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Maqāṣid al-Sharī'ah and Legal Reasoning: Comparing Digital Finance, Bioethics and Social Media

Maqāṣid al-Syarī'ah dan Istinbāt Hukum: Analisis Komparatif Keuangan Digital, Bioetika, dan Media Sosial

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Abstract

The development of digital finance, medical technology, and online communication has generated contemporary legal issues that require contextual Islamic legal reasoning. This study aims to analyze the application of maqāṣid al-sharī'ah in istinbāt concerning digital finance, organ transplantation, genetic engineering, and social media ethics. It employs qualitative library research and content analysis of the Qur'an, hadith, fatwas, Islamic jurisprudential literature, and previous studies. The findings indicate that contemporary Islamic legal reasoning must connect the characteristics of each issue with scriptural evidence, legal reasoning methods, and the objectives of Islamic law. Digital finance concerns the protection of wealth, organ transplantation the protection of life, genetic engineering the protection of life and progeny, and digital ethics the protection of intellect and human dignity. This study contributes a comparative analytical framework that positions maqāṣid al-sharī'ah as a contextual orientation for legal reasoning rather than an automatic justification for emerging practices.

Keywords: Maqāṣid Al-Sharī'ah; Contemporary Islamic Legal Reasoning; Digital Finance; Islamic Bioethics; Digital Ethics

Abstrak

Perkembangan keuangan digital, teknologi medis, dan komunikasi daring menghadirkan persoalan hukum kontemporer yang memerlukan penalaran hukum Islam secara kontekstual. Penelitian ini bertujuan menganalisis penerapan maqāṣid al-syarī'ah dalam istinbāt hukum atas persoalan keuangan digital, transplantasi organ, rekayasa genetika, dan etika bermedia sosial. Penelitian menggunakan pendekatan kualitatif berbasis studi kepustakaan dengan analisis isi terhadap Al-Qur'an, hadis, fatwa, literatur fikih, dan penelitian terdahulu. Hasil penelitian menunjukkan bahwa penalaran hukum kontemporer perlu menghubungkan karakteristik persoalan, dalil syariat, metode istinbāt, dan tujuan perlindungan syariat. Keuangan digital berkaitan dengan perlindungan harta, transplantasi organ dengan perlindungan jiwa, rekayasa genetika dengan perlindungan jiwa dan keturunan, sedangkan etika digital berkaitan dengan perlindungan akal dan martabat manusia. Penelitian ini berkontribusi melalui kerangka analisis komparatif yang menempatkan maqāṣid al-syarī'ah sebagai orientasi penalaran hukum yang kontekstual, bukan pembenaran otomatis atas praktik baru.

Kata Kunci: Maqāṣid Al-Syarī'Ah; Istinbāt Hukum Kontemporer; Keuangan Digital; Bioetika Islam; Etika Digital



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INTRODUCTION

Contemporary Islamic legal questions increasingly arise from practices whose mechanisms differ from those discussed in classical jurisprudence. In digital environments, for example, online interactions produce new customs that can influence legal assessment. Musarrofa and Rohman examined cyberspace through virtual ethnography and found that online culture develops through users' repeated practices and can be considered a specific form of *'urf*.¹ Their analysis, using Jasser Auda's *maqāṣid* framework, argues that legal responses should consider these emerging practices while remaining oriented toward human welfare. This finding matters because a digital practice cannot be assessed solely by transferring rules from face-to-face interactions without examining its actual context. Contemporary *istinbat* therefore requires careful description of the practice and a transparent explanation of how established legal principles apply to it.

Digital finance illustrates why such contextual assessment is necessary. Cryptocurrency may operate as a traded digital asset, a speculative investment, or a proposed means of payment, and these functions raise different legal questions. Latang, Fathurrahman, and Faried examine MUT's treatment of cryptocurrency within Indonesia's regulatory landscape, showing that the discussion concerns religious rulings as well as the classification and regulation of digital assets.² This issue cannot be resolved simply by treating all cryptocurrencies as identical to conventional money. Likewise, genetic technologies create distinctions between treating disease and enhancing human traits. Shabana finds that Islamic legal discussions of genetic modification are nuanced and that judgments depend partly on the nature and intended purpose of each procedure.³ Both cases require analysis grounded in specific characteristics rather than broad labels.

Medical bioethics and digital communication further demonstrate the range of contemporary questions. Zailani, Hamdan, and Yusof examine human–pig chimeric organs for transplantation from Islamic bioethical perspectives, illustrating how new medical possibilities complicate familiar questions about organ sources, necessity, and permissible treatment.⁴ In digital communication, Shamsuddin studies social media influencers through *maqāṣid al-shari'ah* and identifies intention, methods, and consequences as important dimensions for evaluating their conduct.⁵ These studies address different practical settings, yet both show why legal evaluation should consider the purpose of an action, the risks it creates, and the interests it affects. The challenge is not merely to classify a new practice as permissible or prohibited, but to explain the reasoning connecting its features with relevant Islamic legal principles.

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- 1 Ita Musarrofa and H Rohman, "'Urf of Cyberspace: Solutions to the Problems of Islamic Law in the Digital Age," *Al-Ahkam* 33, no. 1 (2023): 63–88, <https://doi.org/10.21580/ahkam.2023.33.1.13236>.
 - 2 Muhammad Aslam Latang, Fathurrahman, and Muhammad Faried, "Fatwa on Cryptocurrency as Digital Assets," *PAREWASARAQ: JOURNAL OF ISLAMIC LAW AND FATWA REVIEW* 3, no. 2 (November 30, 2024): 96–106, <https://doi.org/10.64016/parewasaraq.v3i2.32>.
 - 3 Ayman Shabana, "Between Treatment and Enhancement: Islamic Discourses on the Boundaries of Human Genetic Modification," *Journal of Religious Ethics* 50, no. 3 (2022): 386–411, <https://doi.org/10.1111/jore.12404>.
 - 4 Muhammad Faiq Mohd Zailani, Mohammad Naqib Hamdan, and Aimi Nadia Mohd Yusof, "Human–Pig Chimeric Organ in Organ Transplantation from Islamic Bioethics Perspectives," *Asian Bioethics Review* 15, no. 2 (April 16, 2023): 181–88, <https://doi.org/10.1007/s41649-022-00233-2>.
 - 5 Mustafa Mat Jubri Shamsuddin, "Islamic Rulings and Guidelines for Social Media Influencers: Maqasid Shariah Point of View," *Sains Insani* 9, no. 2 (November 30, 2024): 417–28, <https://doi.org/10.33102/sainsinsani.vol9no2.699>.

