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THE ROLE OF AL-URF IN CONTEMPORARY ISLAMIC ECONOMIC LEGAL ISSUES: SUSTAINABLE BUSINESS PRODUCTION DEVELOPMENT

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Abstract: The increasingly advanced development of industry impacts the development of transactions and production processes in an increasingly complex economy. Many transaction activities and production processes require ijihad to find solutions to problems that may arise. The hope is that these transactions and production processes can run smoothly and follow Islamic law. This study aims to discuss how 'urf becomes a method and source of Islamic law in economic activities using a qualitative research methodology with a library research approach. This study concludes that Al-Urf in contemporary Islamic economic law provides a strong foundation through community customs that do not conflict with the Qur'an and Hadith. In responding to the challenges of the existing modern economy, it needs to be critically appreciated according to the context of its time, place, and situation, then developed according to the challenges of the times by using creative ijihad in the corridor of sharia.

Keywords: *The Role of 'Urf, Islamic Economic Law, Contemporary Issues*

A. Introduction

The Islamic economy is currently growing quickly and steadily. This advancement encompasses a number of areas, including university research academies and business operations in financial institutions. It is anticipated that this situation will continue to evolve in a number of areas, including fiscal and monetary policy, as well as other economic issues pertaining to wages, distribution, production, consumption, human and natural resources, industry, and technology, among other areas. This development needs appropriate regulations, innovative product development and marketing strategies, and the ability to adapt to new forms of economic transactions while upholding sharia principles in its operations in order to stay competitive and meet community needs.

Because of the circumstances above, scholars have developed fiqh rules, which serve as a framework for establishing regulations that are not expressly mentioned in the Qur'an and Hadith. In order to keep society in order and guide it in accordance with sharia, law is essential. There is little doubt that as times change, so will the difficulties that society faces, both in the



public and private sectors of the economy. In addition, the industrial revolution that has occurred recently has transformed human labour from manual to automated or digital.

The intricate issues that arise in society require logical solutions that adhere to sharia. The issue is that the Qur'an and Hadith do not have explanations for every new case. Every incidence and event in society is ever-evolving; thus, it is necessary to make an effort to *ijtihad* and draw comparisons between the norms derived from the sources of Islamic law.

In the lives of many people, some habits or traditions are widely popular. These traditions can be in the form of words or actions that apply generally; this kind of thing is called *'urf*. These habits can be used as a consideration when determining Islamic law in increasingly developing economic transactions, especially regarding problems that do not have legal certainty in the Qur'an and Hadith.

Sharia economic law is an important branch of the Islamic legal system that has developed along with the complexity of contemporary economics. Sharia economic law emphasizes the moral, ethical, and Islamic values principles in economic activities and strives to create a fair and sustainable financial and economic system (Farida et al., 2023). In the face of the increasingly complex and diverse challenges of the modern economy, the concept of *Al-Urf*, or commonly accepted customs in society, has played an essential role in filling legal gaps and adapting Islamic economic law in accordance with contemporary realities.

Al-Urf, which can be interpreted as a practice or habit that is generally accepted in society, has intrinsic value in the context of Islamic economic law. This is because *Al-Urf* reflects the social, cultural, and economic dynamics of Muslim societies in different parts of the world. This concept provides much-needed flexibility in applying Islamic economic law in accordance with various local contexts.

In the context of economic innovation, Islamic banking, Islamic investment, and various other aspects of the contemporary economy, *Al-Urf* allows the adaptation and development of economic solutions in accordance with the principles of Islamic law without ignoring the current social and economic realities (Yumarni, 2021). Therefore, *Al-Urf*'s role in contemporary Islamic economic law issues is of great relevance to researchers, legal practitioners, and stakeholders in Islamic economics.

Al-Urf, or customary practice, plays an essential role in addressing the challenges faced by the Indonesia Scholars Council in contemporary Sharia economic law (Maimun et al., 2023). By utilizing *al-urf* as a method to extract and establish law in modern Sharia economic cases, scholars can navigate complex issues such as online transactions and the legitimacy of Islamic economic transactions in the digital age (2024). The integration of *al-urf* practices, such as the use of *takaful* and *wakalah* in financial transactions, not only increases trust and convenience in Shariah-compliant transactions but also ensures the relevance and sustainability of Islamic finance in meeting contemporary needs and demands (F. Mursid et al., 2023). Embracing *al-urf* alongside Sharia legal principles allows for the adaptation and development of Islamic economic practices in the evolving global market landscape, contributing to the growth and stability of the Islamic financial sector in Indonesia and beyond.

