUI Fatwa No. 54/DSN-MUI/X/2006, No. 116/DSN-MUI/IX/2017, No. 117/DSN-MUI/II/2018, No. 145/DSN-MUI/XII/2021, and the 2021 Ijtima Ulama Decision of the MUI Fatwa Commission, Forum VII); and (4) synthesis, culminating in an analytical framework testing the fulfilment of the four conditions of sahih 'urf against each of these legal products.

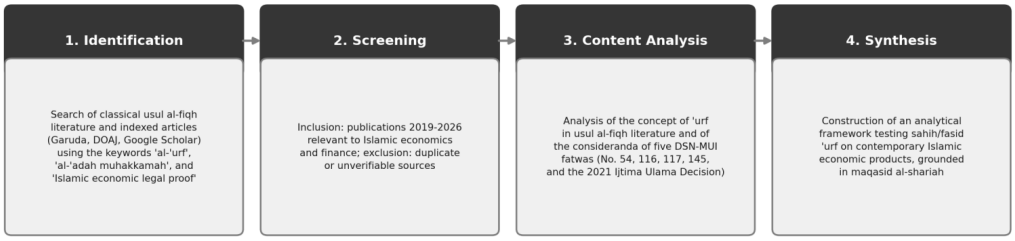

Figure 2. Structured Library Research Procedure

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Primary data were drawn directly from the official fatwa texts published by the National Sharia Board of the Indonesian Council of Ulama (DSN-MUI) and from the Ijtima Ulama proceedings, while secondary data were drawn from classical usul al-fiqh works (al-Suyuti, Ibn Nujaym, al-Zarqa, al-Zuhayli, Khallaf) and recent journal articles. Data were analyzed descriptively and analytically by classifying each legal product as sahih or fasid 'urf according to the fulfilment of the four conditions of evidentiary validity.

4. RESULTS AND DISCUSSION

This section presents an analysis of how the al-'urf doctrine has been applied across five contemporary Islamic economic legal products in Indonesia. A summary of the five products appears in Table 2.

Table 2. Summary of Five Contemporary Legal Products and the Custom ('Urf) They Accommodate

No	Fatwa / Decision	Date	Primary Contract(s)	Custom ('Urf) Accommodated	Category
1	DSN-MUI Fatwa No. 54/DSN-MUI/X/2006 (Sharia Card)	11 Oct 2006	Kafalah, Qard, Ijarah	Custom of using a card as payment/cash-withdrawal instrument; the 'urf maxim is explicitly cited in the considerans	Sahih 'Urf 'Amali
2	DSN-MUI Fatwa No. 116/DSN-MUI/IX/2017 (Sharia E-Money)	19 Sep 2017	Wadi'ah/Qard, Ijarah, Ju'alah	Custom of cashless, electronic-based transactions	Sahih 'Urf 'Amali
3	DSN-MUI Fatwa No. 117/DSN-MUI/II/2018 (Sharia P2P Fintech Financing)	2018	Qard, Musharakah, Mudarabah, Ijarah, Bay'	Custom of obtaining financing through information-technology platforms	Conditionally Sahih 'Urf 'Amali

4	DSN-MUI Fatwa No. 145/DSN-MUI/XII/2021 (Dropshipping)	Dec 2021	Bay', Wakalah bi al-Ujrah	Custom of dropshipping on online marketplaces	Conditionally Sahih 'Urf 'Amali
5	Ijtima Ulama Decision, MUI Fatwa Commission VII (Cryptocurrency)	9–11 Nov 2021	– (legal status ruling, not a contract)	Custom of using cryptocurrency as currency/medium of exchange	Fasid 'Urf 'Amali

1. Sharia Card (DSN-MUI Fatwa No. 54/DSN-MUI/X/2006)

This fatwa offers the clearest instance of the 'urf maxim's application to a sharia financial product, since its considerans ("Mengingat") explicitly cites the legal maxim al-thabit bi al-'urf ka al-thabit bi al-shar'i (that which is established by custom is as though established by revealed law). The custom of using a card as an instrument of payment and cash withdrawal is accommodated through the contracts of kafalah (the issuer's guarantee to the merchant), qard (the loan advanced upon cash withdrawal), and ijarah (the fee for card issuance), provided the arrangement is free of interest (riba) and does not encourage the cardholder toward wasteful spending (israf).

2. Sharia Electronic Money (DSN-MUI Fatwa No. 116/DSN-MUI/IX/2017)

This fatwa accommodates the customary shift from cash to cashless, electronic-based transactions through a wadi'ah (safekeeping) or qard (loan) contract between the issuer and the holder of electronic money, together with ijarah, ju'alah, or wakalah bi al-ujrah contracts governing the provision of the service. Dakum and Tamtowi (2019), evaluating this fatwa from a maqasidi perspective, conclude that this accommodation of cashless custom is consistent with the principles of hifz al-mal (the preservation of wealth) and raf' al-haraj (the removal of hardship), both of which constitute the maslahah condition required for 'urf to be accepted as a legal proof.