Previous research has addressed important parts of this problem, but from distinct angles. Musarrofa and Rohman show how *urf* can help address cyberspace practices,⁶ while Shamsuddin develops *maqāṣid*-based guidance for social media influencers; however, neither study alone compares digital ethics with financial and medical questions.⁷ Latang et al. focus on cryptocurrency and Indonesia's regulatory landscape,⁸ whereas Shabana examines the distinction between genetic treatment and enhancement.⁹ Zailani et al. investigate human–pig chimeric organs. Beyond these issue-based studies,¹⁰ Islami (2026) discusses *maqāṣid* and political authority,¹¹ while Chairunnisa and Khaerudin critique methodological dominance in Islamic studies.¹² Together, these works offer useful concepts, but their different scopes leave room for comparative analysis of *istinbāṭ* across contemporary domains.

This study aims to examine how *maqāṣid al-sharī'ah* can guide *istinbāṭ* concerning digital finance, medical bioethics, and digital ethics, focusing on electronic money and cryptocurrency, organ transplantation, genetic engineering, and social media conduct. It asks how the characteristics of each issue shape the choice of legal reasoning methods and how the protection of wealth, life, progeny, and intellect informs the analysis. The study uses library research and qualitative content analysis to compare Qur'anic and hadith evidence, institutional fatwas, works on Islamic jurisprudence, and recent scholarly studies. Its significance lies in bringing these domains into one analytical framework without assuming that they share the same legal status. By making the relationship between facts, legal methods, and *maqāṣid* explicit, the study seeks to offer a clearer approach to contemporary Islamic legal reasoning.

Method

This study employed a qualitative approach using library research to examine contemporary Islamic legal reasoning through the perspective of *maqāṣid al-sharī'ah*.¹³ The research focused on three domains: digital finance, medical bioethics, and digital ethics, with particular attention to electronic money and cryptocurrency, organ transplantation, genetic engineering, and social media conduct. Primary sources comprised relevant Qur'anic verses, hadith, classical and contemporary works on Islamic jurisprudence, and institutional fatwas and decisions issued by the Indonesian Ulema Council (MUI) and the National Sharia Council of the Indonesian Ulema Council (DSN-MUI). Secondary sources included peer-reviewed scholarly articles on cryptocurrency and Islamic finance, organ transplantation, genetic engineering, and digital ethics. The theoretical framework drew on the works of al-Shāṭibī, Ibn 'Āshūr, and al-Zuhayli concerning the objectives of Islamic law and the methodological principles of *istinbāṭ*. Sources were selected according to their relevance to the research questions and their contribution to understanding the legal, ethical, and social dimensions of the issues examined.

6 Musarrofa and Rohman, "Urf of Cyberspace: Solutions to the Problems of Islamic Law in the Digital Age."

7 Shamsuddin, "Islamic Rulings and Guidelines for Social Media Influencers: Maqasid Shariah Point of View."

8 Latang, Fathurrahman, and Muhammad Faried, "Fatwa on Cryptocurrency as Digital Assets."

9 Shabana, "Between Treatment and Enhancement: Islamic Discourses on the Boundaries of Human Genetic Modification."

10 Mohd Zailani, Hamdan, and Mohd Yusof, "Human–Pig Chimeric Organ in Organ Transplantation from Islamic Bioethics Perspectives."

11 Irfan Islami, "Siyasah Shar'iyyah and Maqāṣid Al-Sharī'a: Integrating Law and Political Power in Islamic Political Thought," *Mishkat: Journal of Theology and Civilization* 1, no. 1 (August 10, 2026): 215–27, <https://doi.org/10.67964/qs0g828>.

12 Vina Rahayu Chairunnisa and Khaerudin, "Reorienting the Epistemology of Research in Islamic Studies: Critiquing the Dominance of Modern Methodology through the Islamic Scholarly Manhaj," *Mishkat: Journal of Theology and Civilization* 1, no. 1 (2026): 134–47, <https://perfidiajournal.com/index.php/mishkat/article/view/45>.

13 Mestika Zed, *Metode Penelitian Kepustakaan* (Yayasan Pustaka Obor Indonesia, 2008).

The data were analyzed through qualitative content analysis and a comparative-analytical approach.¹⁴ First, the relevant sources were examined to identify the characteristics, purposes, mechanisms, potential benefits, and risks associated with each issue. Second, the textual evidence and institutional legal positions were analyzed in relation to the relevant principles of Islamic jurisprudence, while distinguishing scriptural arguments, fatwa provisions, and findings from previous studies. Third, the analysis considered the applicability of *qiyās*, *maṣlaḥah mursalah*, and *sadd al-dharāʾiʿ* in relation to the specific characteristics of each case. These methods were then examined alongside the objectives of protecting wealth (*ḥifẓ al-māl*), life (*ḥifẓ al-naḥs*), progeny (*ḥifẓ al-nasl*), and intellect (*ḥifẓ al-ʿaql*), as well as the protection of personal dignity where relevant. Finally, a comparative analysis was conducted to identify differences in how these objectives inform legal reasoning across the three domains. The study does not seek to issue definitive rulings on every technological practice; rather, it explains how *maqāṣid al-shariʿah* can inform context-sensitive and methodologically grounded assessments of contemporary issues.