This research will identify the ways in which *Al-Urf* influences policy-making, the development of Islamic financial products and services, business practices, and dispute resolution in contemporary Islamic economics. In addition, the study will also look at the impact of *Al-Urf* in promoting business ethics and corporate social responsibility in an economic context based on Islamic values (Takim, 2021). Through a careful analysis of *Al-Urf*'s role in contemporary Islamic economic and legal issues, this study aims to provide a deeper understanding of how this concept can be used to facilitate the sustainable development of Islamic economics and be relevant to the demands of the times.

The Indonesia Ulema Council (MUI) plays an essential role in the development of contemporary sharia economic law in Indonesia. One form of MUI's contribution is by issuing fatwas that are the legal basis for resolving current problems, including in the field of Islamic banking and finance. The fatwa issued by the National Sharia Council (DSN) MUI is the legal basis for determining decisions related to sharia economic issues. In addition, MUI also pays attention to the use of al-'urf as a source of law in sharia economic activities. By doing this, the community is able to conduct sharia economic transactions more efficiently. Therefore, the role of MUI in the development of sharia economic law in Indonesia is crucial and strategic.

Thus, this research is expected to make a valuable contribution to understanding the complexity of Islamic economic law in the dynamic contemporary era and the role of the Indonesia Ulema Council in responding and providing views on Islamic economic law issues that arise in line with the development of technology and contemporary business practices.

B. Research Methodology

This type of qualitative research uses a library approach with a focus on the study of 'urf on Islamic legal theory. Data sources come from primary sources obtained by library methods. Secondary data sources are obtained through documentary literature surveys, such as books, journals, and internet publications.

C. Discussion

1. Problems of Contemporary Islamic Economic Law

'Urf is a term used in Islamic law that refers to customs and traditions that are recognized and practised by society. 'Urf is one of the sources of Islamic law that is debated in the study of Usul Fiqh. 'God considers 'Urf to be the basis for the laws He has established, as in the case of commerce, where the practice of trade can lead to the development of the wealth needed by man to sustain life. However, 'Urf cannot be used as a source of Islamic law if it is contrary to the principles of Islamic law (Ansori, 2020).

The role of 'Urf in Islamic law is to accommodate local customs and traditions that do not contradict the principles of Islamic law (Janah, 2023). The use of 'Urf as a source of Islamic law is indirect but must go through a selection process (Hardiati, Ginanjar, Fitria, &..., 2023). The process of selecting 'Urf as a source of Islamic law is carried out by examining whether 'Urf is in line with the principles of Islamic law and whether 'Urf is beneficial to society.

In food and drug production, it is often difficult to ensure the halalness of the ingredients used. Some chemicals or additives in food. How does Islamic law regulate halal certification in the food and drug industry that involves modern technology, and how can the entire production chain be ensured that it is in accordance with sharia?

The halal certification process must be tightened by ensuring a thorough audit throughout the production chain, from raw materials to final distribution. Halal certification bodies must also use modern technology, such as blockchain, to track and ensure the halalness of every step in the production process.

The food and drug industry needs to develop alternative products derived from halal ingredients that are easy to trace and internationally recognized. Further research in the fields of chemistry and biotechnology is needed to find halal substitutes for ingredients whose halalness is questionable.

The concept of 'Urf, or customary practice, plays an important role in Islamic law by providing a framework for interpreting and applying legal principles in a way that is relevant to contemporary society. Research shows that 'Urf serves as a source of law that complements the Quran and Sunnah, allowing for flexibility and adaptation to local customs and societal

changes. This is especially important in areas where explicit texts may be lacking, allowing legal experts to obtain decisions that reflect the realities of the community (F. Mursid et al., 2023). In addition, 'Urf is recognized for its potential to increase the legitimacy of legal decisions, as it aligns Islamic law with the cultural context of the people, thus encouraging acceptance and compliance (Musarrofa & Rohman, 2023). However, the application of 'Urf is not without its challenges; it requires careful consideration to ensure that local customs do not conflict with the basic principles of Islam (Dadang Hidayat et al., 2023). Overall, 'Urf is a vital mechanism for the dynamic application of Islamic law, balancing tradition with modernity (2024).

Local customs or traditions have a significant role as a source of Islamic law, provided that they do not contradict the basic principles of sharia. This reflects the flexibility and adaptability of Islamic law in dealing with different cultural and social contexts in different parts of the world. 'Urf allows Islamic law to remain relevant and applicable in the ever-changing situation and conditions of society.

The recognition of 'urf as one of the sources of Islamic law shows that Islam is flexible but is able to interact and integrate with existing social and cultural realities. As long as they do not conflict with Sharia values, Islam acknowledges that good customs that have gained widespread acceptance in society can serve as a legal foundation. This prevents Muslims from conflicting with well-established local traditions as long as they do not contain elements that are prohibited in sharia.