3. Sharia Fintech Financing (DSN-MUI Fatwa No. 117/DSN-MUI/II/2018)

The customary use of information-technology platforms to obtain financing is accommodated through a range of contracts (qard, wakalah bi al-ujrah, musharakah, mudarabah, ijarah, and bay'), on condition that the financing is free of riba, gharar, maysir, and impermissible objects or business activities. This custom is properly classified as conditionally sahih 'urf 'amali, since its validity depends on each underlying contract's compliance with sharia principles rather than on the custom of digital-platform use as such.

4. Dropshipping (DSN-MUI Fatwa No. 145/DSN-MUI/XII/2021)

The custom of dropshipping, whereby an online seller markets goods without holding physical stock and forwards orders to a supplier, is governed by a bay' contract (where the seller transacts in its own name with the owner's permission) or a wakalah bi al-ujrah contract (where the seller acts as the supplier's agent). This fatwa demonstrates that a digital-market custom may be accepted as sahih 'urf provided the legal status of the seller and the object of the transaction are made clear, consistent with the condition that 'urf must not involve gharar.

5. Cryptocurrency as Currency (Ijtima Ulama Decision, MUI Fatwa Commission VII, 9–11 November 2021)

In contrast to the four products above, this decision explicitly rejects the custom of using cryptocurrency as currency or as a medium of exchange, on the ground that the practice involves gharar (uncertainty) and dharar (harm), and contravenes Law No. 7 of 2011 on Currency and Bank Indonesia Regulation No. 17 of 2015; this conclusion is consistent with independent analyses of the same ruling in the Islamic finance literature (Akbar & Huda, 2022). This case constitutes an important instance of fasid 'urf: although the use of cryptocurrency had already become widespread among segments of society (satisfying the condition of general practice), it was nonetheless rejected for failing to satisfy the remaining two conditions of evidentiary authority, namely embodying genuine benefit and not contradicting binding provisions. This case confirms that the general prevalence of a custom does not, by itself, render it sahih 'urf where the conditions of benefit and consistency with the nass remain unmet.

To clarify this pattern, Table 3 presents a matrix testing the four conditions of sahih 'urf against the five legal products discussed above.

Table 3. Matrix Testing the Four Conditions of Sahih 'Urf across Five Contemporary Legal Products

Legal Product	Benefit	Widely Practiced	Predates the Case	Consistent with Nass	Category
Sharia Card	✓	✓	✓	✓	**Sahih 'Urf**
Sharia E-Money	✓	✓	✓	✓	**Sahih 'Urf**
Sharia P2P Fintech	✓	✓	✓	✓	**Sahih 'Urf**
Dropshipping	✓	✓	✓	✓	**Sahih 'Urf**
Cryptocurrency (currency)	✗	✓	✗	✗	**Fasid 'Urf**

The pattern in Table 3 reveals an important finding of this study: the first four products (Sharia Card, Electronic Money, Fintech, and Dropshipping) satisfy all four conditions of sahih 'urf and are accordingly accommodated as valid legal proofs, whereas the fifth product (cryptocurrency as currency) fails to satisfy the conditions of benefit and consistency with the nass or binding provisions, notwithstanding its satisfaction of the general-practice condition. This finding confirms that the maxim al-'adah muhakkamah does not automatically validate every popular custom; rather, it is a conditional maxim that demands testing against the substantive objectives of sharia (hifz al-mal and dar' al-mafasid) in each case brought before it.

5. CONCLUSION

This study reaches two conclusions. First, al-'urf occupies the status of a subsidiary legal proof (mukhtalaf fih) within usul al-fiqh, functioning to fill legal lacunae in cases not explicitly addressed by the nass, subject to conditions of evidentiary validity comprising genuine benefit, general practice, precedence over the case in question, and consistency with the revealed texts. Its principal textual basis is the Qur'an, Surat al-A'raf 7:199, together with the legal maxim al-'adah muhakkamah, whereas the commonly cited report of Ibn Mas'ud is properly classified as a mawquf athar rather than a marfu' hadith, and its standing as corroborating rather than principal evidence should accordingly be stated with precision.

Second, the application of the al-'urf doctrine across five contemporary Islamic economic legal products in Indonesia displays a pattern consistent with the framework of sahih 'urf conditions: the fatwas on the Sharia Card, Sharia Electronic Money, Sharia Fintech Financing, and Dropshipping accommodate digital market customs as sahih 'urf because they satisfy all four conditions of evidentiary validity, whereas the Ijtima Ulama Decision on cryptocurrency rejects the custom of its use as currency, classifying it as fasid 'urf on account of gharar and dharar, notwithstanding its widespread practice in society.

Limitations and Directions for Future Research

This study is limited by its reliance on library research into fatwa texts and does not extend to field data on the perceptions of market participants or regulators regarding the 'urf doctrine underlying these fatwas. Future research is encouraged to test this four-condition analytical framework against newer digital economic objects, such as blockchain-based crypto-assets structured on profit-sharing schemes (rather than as currency), sharia-compliant stablecoins, or artificial-intelligence-based sharia fintech products, and to enrich the inquiry through interviews with DSN-MUI members to trace the deliberative process underlying the application of the 'urf maxim directly.

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