RESULTS AND DISCUSSION

The Methodology of *Istinbāṭ* from the Perspective of *Maqāṣid al-Shariʿa*

Islamic legal derivation (*istinbāṭ al-aḥkām*) is a methodological process through which legal rulings are derived from the sources of Islamic law using the analytical tools of *uṣūl al-fiqh*. This process becomes necessary when a problem has no explicit ruling in the scriptural texts (*naṣṣ*) or requires further clarification regarding their application. Al-Zuhayli explains that *uṣūl al-fiqh* provides the principles needed to interpret legal evidence and determine how rulings can be systematically derived.¹⁵ Accordingly, *istinbāṭ* cannot be equated with personal opinion based solely on practical considerations. Every legal conclusion must rest on a normative foundation and a methodologically defensible argument. The task is not merely to find answers to emerging problems, but to ensure that those answers result from a reasoning process consistent with the principles of Islamic law and attentive to the specific characteristics of the issues concerned.

An important foundation for understanding religious questions is the requirement to consult those with relevant knowledge. Allah states in *Sūrat al-Naḥl*, verse 43:

وَمَا أَرْسَلْنَا مِنْ قَبْلِكَ إِلَّا رَجَالًا نُوحِي إِلَيْهِمْ فَسَلُّوا أَهْلَ الذِّكْرِ إِنْ كُنْتُمْ لَا تَعْلَمُونَ

“We did not send before you [O Muhammad] except men to whom We revealed. So ask the people of knowledge if you do not know” (Qurʿan 16:43).

In the context of legal reasoning, the principle of scholarly competence is important because interpreting scriptural evidence requires an understanding of language, context, and the principles of legal reasoning. Shihab discusses this verse in relation to the need to consult knowledgeable people when addressing matters beyond one’s understanding.¹⁶ The verse does not prescribe a specific method of *istinbāṭ*, but it underscores the importance of knowledge in religious interpretation. Legal rulings should therefore not be formulated without adequate scholarly competence.

14 Barney G. Glaser, “The Constant Comparative Method of Qualitative Analysis,” *Social Problems* 12, no. 4 (April 1965): 436–45, <https://doi.org/10.2307/798843>.

15 Wahbah Al-Zuhayli, *Fiqh Islam Wa Adillatuhu*, vol. 1 (Gema Insani, 2010).

16 M Quraish Shihab, *Tafsir Al-Misbah*, vol. 2 (Jakarta: lentera hati, 2002).

The principle of *ijtihād* in legal reasoning is also commonly illustrated by the dialogue involving Mu‘ādh ibn Jabal when the Prophet Muḥammad sent him to Yemen. In the reported account, Mu‘ādh states:

أَجْتَهِدُ رَأْيِي وَلَا أُلُو

“I will exercise my own reasoning, sparing no effort.” (Abū Dāwūd, *Sunan Abī Dāwūd*, no. 3592, Kitāb al-Aqḍiya).¹⁷

This report is frequently cited in works on *uṣūl al-fiqh* to illustrate the use of *ijtihād* when no explicit ruling directly addresses a particular issue. Nevertheless, *ijtihād* does not confer unrestricted freedom to determine legal rulings on the basis of personal opinion. It must follow defensible methodological principles, take relevant legal evidence into account, and consider the characteristics of the matter under examination. *Ijtihād* is therefore an argumentative process that requires scholarly competence and careful reasoning when relating normative principles to actual circumstances.

In practice, *istinbāṭ* employs several instruments, each serving a distinct function. *Qiyās* establishes the ruling for a new case by identifying a shared effective cause (‘illa) with a case whose ruling is already established. *Maṣlaḥa mursala* considers public interests that are neither specifically affirmed nor explicitly rejected by a particular text, while *sadd al-dharā’i’* seeks to prevent means that are likely to lead to harm. Meanwhile, ‘urf takes customary practices into account, provided they do not conflict with the principles of Islamic law. Al-Zuhayli discusses these instruments within the framework of *uṣūl al-fiqh*, whereas Al-Qaradawi emphasizes the importance of establishing priorities when addressing religious questions.¹⁸ The choice of method must therefore reflect the nature of the problem, its normative foundations, and the strength of the legal argument. It should not be driven merely by a desire to justify a predetermined conclusion.

Maqāṣid al-sharī‘a strengthens the process of *istinbāṭ* by clarifying the objectives that Islamic law seeks to realize. In *Al-Muwāfaqāt*, al-Shāṭibī treats an understanding of the objectives of the Sharī‘a as an essential component of legal reasoning, while Ibn ‘Āshūr develops the discussion of *maqāṣid* to explain the purposes of Islamic law more broadly.¹⁹ The five commonly recognized fundamental objectives are the protection of religion (*ḥifẓ al-dīn*), life (*ḥifẓ al-nafs*), intellect (*ḥifẓ al-‘aql*), lineage (*ḥifẓ al-nasl*), and property (*ḥifẓ al-māl*). These objectives help identify the human interests that legal rulings should protect. Furthermore, interests can be classified into necessities (*ḍarūrīyyāt*), needs (*ḥājīyyāt*), and complementary benefits (*tahṣīniyyāt*). This classification helps assess the relative importance of the interests at stake, but it does not remove the obligation to ground legal conclusions in valid evidence and sound methodology.

Nevertheless, the use of *maqāṣid* does not mean that every action considered beneficial is automatically permissible under Islamic law. Claims of public interest must be assessed against normative evidence, verifiable facts, the level of necessity involved, and the risks and consequences of the proposed action. Al-Qaradawi emphasizes the importance of prioritization in addressing religious questions, but such prioritization still requires clear criteria. Public interest cannot serve as a justification for disregarding well-established legal provisions.

17 Sulayman ibn al-Ash‘ath al-Sijistani Abu Dawud, *Sunan Abi Dawud*, ed. Shu‘ayb Al-Arna‘ut and Muhammad Kamil Qarah Belli, 1st ed. (Beirut: Dar al-Risalah al-‘Alamiyyah, 2009).