Numerous studies emphasizing its significance in the legal system support the recognition of 'urf (customary practice) as a source of Islamic law. Haisyi further argues that 'Urf can complement the primary sources of Islamic law, such as the Quran and the Sunnah, by providing practical solutions to contemporary issues faced by the community (Hayati, 2023). Musarrofa and Rohman discuss the dynamic nature of 'Urf, noting that Urf evolves with social change, thus strengthening its legitimacy as a source of law that reflects the realities of Muslim life (Musarrofa & Rohman, 2023). However, Hardiati et al. reminded that while 'Urf is valuable, its application must be carefully balanced with Islamic principles to avoid conflict with the core principles of the faith (Hardiati, Ginanjar, Fitria, & Nurfauziah, 2023). Amil and Arsyad concluded that recognizing 'Urf improves the responsiveness of the legal system but requires rigorous scientific interpretation to ensure adherence to Islamic values (Amil & Arsyad, 2022). Overall, 'Urf is increasingly recognized as a vital source of Islamic law, provided it is applied wisely.

In order for 'urf to be accepted as a legal basis, there are several criteria that must be met. First, the 'urf must be in accordance with sharia principles. This means that 'urf should not contain elements that are contrary to the teachings of the Qur'an and Hadith. Second, 'urf must have real benefits for society. 'Urf that only brings harm or does not make a positive contribution to social life cannot be used as a legal basis. This criterion is essential to ensure that the application of 'urf does not harm Muslims and remains within the framework of the *maslahat* (general benefit).

The criteria for accepting 'Urf (customary practice) as the basis of Sharia Economic Law in the Indonesia Ulema Council involve several primary considerations. First, 'Urf must be aligned with Sharia principles, ensuring that customary practices do not conflict with Islamic law. This alignment is crucial to the legitimacy of 'Urf in the context of law (Rizaludin et al., 2022). In addition, 'Urf's adaptability to contemporary economic practices is emphasized, allowing its application in the modern financial system while maintaining adherence to Islamic values (Hardiati, Ginanjar, Fitria, & Nurfauziah, 2023). In addition, the research highlights the importance of community acceptance and the role of local scholars in validating 'Urf, which

fosters a sense of belonging and relevance within the community (Suprihatin, 2022). However, there are challenges, such as the potential for conflicting interpretations of 'Urf among different regions, which require a standard approach to its application. Ultimately, the integration of 'Urf into Sharia economic law requires a careful balance between tradition and modernity, supported by scientific consensus (Hidayat, 2018).

The use of 'urf as a source of law shows the ability of Islamic law to adapt to changing times and social situations. This is very relevant in the context of contemporary sharia economic law, where rapid economic and social dynamics require legal flexibility. 'URF provides space for scholars to develop fatwas that suit the needs of the community without abandoning fundamental Sharia principles. The use of 'urf, or customary law, describes the adaptability of Islamic law to contemporary social contexts. Research shows that 'urf serves as a dynamic source of legal authority, allowing Islamic jurisprudence to respond effectively to evolving societal norms and practices. Mursid et al. argue that the recognition of 'urf can lead to innovative legal interpretations that address contemporary issues, thus strengthening the legitimacy of Islamic law in diverse contexts (F. Mursid et al., 2023). Overall, these findings collectively underscore the potential of 'urf to bridge the gap between tradition and modernity in Islamic legal discourse (Dadang Hidayat et al., 2023).

In contemporary sharia economic law, 'urf is often used to solve problems that are not explicitly discussed in the Qur'an or Hadith. For example, in the case of modern financial transactions such as sharia insurance or sukuk, where there is no clear precedent in classical legal sources, 'urf can be used as a reference in establishing the law. However, the application of this 'urf must be done with caution so as not to cause legal uncertainty or violate sharia principles.

The application of 'Urf, or customary law, in a contemporary context, reveals its significant role in aligning traditional practices with modern legal frameworks. Maimun et al. highlighted that 'Urf can serve as a bridge between Islamic law and local customs, facilitating legal pluralism and increasing public acceptance of legal decisions (Maimun et al., 2023). Furthermore, Mursid et al. emphasized that integrating 'Urf into the contemporary legal system can promote social justice and equality, especially in areas where formal legal structures may not be sufficient (F. Mursid et al., 2023). Overall, while 'Urf presents an opportunity for legal integration, careful consideration of its application is essential to address its inherent complexity and ensure its relevance in modern society.

Although 'urf is recognized as a source of law, its application in a contemporary context has challenges. One of the main challenges is determining whether the existing 'urf is genuinely in line with sharia principles, especially in societies whose customary values may have been influenced by non-Islamic factors. In addition, there is a risk that the 'urf accepted in one region may be irrelevant or inapplicable in another, given the diversity of cultures and traditions in the Islamic world.

The implementation of 'Urf, or customary law, faces several challenges, as highlighted in a recent study. One significant problem is the need for more clarity and consistency in defining 'Urf, which can lead to varied interpretations across different communities, complicating its application within the legal framework. In addition, there is often rejection from the formal legal system that may deem 'Urf incompatible with the established law, creating friction between customary practices and laws and regulations (Khanam & Cavicchi, 2023). In addition, the integration of 'Urf into modern governance structures needs to be improved, and there is a need for more awareness and understanding among stakeholders, including legal practitioners and community leaders. These gaps can result in inadequate representation of local customs in the legal process, undermining the effectiveness of 'Urf (Rajput et al., 2023). Finally,

socioeconomic factors, such as poverty and education levels, further exacerbate these challenges, limiting the involvement of communities in legal proceedings involving 'Urf (Rajput et al., 2023). Addressing these issues requires a concerted effort to harmonize customary and formal legal systems while promoting education and awareness.

'urf plays an important role in maintaining the relevance and applicability of Islamic law in various social and cultural contexts. The recognition of 'urf as a source of law allows Islam to remain relevant in facing contemporary challenges, especially in the field of sharia economics. However, the application of 'urf must be made carefully so as not to sacrifice the basic principles of sharia. Therefore, Islamic scholars and legal authorities need to continue to study and critically assess 'urf so that Islamic law continues to provide justice and benefits for Muslims around the world.

It is on this basis that 'Urf is a recognized source of Islamic law that accommodates local customs and traditions that do not contradict the principles of Islamic law. 'Urf is used as the basis of Islamic law if it is in line with the principles of Islamic law and is beneficial to society.

Al-Urf is an Arabic Islamic term that refers to certain customs or knowledge of society. In the context of Islamic economics, Al-Urf is an important concept that recognizes the role of customary practices in shaping economic transactions. Al-Urf is considered to be the source of Islamic law, where there are no primary texts of the Qur'an and Sunnah that explicitly detail the law. Here are some critical points about Al-Urf in Islamic economics (Mursid dkk., 2023). Urf is a legitimate source of Islamic law in economic transactions. It is recognized as a secondary source of Islamic law after the Qur'an and the Sunnah. Al-Urf is based on the principle that customary practices that are widely accepted and recognized in Muslim societies can legitimize contemporary Islamic economic transactions. Al-Urf is not a natural custom, as it applies to most customs, but arises from thoughts and experiences, for example, the custom of the majority of the people in a particular area, which stipulates that in order to determine the needs of the household in a marriage, it is customary to take the dowry given by the husband and determine a particular measure in the sale of food.

In short, Al-Urf is an essential concept in Islamic economics that recognizes the role of customary practices in shaping economic transactions. It is considered a legitimate source of Islamic law in economic transactions and applies to Islamic savings products. The use of Al-Urf is important in encouraging sustainable economic growth and needs to be developed in accordance with the times.

The issue of Contemporary Islamic Economic Law in the Majelis Ulama of Indonesia includes various challenges and developments in the application of Sharia principles in the economic framework. Research shows that the Majelis Ulama plays an essential role in interpreting Islamic law, especially in addressing modern economic practices such as microfinance and halal certification, which are increasingly relevant in Indonesia's diverse economy (Adigara & Ghazali, 2023). In addition, the integration of Islamic finance into the broader economic system raises questions about compliance with sharia and national regulations, highlighting the need for continued dialogue and adaptation within the Majelis Ulama (Arsadani et al., 2024). Different interpretations of Islamic law further compound the complexity of this problem among scholars, which can lead to inconsistencies in policy implementation (Hasanudin et al., 2023). In addition, the Majelis Ulama faces the challenge of balancing traditional Islamic values with contemporary economic demands, which requires a dynamic approach to legal decisions and community engagement (Affandi Mahfudz, 2022). This evolving landscape underscores the importance of sustainable scientific discourse in effectively navigating the intersection of modern economic beliefs and practices.

The Indonesia Ulema Council (MUI) has a vital role in answering the questions of contemporary sharia economic law. This role involves various activities to provide guidance and explanation on legal issues that arise in the current Islamic economic context. Some of the roles of the MUI in answering contemporary Sharia economic law questions are that the MUI can issue fatwas that provide legal guidance related to emerging Sharia economic issues. This fatwa can include views and explanations on current Islamic law regarding technology, new financial products, or changes in business practices. Then provide Study and Research, Counseling and Education, Legal Consulting, Adaptation to Change, Supervision of New Products and Services, and Exchange of Ideas with Other Parties (Rizaludin et al., 2023). The role of the MUI in responding to contemporary Islamic economic law questions reflects the organization's efforts to remain relevant and provide accurate guidance in dealing with the latest developments in the world of Islamic economics.