18 Yūsuf Al-Qaradāwī, *Ri‘āyat Al-Bi‘Ab Fi Shar‘at Al-Islām* (Cairo: Dār al-Shurūq, 2001).

19 Muhammad al-Tahir Ibn Ashur, *Ibn Ashur: Treatise on Maqasid Al-Shari‘ah*, 1st ed. (London: International Institute of Islamic Thought, 2006).

Conversely, a purely literal reading must also take account of the context in which a ruling is applied and the consequences that may follow. This article therefore treats *maqāṣid al-sharīʿa* as an analytical framework that operates alongside scriptural evidence and the methods of *istinbāt*, rather than as a substitute for either. This framework will subsequently be used to map and analyze issues concerning digital finance, medical bioethics, and digital-space ethics in a contextual and argumentative manner.

Digital Finance, Medical Bioethics, and Digital Ethics

Technological developments have transformed various aspects of social life, from financial transactions and healthcare to interpersonal communication. These changes have given rise to new phenomena that need to be understood in terms of their characteristics and practical forms. In the financial sector, people use electronic money and digital assets to make payments and trade financial instruments. In medicine, technological advances have enabled organ transplantation and the editing of human genetic material. Meanwhile, social media has created interactive spaces in which information can be disseminated rapidly to large audiences. Adrian and Mancini-Griffoli explain that the development of digital money has contributed to changes in payment systems,²⁰ while Collier highlights the expanding possibilities for intervention through genome-editing technologies.²¹ These developments demonstrate that technological change not only introduces new tools but also transforms social practices and patterns of interaction.

In the financial sector, electronic money and cryptocurrency represent two distinct phenomena. Electronic money functions as an instrument for making payments through electronic systems, whereas cryptocurrency refers to digital assets that use cryptographic techniques and specific network mechanisms. These differences are reflected in their uses, transaction mechanisms, and value characteristics. Adrian and Mancini-Griffoli examine the development of digital money in relation to changes in payment systems. Baur and Dimpfl, meanwhile, investigate Bitcoin's volatility and its potential functions as a medium of exchange and a store of value.²² Their findings indicate that price fluctuations are a significant characteristic of Bitcoin. Digital finance therefore encompasses several forms that are not entirely interchangeable, ranging from electronic payment instruments to assets traded at prices that may change substantially over time.

In medical bioethics, organ donation and genetic engineering are two phenomena shaped by advances in medical science, although they have different characteristics. Organ donation involves the procurement and transplantation of organs to help patients who require replacement organs. The process includes medical assessments, organ compatibility evaluations, consideration of the donor's condition, and consent procedures. Ahmad et al. reviewed research on consent systems for deceased organ donation, particularly the differences between *opt-in* and *opt-out* approaches.²³ Under an *opt-in* system, individuals actively express their willingness to become donors, whereas an *opt-out* system establishes a default arrangement while allowing individuals to refuse donation. These systems illustrate variations in how consent and donor

20 Tobias Adrian and Tommaso Mancini-Griffoli, "The Rise of Digital Money," *Annual Review of Financial Economics* 13 (2021): 57–77, <https://doi.org/10.1146/annurev-financial-101620-063859>.

21 Barry S Collier, "Ethics of Human Genome Editing," *Annual Review of Medicine* 70 (2019): 289–305, <https://doi.org/10.1146/annurev-med-112717-094629>.

22 Dirk G Baur and Thomas Dimpfl, "The Volatility of Bitcoin and Its Role as a Medium of Exchange and a Store of Value," *Empirical Economics* 61, no. 5 (2021): 2663–83, <https://doi.org/10.1007/s00181-020-01990-5>.

23 Adeel Ahmed et al., "The Influence of Spiritual Values on Employee's Helping Behavior: The Moderating Role of Islamic Work Ethic," *Journal of Management, Spirituality & Religion* 16, no. 3 (May 27, 2019): 235–63, <https://doi.org/10.1080/14766086.2019.1572529>.

preferences are recorded. Genetic engineering, by contrast, involves interventions in genetic material for different purposes. Collier discusses developments in human genome editing, including CRISPR/Cas9 technology. A key distinction is between somatic and germline editing, which differ in whether genetic changes may be passed on to subsequent generations.

Table 1. Comparison of the Data and Characteristics of Contemporary Issues

Aspect	Digital finance	Medical bioethics	Digital ethics
Object of study	Electronic money and cryptocurrency	Organ donation, transplantation, and genetic engineering	Communication and interaction through social media
Forms of activity	Electronic payments and digital-asset transactions	Organ transplantation and interventions in genetic material	The production, exchange, and dissemination of information
Main characteristics	Diverse transaction mechanisms; cryptocurrency assets may experience substantial price fluctuations	Medical procedures and biological interventions with different characteristics	Information can spread rapidly and reach large numbers of users
Variations in phenomena	Payment instruments and tradable digital assets	Donation by living or deceased donors; somatic and germline editing	Misinformation, disinformation, and cyberbullying
Focus of description	Instrument types, transaction mechanisms, functions, and changes in value	Types of procedures, methods, biological targets, and intervention purposes	Content types, dissemination patterns, user involvement, and the reach of interactions

Source: Compiled by the author (2026)

Table 1 illustrates that the three areas involve different objects and characteristics. Digital finance focuses on financial instruments and transaction mechanisms, medical bioethics concerns interventions involving organs and genetic material, while digital ethics encompasses communication and information-sharing activities. These differences matter because the phenomena within each area cannot simply be treated as identical. Cryptocurrency, for example, differs from electronic money in its functions and transaction mechanisms. Similarly, organ transplantation is not equivalent to gene editing, as the two involve different procedures and biological targets. In digital environments, the circulation of inaccurate information must also be distinguished from the deliberate dissemination of misleading content or acts of cyberbullying. The table therefore provides a comparative summary of the objects, forms of activity, and principal characteristics of the three areas examined in this study.

In digital interactions, social media enables users to create, receive, and disseminate information without meeting face to face. This characteristic expands the reach of communication but also allows inaccurate information to circulate widely. Aïmeur et al. review fake news, misinformation, and disinformation on social media, including the challenges involved in identifying and detecting misleading content.²⁴ Misinformation refers to inaccurate information

²⁴ Esma Aïmeur, Sabrine Amri, and Gilles Brassard, “Fake News, Disinformation and Misinformation in Social Media: A Review,” *Social Network Analysis and Mining* 13, no. 1 (2023): 30, <https://doi.org/10.1007/s13278-023-01028-5>.

that is not necessarily shared with the intention to deceive, whereas disinformation involves the deliberate attempt to mislead. Chan et al. examine cyberbullying on social networking sites, paying particular attention to the involvement of perpetrators, victims, and bystanders.²⁵ Together, these phenomena show that digital interactions can be described in terms of content types, dissemination patterns, user roles, and the reach of communication.

Taken together, these three areas represent contemporary phenomena that have developed alongside technological change and evolving social practices. Digital finance is characterized by a range of payment instruments and digital assets with different mechanisms and value patterns. Medical bioethics involves developments in transplantation procedures and genetic technologies, each with distinct purposes and potential consequences. Digital ethics, meanwhile, concerns the expansion of communication, the circulation of information, and emerging patterns of interaction involving multiple users. This discussion outlines the forms and characteristics of the phenomena examined in the study. It does not seek to determine the legal status of individual practices; rather, it clarifies the objects of inquiry. This mapping provides the descriptive foundation for the subsequent section, which analyzes these issues through the methodology of *istinbāt* and the perspective of *maqāṣid al-sharīʿah*.

Legal Reasoning from the Perspective of Maqāṣid al-Sharīʿah

Determining legal rulings on contemporary issues requires an integration of factual understanding and the appropriate application of *istinbāt* methods. Developments in financial technology, medicine, and digital communication have introduced practices that do not always have direct equivalents in classical Islamic jurisprudence. The initial step, therefore, is to identify the characteristics of each issue, its intended purpose, its operational mechanisms, and its potential benefits and risks. The framework of *maqāṣid al-sharīʿah* helps direct this process toward protecting human interests without disregarding the relevant textual evidence and legal principles of Islam. Al-Shāṭibī emphasizes the importance of the objectives of Islamic law in understanding the relationship between legal rulings and human welfare. Nevertheless, *maqāṣid* cannot serve as a general justification for every innovation. Its application requires methodological arguments that establish the relationship between the facts, textual evidence, legal reasoning methods, and the objectives that a ruling seeks to achieve.²⁶

In digital finance, the analysis must distinguish electronic money from cryptocurrency because the two have different characteristics and functions. Electronic money is a payment instrument whose monetary value is stored electronically, whereas cryptocurrency may function as a digital asset traded in financial markets and is not necessarily used as a means of payment. These differences affect the assessment of transactional clarity, exchange mechanisms, financial risks, and asset protection. Wartoyo and Haerisma examine cryptocurrency from the perspective of *maqāṣid al-sharīʿah*, including its potential benefits and risks.²⁷ Ibrahim et al. also analyze cryptocurrency from the perspective of Islamic finance, particularly its characteristics as an asset and its function as money.²⁸ These findings make *ḥifẓ al-māl* (the protection of wealth) a relevant

25 Tommy K.H. Chan, Christy M.K. Cheung, and Zach W.Y. Lee, “Cyberbullying on Social Networking Sites: A Literature Review and Future Research Directions,” *Information & Management* 58, no. 2 (March 2021): 103411, <https://doi.org/10.1016/j.im.2020.103411>.

26 Ibn Ashur, *Ibn Ashur: Treatise on Maqasid Al-Shari'ah*; Al-Zuhayli, *Fiqh Islam Wa Adillatuhu*.

27 Wartoyo Wartoyo and Alvien Septian Haerisma, “Cryptocurrency in The Perspective of Maqasid Al-Shariah,” *Afkaruna: Indonesian Interdisciplinary Journal of Islamic Studies* 18, no. 1 (July 26, 2022): 110–39, <https://doi.org/10.18196/afkaruna.v18i1.14164>.

28 N M Ibrahim et al., “Evaluating Cryptocurrencies through the Lens of Islamic Finance Based on Maqasid Shariah,” *Journal of Information Systems and Digital Technologies* 6, no. 2 (2024): 22–37, <https://doi.org/10.31436/jisdt.v6i2.504>.

analytical objective. However, this objective alone is insufficient to conclude that all forms of digital finance share the same legal status.

The Qur'an establishes fundamental principles for assessing financial transactions, including the distinction between lawful trade and usury. Allah states:

وَأَحَلَّ اللَّهُ الْبَيْعَ وَحَرَّمَ الرِّبَا

"Allah has permitted trade and forbidden usury". (Qur'an 2:275).

The permissibility of trade must also be considered alongside the requirement that transactions be conducted with mutual consent. The Qur'an states:

يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَأْكُلُوا أَمْوَالَكُمْ بَيْنَكُمْ بِالْبَاطِلِ إِلَّا أَنْ تَكُونَ تِجَارَةً عَنْ تَرَاضٍ مِنْكُمْ

"O you who believe, do not consume one another's wealth unjustly, but only through trade by mutual consent". (Qur'an 4:29).