The concept of sustainability is increasingly popular in the contemporary economic world, but the application of this principle within the framework of Islamic economics still requires in-depth study. Excessive use of natural resources without regard to environmental impacts is permitted in Islam. How can the principle of *maslahah* (common good) be applied to ensure that the production process is not only economically profitable but also sustainable and fair to the environment? The above problems reflect new challenges in applying Islamic economic principles to the modern context, where technological innovation and market dynamics continue to develop.

In Islam, production and transactions must pay attention to the principle of *maslahah*, namely providing benefits to society and not harming the environment. Therefore, companies need to implement sustainable business practices by prioritizing environmental sustainability, wise use of natural resources, and social welfare. The government and Islamic financial institutions must provide support in the form of incentives for companies that implement sustainable production, such as lower taxes or access to cheaper Islamic financing for environmentally friendly projects.

The role of Islamic economic law in addressing contemporary issues related to the development of sustainable business production is diverse, emphasizing ethical practices, environmental management, and regulatory frameworks. Integrating Islamic principles into economic activities promotes a more sustainable and equitable business environment.

Islamic economic law prohibits practices such as usury and excessive uncertainty, promoting fairness and transparency in transactions. By following these principles, businesses can increase trust and stability in the Islamic economic ecosystem, leading to sustainable growth (Ade Zuki Damanik, 2024). Islamic teachings emphasize environmental concern, in line with *maqasid al-Shariah*, which aims to protect human welfare and the environment (Nasir et al., 2022). The application of Sharia principles encourages companies to adopt sustainable practices, addressing the urgent need for environmental protection in the face of industrialization (M. C. Mursid et al., 2024).

Challenges Their primary objective is typically to present the community's religious viewpoints so that they can then seek complete, firm, and conclusive Islamic legal opinions on current issues. In addition, the *ulama* is manifested in Islamic fatwa institutions that conduct *ijtihad* to resolve problems faced by the community. In order to foster Islamic financial institutions, the *ulama* is transformed into Sharia advisors who create many guidelines for the industry, such as the National Sharia Council-MUI and the Sharia Supervisory Board in the business industry that implements Sharia principles. Not only providing Islamic legal views for the development of Sharia products but also providing strategic direction and input for the development of the Sharia industry through fatwas that bind market players. The goal is to

promote and expand the sharia industry in various financial sectors needed by Muslims in particular and the Indonesian people in general.

Basically, the fatwa of the National Sharia Council-MUI is made at the request of the industry/association/regulator, which is generally intended to be used as a guide in compiling business regulations with a sharia system and/or as a business guide for the industry. Because it is based on the request of the community, which cannot be separated from market demands and other business needs, the fundamental character of the fatwa should be dynamic and flexible. The flexibility of this fatwa cannot be separated from the position of a mufti (ulama) in responding to questions from Mustafa (industry/regulator/association), which are based on the dynamics of sharia business and finance, which tend to be fast and dynamic.

The idea of producing fatwas on Sharia financial products and services actually comes from the *ijtihad* of scholars and Sharia economic experts who are members of the official institution of the National Sharia Council-Indonesian Ulema Council. This institution has the sole authority to issue fatwas on Sharia economics and finance in Indonesia, of course, within the framework of developing the Sharia industry in the country. Based on the reality of social change in the field of *muamalah/sharia* business, which continues to develop rapidly due to the acceleration of globalization and others, the *ijtihad* pattern in producing sharia industrial products and services is not sufficient a priori to rely on classical *fiqh* books, considering that many classical *fiqh* formulations from the past have experienced irrelevance to the current and local context. These abundant formulations must be reformulated in order to answer all the problems and needs of modern financial economics while still adhering to the principle of Islamic universality in the fields of economics and finance. The complete, abundant and detailed formulation of Islamic jurisprudence contained in classical Islamic jurisprudence books, most of which are the results of *ijtihad* of previous scholars in solving and answering economic challenges in their time, must be used as a general guide while contextualizing. The concept and formulation of classical Islamic jurisprudence in responding to existing modern economic challenges need to be critically appreciated according to the context of the time, place, and situation, then developed according to the challenges of the times by using creative *ijtihad* within the corridor of sharia.

Assisting in legal principles, namely *Al-Urf*, can be used as a method to decide Islamic law. Both sources of Islamic law, namely the legitimate and legitimate sources of law, and *Al-Urf* can be used in the study of Islamic economic development. The regulation of economic transactions, namely *Al-Urf*, can be applied in various activities or transactions of the Sharia economy, such as buying and selling *salam*, *akad bay al-wafa'*, providing guarantees for the purchase of electronic goods, and handover in foreign exchange transactions (*taqabuth*) (Syarvina dkk., 2022). An argument for enforcing Sharia law is *Al-Urf*, which does not contradict the teachings of Islam (*Al-Urf saheeh*) and can be used to argue for enforcing Sharia law. However, if *Al-Urf* is contrary to the *Nash* (Sharia text), then *Al-Urf* is not acceptable. Following the times and forging, *Al-Urf* can develop according to the development of time and place. This can be seen from the influence of *Al-Urf* on the *Malikiyya* school, which is greatly influenced by the benefits that develop according to the development of the times and places.

2. 'Urf Applications on Contemporary Issues

'Urf, or law *Adat*, is an important source in Islamic law that applies to contemporary issues. It is recognized that Islamic law is adaptable and flexible, taking into account changes in time, place, and circumstances (Maimun dkk., 2023). 'Urf plays an important role in legal reasoning, *al-ijtihad*, and is considered an external determining factor in the process of legal *istinbat* Journal of Islamic Law, 'Al-' Urf Theory and Its Relevance to Contemporary (2021). It is used

to establish and contextualize various cases of contemporary Islamic economic law, such as online sales and purchase contracts, without saying *sighat al-'aqd*.

In the case of online sales and purchase contracts, 'urf plays a role in determining the reasonable price and quality standards of the product accepted in the Muslim community. The practices and expectations of online buyers and sellers will affect the price and specifications of the product (Baydar, 2021). 'Urf helps regulate accountability in online sales contracts. This includes return issues, warranty claims, and dispute resolution. Accepted practices in society are a guideline in determining how consumers and sellers act when there is a problem. In contemporary Islamic economic law, 'urf helps contextualize the use of technology, such as e-commerce platforms. Evolving practices in online commerce, such as electronic means of payment or delivery of goods, affect how sharia law is applied in these situations. 'Urf also plays a role in understanding and regulating privacy and security in online transactions. Accepted practices in society help determine how personal data and transactions should be treated in accordance with sharia values. In online sales and purchase contracts that are in accordance with sharia principles, 'urf helps assess whether online business practices reflect Islamic values. This includes avoiding *riba* (interest) and *halal/haram* in the products and services offered.

Fatwa Number 146 of 2021 concerning Online Stores Based on Sharia Principles was released by the National Sharia Council of the Indonesia Ulema Council (DSN-MUI) 1) that buying and selling through information technology has developed in society, including the use of online shopping platforms. 2) that the practice of buying and selling online shops, as referred to in letter A, still needs provisions (*dhawabith*) and limitations (*hudud*) from the sharia aspect. 3) based on the considerations in letters A and b, DSN-MUI considers it necessary to issue a fatwa on Online Shops Based on Sharia Principles to be used as a guideline. This fatwa responds to the absence of regulations that regulate the prohibition and restriction of Sharia-based internet buying and selling. The advancement of modern technology often makes many people wonder. How to buy and sell the Internet according to sharia. The DSN-MUI fatwa outlines the protocol in online buying and selling as follows: First and foremost, the parties involved must understand and clearly define the framework of the sale and purchase agreement. Second, traders provide and market products and/or services called *ijab* (handover of goods). Third, when consumers check out and declare that they have purchased the goods and/or services provided, this is called *qabul* (receipt of goods).

Fourth, the Online Store Platform feature allows one *Akad Assembly* to complete *ijab qabul* (product handover). For example, the "order received" function on the app indicates that the customer and seller have decided to accept the item. Fifth, when presenting products to clients, traders are not allowed to engage in any behaviour that is contrary to Islamic law. Among them are refraining from *tadlis* that misinterpret an item, *tanajusy/najsy*, which exaggerates the superiority of an item, and *ghisisy*, which is the use of false information. Sixth, when submitting an offer, merchants must be very explicit regarding product requirements, price (*tsaman*), shipping costs, and estimated delivery time.

The implementation of online food stores in 'Urf (local customs) through the Council of Indonesia Scholars highlights significant contemporary issues, especially in the context of cultural adaptation and economic impact. Then, in this contemporary era, there is the *LinkAja Syariah Application*, which is a *LinkAja* application development model designed to facilitate transactions while adhering to Sharia principles in its operational system. Likewise, transactions are carried out following the principles of cash payments and interbank transfers in Islamic banking, which is the application of Islamic financial principles. Thus, the use of digital wallet applications through *LinkAja Syariah* is legal because it meets the terms and conditions of *qiyas*

(Hardiyanti et al., 2024). In addition, the integration of 'Urf into this platform can foster a sense of community and cultural identity as consumers increasingly seek out authentic local products (Candra et al., 2023). However, challenges still need to be addressed, such as the potential dilution of traditional practices due to commercialization and the need for regulatory frameworks to ensure quality and authentication (Ismaya et al., 2021). In addition, the role of technology in bridging the gap between producers and consumers is crucial, as it can facilitate better market access for local farmers (Himawati et al., 2023). Overall, the intersection of online food stores and 'Urf presents opportunities and challenges that require careful consideration by scholars and policymakers (Kawanti, 2022).