These verses provide a normative foundation for examining the legitimacy of financial transactions, but their application to specific digital instruments requires further legal analysis. A relevant hadith concerning the exchange of ribā-sensitive commodities states:

الدَّهَبُ بِالذَّهَبِ، وَالْفِضَّةُ بِالْفِضَّةِ... مِثْلًا بِمِثْلٍ، سَوَاءً بِسَوَاءٍ، يَدًا بِيَدٍ

"Gold for gold, silver for silver ... in equal amounts and exchanged hand to hand". (Ṣaḥīḥ Muslim, no. 1584).²⁹

This hadith provides a basis for examining the rules governing exchanges involving ribā-sensitive commodities. However, applying those rules to cryptocurrency requires establishing the relevant legal characteristics and effective cause rather than assuming that digital assets are automatically equivalent to gold or silver. Accordingly, *qiyās* may be considered when a newly developed transaction shares a legally relevant effective cause with a transaction already addressed in Islamic jurisprudence. *Maṣlaḥah mursalah* may be used to examine the benefits of digital payment systems, while *sadd al-dharā'i'* is relevant when a mechanism may become a means of fraud, manipulation, or serious financial harm. These methods must be applied proportionately, taking into account contractual structure, transparency, and actual risk.

The provisions governing Sharia-compliant electronic money are set out in the National Sharia Council of the Indonesian Ulema Council's Fatwa No. 116/DSN-MUI/IX/2017 on Sharia-Compliant Electronic Money.³⁰ Meanwhile, cryptocurrency must be assessed in light of the decisions of the Seventh National Meeting of the Indonesian Ulema Council's Fatwa Commission in 2021 concerning its legal status (MUI Fatwa Commission's 2021 Ijtima Ulama Decision on Cryptocurrency). These sources address different subject matters and should not be treated as identical legal provisions. Wartoyo and Haerisma and Ibrahim et al. provide additional analytical perspectives on cryptocurrency and Islamic finance. Taken together, the textual evidence, institutional decisions, and academic literature support an assessment that distinguishes different digital financial instruments rather than assigning them a uniform legal status.

²⁹ Muslim ibn al-Hajjaj, *Saḥīḥ Muslim* (Sunnah.com, n.d.), <https://sunnah.com/muslim:1584e>.

³⁰ Dewan Syariah Nasional–Majelis Ulama Indonesia, "Fatwa No. 116/DSN-MUI/IX/2017 Tentang Uang Elektronik Syariah" (Dewan Syariah Nasional–Majelis Ulama Indonesia, 2017), <https://dsnmu.or.id/>.

In organ transplantation, *hifz al-nafs* (the protection of life) is a prominent objective of *maqāṣid al-shari'ah* because transplantation may contribute to preserving or restoring human life. The Qur'an states:

وَمَنْ أَحْيَاهَا فَكَأَنَّمَا أَحْيَا النَّاسَ جَمِيعًا

"And whoever saves a life, it is as though they have saved all mankind". (Qur'an 5:32).

This verse provides a normative basis for discussing the preservation of human life. Nevertheless, its application to organ transplantation requires consideration of the circumstances of the procedure, the interests of donors and recipients, and the relevant legal and medical requirements. The protection of donors is particularly important because the interests of recipients cannot be considered in isolation from the safety, consent, and dignity of those providing organs. Padela and Auda examine the moral status of organ donation and transplantation within Islamic law through the position of the Fiqh Council of North America.³¹ Khotijah and Zulfa also examine transplantation from a *maqāṣid* perspective, particularly in relation to the protection of life and the consideration of public welfare.³² These studies provide a basis for evaluating transplantation as a matter involving both medical considerations and Islamic legal reasoning.

The protection of the human body also requires careful consideration when organs are obtained from deceased donors. A hadith states:

كَسْرُ عَظْمٍ الْمَيِّتِ كَكَسْرِهِ حَيًّا

"Breaking the bone of a deceased person is like breaking it while the person is alive".
(Sunan Abi Dāwūd, no. 3207; Sunan Ibn Mājah, no. 1616).³³

This hadith emphasizes the dignity of the deceased and the need to treat the human body with respect. Its relevance to organ transplantation must be considered alongside other textual evidence, legal interpretations, medical circumstances, and the requirements established by relevant authorities. It should not be treated as an isolated proof that automatically determines the permissibility or prohibition of every transplant procedure. In the Indonesian context, the relevant institutional sources include the Indonesian Ulema Council's Fatwa No. 12 of 2019 on Organ and/or Tissue Transplantation from Deceased Donors to Other Persons and the Indonesian Ulema Council's Fatwa No. 13 of 2019 on Organ and/or Tissue Transplantation from Living Donors to Other Persons.³⁴ These fatwas must be examined according to their respective scopes, particularly the differences between living and deceased donors. *Maṣlaḥah mursalah* may help assess the benefits of transplantation, while the prevention of harm and *sadd al-dharā'i'* are relevant to evaluating risks, exploitation, and the potential commercialization of human organs. Thus, the protection of life encompasses the interests of all parties involved, rather than only the recipient's medical outcome.

31 Aasim I Padela and Jasser Auda, "The Moral Status of Organ Donation and Transplantation within Islamic Law: The Fiqh Council of North America's Position," *Transplantation Direct* 6, no. 3 (2020): e536, <https://doi.org/10.1097/TXD.0000000000000980>.

32 Siti Khotijah and Imarotuz Zulfa, "The Legality Of Human Organ Transplantation In Maqashidiah Perspective (A Study Of Fazlur Rahman's Thought)," *ZAD Al-Mufassirin* 6, no. 1 (June 30, 2024): 21–39, <https://doi.org/10.55759/zam.v6i1.150>.

33 Abu Dawud, *Sunan Abi Dawud*.

34 Majelis Ulama Indonesia, "Fatwa No. 12 Tahun 2019 Tentang Transplantasi Organ Dan/Atau Jaringan Tubuh Dari Pendorong Mati Untuk Orang Lain" (Majelis Ulama Indonesia, 2019), <https://mui.or.id/baca/fatwa/fatwa-mui-no-12-tahun-2019-tentang-transplantasi-dari-pendorong-mati>; Majelis Ulama Indonesia, "Fatwa No. 13 Tahun 2019 Tentang Transplantasi Organ Dan/Atau Jaringan Tubuh Dari Pendorong Hidup Untuk Orang Lain" (Majelis Ulama Indonesia, 2019), <https://mui.or.id/>.