In accordance with the fatwa of the National Sharia Council of the Indonesia Ulema Council Number 146/DSN-MUI/XII/2021 concerning Online Stores Based on Sharia Principles, namely the process of buying and selling products online. The fatwa, which was signed on December 22, 2021 or 17 Jumadil Awwal 1443 H, is intended as a guideline for the community, ensuring that the community lives in accordance with Islamic sharia.

Fatwa of the National Sharia Council of Indonesia Ulema Number 146/DSN-MUI/XII/2021 outlines online trading guidelines that are in line with Islamic principles. Research shows that adherence to these principles is essential to ensuring ethical transactions in e-commerce. Iskandar discussed the need to avoid elements of gharar (excessive uncertainty) and riba (riba) in online transactions, advocating clear terms and conditions to protect consumers (Iskandar, 2024). Anasta and Sativa highlight the role of technology in facilitating Shariah-compliant transactions, pointing out that digital platforms can increase trust and accountability (Anasta & Sativa, 2024). Furthermore, Indriani et al. noted that consumer education on Sharia principles is essential to promoting responsible online shopping behaviour (Indriani & Yanova, 2024). Overall, the integration of these principles into online commerce not only encourages ethical practices but also supports the growth of the Sharia-compliant digital economy in Indonesia (Ismiasih et al., 2023).

It is important to note that 'Urf,' in this context, is not the primary source of Islamic economic law but serves as a guide in interpreting and applying sharia principles in contemporary situations. "Urf should always be aligned with Islamic values, and its use should be guided by competent sharia authorities to ensure compliance with Islamic law in contemporary Islamic economics, including in online transactions. The elimination of price intervention by Ibn Taymiyah is a form of benefit for humanity and prevents negative things that sellers and buyers feel. (Shofia & Ghazli, 2021)

Urf, or customary law, has significant applications in addressing contemporary issues, particularly in the areas of social justice, environmental management, and community governance. Maimun et al. highlighted that Urf can serve as a framework for resolving conflicts in society by integrating local customs with formal legal systems, thus promoting social harmony and justice (Maimun et al., 2023). Andriyaldi emphasized Urf's adaptability in environmental contexts, pointing out that local customs can guide sustainable practices and resource management, which are crucial in the face of climate change (Islam, 2021). Furthermore, Mursid et al. discussed how Urf can increase community participation in government, fostering a sense of ownership and responsibility among the local population (F. Mursid et al., 2023). As such, Urf presents a valuable tool for addressing contemporary challenges, provided they are applied wisely and inclusively.

Furthermore, 'urf is also applied to determine the legal status of modern animal slaughtering practices in the halal industry (Ab Rahman et al., 2014). In this case, 'urf reflects the practices and customs accepted in Muslim society in the context of halal animal slaughter. Some important aspects of 'urf in this regard include 'urf playing a role in determining the

method of slaughter accepted by the Muslim community. Traditional practices and public expectations about the method considered in accordance with halal principles can affect whether a method is considered halal or not. Accepted practices and standards in the community help determine who is considered a competent slaughterer in halal slaughtering practices. The practice of 'urf', which is related to the safety and welfare of animals during the slaughter process, is important in assessing whether the practice can be considered halal. Justice and kindness towards animals are values emphasized in Islamic teachings. 'Urf can influence public views on the importance of supervision and certification in the halal slaughtering industry. People may be more inclined to trust products that meet halal standards recognized in their 'urf'. 'Urf can also influence the understanding of transparency and labelling in halal meat products. The practice of 'urf will guide how information about halal status is conveyed to Muslim consumers.

Fatwa of the Indonesia Ulema Council number 35 of 2021 concerning the Law on Halal Certification Standards for Animal Slaughter Using Machines. First, the slaughter of animals using machines is referred to in the general provisions of the permissible law, and the meat slaughtered is halal, with the following provisions: a) The slaughterer who operates the machine is Muslim, has puberty and has expertise in slaughter. b) The machine used is a sharp tool and does not come from bones, teeth, or nails. c) The slaughterer is obliged to call basmalah. Second, the slaughterer mentions basmalah shortly before or when starting to operate the machine.

Third, if the machine has been turned off and will be operated again, then the slaughterer is obliged to repeat the mention of basmalah. Fourth, slaughter using a machine must cut four channels, namely the respiratory tract (*hulqum*), the feeding tract (*mari*), and two blood vessels (*wadajain*). The government sets standards for slaughter using automatic machines with reference to this fatwa. Then, the auditor and LPH made this fatwa a guideline for the audit process. Slaughterhouses use this fatwa as a guideline for the implementation of slaughter using automatic machines. This fatwa comes into effect on a specified date, with the provision that if in the future it turns out that there is an error, it will be corrected and perfected accordingly. So that every Muslim and those in need can know it, call on all parties to disseminate this fatwa.