In genetic engineering, legal analysis must distinguish interventions intended to treat diseases from genetic modifications intended to enhance particular traits or those that may be inherited by subsequent generations. The distinction is important because different purposes and mechanisms may produce different benefits, risks, and long-term consequences. The Qur’an, in discussing Satan’s attempt to mislead humanity, states:

وَلَأْمُرَهُمْ فَيُغَيِّرُنَّ خَلْقَ اللَّهِ

“And I will surely command them, and they will change the creation of Allah”. (Qur’an 4:119).

This verse is relevant to discussions of changing Allah’s creation, but its interpretation requires attention to the broader context of the verse and the exegetical tradition. It should not be interpreted as a blanket prohibition of every scientific intervention involving the human body. Shihab discusses the meaning of changing Allah’s creation in relation to the broader context of the verse and its moral implications.³⁵ Contemporary bioethical analysis must likewise distinguish therapeutic interventions from modifications that introduce serious risks or raise concerns about human dignity and future generations. Alsomali and Hussein, examining CRISPR-Cas9 through the case of He Jiankui, highlight ethical concerns surrounding safety and genetic modifications affecting future generations.³⁶ Their study provides a basis for considering the potential therapeutic value of gene-editing technologies alongside the uncertainties and ethical implications associated with their use.

Within the framework of *maqāṣid al-sharī‘ah*, *ḥifẓ al-nafs* is relevant to protecting human health and safety, while *ḥifẓ al-nasl* (the protection of progeny) may be used to consider consequences for future generations. *Maṣlaḥah mursalah* can inform the assessment of therapeutic benefits, whereas *sadd al-dharā‘i‘* may be relevant when an intervention presents foreseeable risks of serious harm. These methods do not automatically produce a single conclusion for all genetic technologies. The purpose of the intervention, available safety evidence, degree of uncertainty, and possibility of heritable effects must be examined separately. A distinction must also be maintained between treating an existing disease, preventing a genetic disorder, enhancing particular traits, and conducting reproductive interventions that may affect descendants. Accordingly, the assessment of genetic engineering requires an evidence-based examination of the specific procedure and its consequences rather than a general judgment about scientific intervention as a whole.

Regarding digital ethics, *istinbāṭ* must consider how information is produced, verified, and disseminated, as well as how users’ actions affect others. The spread of false information, slander, cyberbullying, and privacy violations may harm knowledge, personal dignity, and social relationships. The Qur’an instructs believers to verify information before acting upon it:

يَا أَيُّهَا الَّذِينَ آمَنُوا إِن جَاءَكُمْ فَاسِقٌ بِنَبَأٍ فَتَبَيَّنُوا

“O you who believe, if a transgressor brings you news, verify it carefully”. (Qur’an 49:6).

This verse provides a normative foundation for *tabayyun*, or the careful verification of information. The Qur’an also warns against backbiting and conduct that undermines the dignity of others:

35 Shihab, *Tafsir Al-Misbah*.

36 Nimah Alsomali and Ghaiath Hussein, “CRISPR-Cas9 and He Jiankui’s Case: An Islamic Bioethics Review Using Maqasid Al-Shari’a and Qawaid Fighiyyah,” *Asian Bioethics Review* 13, no. 2 (June 20, 2021): 149–65, <https://doi.org/10.1007/s41649-021-00167-1>.

وَلَا يَغْتَابَ بَعْضُكُم بَعْضًا أَيُحِبُّ أَحَدُكُمْ أَنْ يَأْكُلَ لَحْمَ أَخِيهِ مَيْتًا فَكَرِهْتُمُوهُ

“And do not backbite one another. Would any of you like to eat the flesh of their dead brother? You would detest it”. (Qur’an 49:12).

These verses are relevant to digital communication because the principles of verification and respect for personal dignity apply to the circulation of online content as well as face-to-face interactions. However, applying these principles to particular digital practices requires attention to the content, context, intention, and consequences of the communication.

The ethical implications of digital communication are further illustrated by a hadith concerning the conduct of a Muslim:

الْمُسْلِمُ مَنْ سَلِمَ الْمُسْلِمُونَ مِنْ لِسَانِهِ وَيَدِهِ

“A Muslim is one from whose tongue and hand other Muslims are safe”. (Ṣaḥīḥ al-Bukhārī, no. 10).³⁷

Although the hadith refers to the tongue and hand, its ethical emphasis on preventing harm provides a basis for examining communication through contemporary media. Online posts, comments, screenshots, and the redistribution of personal information can have consequences beyond the immediate interaction, including reputational damage and the wider dissemination of harmful content. Nevertheless, applying the hadith to digital conduct requires interpretive reasoning rather than assuming that every online action is identical to a physical or verbal act. In Indonesia, guidelines for social media conduct are addressed in the Indonesian Ulama Council’s Fatwa No. 24 of 2017 on the Law and Guidelines for Conducting Transactions and Interactions Through Social Media.³⁸ Rahman et al. examine the ethical foundations of MUI fatwas on social media use and discuss challenges in their implementation.³⁹ These considerations can be connected to *ḥifẓ al-‘aql* (the protection of intellect) and the protection of personal dignity. The application of *sadd al-dharā’i’* and *‘urf* may also be considered when assessing the foreseeable harms of digital practices and the changing conventions of online communication, provided that such reasoning remains consistent with Islamic legal principles.

The relationship between contemporary issues, the objectives of Islamic law, and *istinbāṭ* methods demonstrates that the application of *maqāṣid* depends on the characteristics of the issue being examined. The following table summarizes these relationships as a synthesis of the preceding discussion.

Table 2. Mapping Legal Reasoning on Contemporary Issues

Issue	Relevant <i>maqāṣid</i>	Potentially applicable <i>istinbāṭ</i> methods	Focus of analysis
Electronic money and cryptocurrency	<i>Ḥifẓ al-māl</i>	<i>Qiyas, maṣlaḥah mursalah, sadd al-dharā’i’</i>	Transactional functions, contractual clarity, volatility, speculation, security, and asset protection

37 Muhammad ibn Isma‘il Al-Bukhari, *Saḥīḥ Al-Bukhari* (Sunnah.com, n.d.), <https://sunnah.com/bukhari>.
38 Majelis Ulama Indonesia, “Fatwa No. 24 Tahun 2017 Tentang Hukum Dan Pedoman Bermuamalah Melalui Media Sosial” (Majelis Ulama Indonesia, 2017), <https://mui.or.id/>.
39 Abdul Rahman, Mulsir Irawanda, and Syukri, “Islamic Ethical Guidance in the Digital Age: A Study of MUI Fatwas on Social Media Use in Indonesia,” *PAREWA SARAQ: JOURNAL OF ISLAMIC LAW AND FATWA REVIEW* 3, no. 1 (May 30, 2024): 45–53, <https://doi.org/10.64016/parewasaraq.v3i1.38>.

Organ transplantation	<i>Ḥifẓ al-naḥs</i>	<i>Maṣlaḥab mursalah</i> and Islamic legal maxims concerning harm and welfare	Donor consent, donor and recipient safety, preservation of life, and prevention of exploitation
Genetic engineering	<i>Ḥifẓ al-naḥs</i> and <i>ḥifẓ al-nasl</i>	<i>Maṣlaḥab mursalah</i> , <i>sadd al-dharā’i’</i> , and reasoning based on the objectives of Islamic law	Therapeutic purposes, safety, uncertainty of outcomes, and heritable genetic modifications
Digital ethics	<i>Ḥifẓ al-‘aql</i> and the protection of personal dignity	Interpretation of textual evidence, <i>sadd al-dharā’i’</i> , and ‘urf in context	Information verification, slander, cyberbullying, privacy, and social consequences

Source: Compiled on the basis of the framework of *maqāṣid al-sharī‘ah* and legal reasoning methods (2026)

The table demonstrates that a single issue may involve more than one objective of Islamic law. Organ transplantation, for example, relates to the protection of life but also requires consideration of donor safety and dignity. Genetic engineering may concern the protection of individual health as well as consequences for future generations. Digital finance primarily relates to the protection of wealth, whereas digital ethics encompasses the protection of intellect, personal dignity, and social relationships. Therefore, *maqāṣid* should not be treated as a list of objectives mechanically attached to each case without further explanation. The relationship between the objectives of Islamic law and *istinbāṭ* methods must be established through the characteristics of the issue, evidence of benefits or harm, and the relevance of the textual evidence and legal principles employed. The same method may also lead to different assessments when the facts, intended uses, or levels of risk change. In this respect, the table serves as an analytical comparison rather than a definitive legal ruling for each phenomenon.

Overall, this analysis demonstrates that contemporary *istinbāṭ* requires an integration of factual understanding, *uṣūl al-fiqh* reasoning, and the objectives of *maqāṣid al-sharī‘ah*. Financial technologies must be assessed in terms of their transactional characteristics and the protection of wealth; organ transplantation in terms of safety and the interests of both donors and recipients; genetic engineering in terms of intervention purposes and biological consequences; and digital practices in terms of their content, context, and communicative effects. Although *ḥifẓ al-māl*, *ḥifẓ al-naḥs*, *ḥifẓ al-nasl*, and *ḥifẓ al-‘aql* help guide the analysis, their application does not eliminate the need to examine textual evidence, verify facts, and select appropriate *istinbāṭ* methods. Legal conclusions must also distinguish general principles from assessments of specific practices. Thus, the *maqāṣid* approach provides a framework for systematically evaluating social and technological change while requiring transparent, proportionate, and academically defensible arguments.

CONCLUSION

This study finds that the application of *maqāṣid al-sharī‘ah* to contemporary legal reasoning requires more than identifying general principles of public welfare; it requires a systematic connection between the characteristics of a problem, the relevant textual evidence, and the methods of *istinbāṭ* employed. The analysis demonstrates that different technological developments raise distinct legal concerns: digital finance primarily involves the protection of wealth (*ḥifẓ al-māl*), organ transplantation concerns the protection of life (*ḥifẓ al-naḥs*), genetic engineering involves both the protection of life and progeny (*ḥifẓ al-nasl*), and digital ethics relates to the protection of intellect (*ḥifẓ al-‘aql*) and personal dignity. These findings indicate

that legal assessments cannot be derived from the perceived benefits or risks of technology alone. Instead, they require an examination of the intended purposes, operational mechanisms, potential harms, and circumstances of each practice. By connecting factual assessment with methods such as *qiyās*, *maṣlaḥah mursalah*, and *sadd al-dharā'i'*, the study demonstrates how *maqāṣid al-shari'ah* can provide a structured framework for evaluating emerging issues without treating all technological innovations as legally equivalent.

This study contributes to contemporary Islamic legal scholarship by integrating the methodological framework of *maqāṣid al-shari'ah* with comparative analyses of digital finance, medical bioethics, and digital ethics. Its contribution lies in demonstrating how the objectives of Islamic law can guide the selection and application of *istinbāṭ* methods according to the characteristics of each issue, rather than functioning merely as general normative principles. Nevertheless, the study is limited by its qualitative library-based approach and its reliance on published literature, textual sources, and institutional fatwas; it does not independently assess empirical outcomes, medical evidence, or the practical implementation of legal rulings. Furthermore, the diversity of technological practices and their rapidly changing characteristics means that the findings should not be interpreted as definitive rulings for every case within these domains. Future research should incorporate interdisciplinary collaboration with experts in finance, medicine, technology, and Islamic jurisprudence, alongside empirical investigations into the implementation and social consequences of relevant rulings. Such research would help refine the application of *maqāṣid al-shari'ah* and strengthen the contextual, evidence-based, and methodologically transparent development of Islamic legal reasoning.

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