It is important to remember that 'urf, in this case, should not conflict with the basic principles of Islamic law, including the principles of halal slaughter. To ensure adherence to Islamic principles, the practice of slaughtering halal animals should always be in accordance with sharia. Thus, 'urf plays an essential role in expanding modern slaughtering practices in the halal industry in accordance with the needs and preferences of the Muslim community while ensuring compliance with the basic principles of sharia. It is considered the most suitable instrument for determining the legal status of these practices, as it applies to all types of situations, places, and times (Baydar, 2021). Overall, the application of 'urf is essential in overcoming legal problems and adapting Islamic law to the modern world.

The Indonesia Ulema Council (MUI) has a vital role in handling contemporary sharia economic law through the MUI National Sharia Council (DSN MUI). DSN MUI issued a fatwa explaining the law, which is a practical regulation for financial institutions, especially those requested by Islamic economic practitioners to DSN MUI. This fatwa helps answer problems that arise among the community and is an alternative that can be used as a guideline in running a sharia economic business in Indonesia. Answering legal questions, fatwas resulting from the *ijtihad* method by DSN MUI help answer threatening legal questions in the field of sharia economics, such as Islamic banking, insurance, and capital markets. Although the MUI fatwa is not legally binding, their practices are often used as guidelines for running Sharia economic businesses in Indonesia (Indriani & Yanova, 2024). Islamic economics is closely related to

maqashid shari'ah, namely hifz al-mal. Maqashid shari'ah is the basis for the development of Islamic economics because it aims to create human welfare and happiness by balancing the circulation of wealth in a fair and balanced manner, both personally and socially (Alfiani et al., 2024).

Things that Islamic scholars accept as legitimate are based on 'urf or customs that are embraced by the community and considered good. One example is the use of a certain type of currency in a certain place for transactions, where there is no need to mention the type of currency used. However, if there are several types of currencies used, then it is necessary to mention those types of currencies to avoid misunderstandings. Another example is the practice of donating money, where 'urf can be used as a source of Islamic Implementation of 'Urf Cases in Cash Waqf (Study of Islamic Law Methodology) By Syarial Dedi, Hardivizon'. It is important to note that any law based on 'urf should not contradict the principles of Islamic law. Islamic scholars' acceptance of 'urf' is not only based on its name but also its conformity with Islamic principles. The application of 'urf in contemporary problems can be a topic of discussion in the field of Islamic economics. However, it is important to ensure that any laws that are based on 'urf is in line with Islamic principles and do not contradict those principles.

D. Conclusion

Urf is something that is known and has become a habit in society, either in the form of speech or actions. Urf is divided into two, namely 'urf sahih and 'urf fasid. 'Urf sahih is a habit of society that does not conflict with Islamic teachings, while 'urf fasid is a habit of society that conflicts with Islamic teachings. Only 'urf sahih can be used as a basis for Islamic law sources. So, it can be concluded that 'urf can be used as a legal basis for conducting economic transactions because the development of the increasingly advanced industry will have an impact on the development of transactions in an increasingly complex economy, so many transaction activities require ijthad to find solutions to problems that may arise. An example of the application of 'urf in Islamic economic transactions today is the use of the Sharia Digital Platform. It is essential to establish a Sharia-compliant e-commerce platform that incorporates contracts such as salam, murabahah, or ijarah while eschewing gharar and riba to ensure that digital transactions adhere to Sharia principles. The platform must ensure complete transparency in the transaction process and product selection. Sharia Fatwa on Cryptocurrency: Sharia authorities, including the Indonesian Ulema Council (MUI) and the National Sharia Council, must provide definitive fatwas concerning cryptocurrency regulations. The application of blockchain technology that supports cryptocurrency is permissible if it adheres to sharia principles, including transparency (absence of gharar), prohibition of excessive speculation, and freedom from usury.

Then, the food and pharmaceutical industry needs to develop alternative products derived from halal ingredients that are easily traced and internationally recognized. In the fields of chemistry and biotechnology, it is necessary to find halal substitutes for ingredients whose halalness is questionable. The halal certification process must be tightened by ensuring thorough audits throughout the production chain, from raw materials to final distribution. Halal certification bodies must also use modern technology, such as blockchain, to track and ensure the halalness of every step in the production process.

Production and transactions must pay attention to the principle of maslahah, which is to provide benefits to society and not harm the environment. Therefore, companies need to implement sustainable business practices by prioritizing environmental sustainability, wise use of natural resources, and social welfare.

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