The Existence Of Fatwa Of The National Sharia Council (DSN)-Indonesian Ulema Council (MUI) In Answering All Doubts In Achieving Legal Certainty

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Abstract

Fatwa in addition to providing solutions to the questions asked also serve as a tool in responding to contemporary or contemporary developments. In this case, fatwa can provide certainty in giving legal status to an issue that arises. Without a fatwa, a problem may be unsolvable which eventually makes the ummah confused. Fatwa are considered as a response to actual Islamic legal issues that arise in the midst of society, so the MUI issues many fatwa. What concerns the author is the existence of the fatwa itself, where to position the fatwa? Meanwhile, MUI fatwa are rulings or opinions given by the MUI on legal issues that arise in the lives of Muslims. MUI fatwa are not included in positive law, do not have legal force, enforce, cannot use the State Apparatus such as police and prosecutors, and are not allowed by means of empowering the will. What concerns the author is also the DSN-MUI fatwa and MUI fatwa, both of which are not included in the hierarchy of laws and regulations in Indonesia? However, the Fatwa issued by DSN-MUI is a binding positive law. The research method in this writing is normative juridical, with a historical approach and a concept approach.

Keywords: Fatwa DSN-MUI, Positive Law, Legal Certainty

INTRODUCTION

Sharia Economics has become a popular and distinctive Indonesian term to replace "Islamic Economics." Now it has emerged the contents of Sharia Banks, Sharia Insurance, Sharia Pawnshops, Sharia Capital Markets, and even the term Sharia Hotels and Sharia Travel have appeared.

The universality of Islamic teachings can be understood because Islam was brought by the last Prophet and messenger, as implied in surah Al-ahzab verse 40. The Holy Prophetsa, who lived in the mid-6th century Miladiyah, was sent to preach Islam, bringing the holy book of the Qur'an as the main source of Islamic teachings. The response of the Holy Prophetsa to a problem, either through words or his confession, became the second main source of Islamic teaching, called as-Sunnah.

The Qur'an and the Sunnah are two points of Islamic teachings that quantitatively will not increase after the death of the Holy Prophetsa. The Qur'an and the Sunnah became the main sources of Islamic teachings in answering every problem that arose, both when the Prophet was alive and after death until the end of time. The Qur'an and the Sunnah, the main sources of Islamic teachings brought by the Prophet, must be able to answer every problem that arises, not only at the time but also until the end. Therefore, the two main sources of Islamic teachings must be able to cover every problem that arises from time to time, and the problem is that the text contained in the Qur'an and as-Sunnah will not be possible to increase after the death of the Prophet Muhammad (peace be upon him). This means that the religious normative (Wardana, 2018) bash-nash contained in the two main sources of Islamic teachings needs to be more substantiated and subtracted in quantity. The teachings of Islam were perfectly revealed by Allah Almighty when the Prophet died, as implied in surah Al-Maidah verse 3.
Meanwhile, problems are increasingly complex and diverse. Problems that initially could be covered explicitly by the two main sources of Islamic teachings, over time and the increasing complexity of human life problems, began to arise problems that had yet to be found in these two.

Allah Almighty designed Islam as the ultimate religion revealed on this earth. Allah Almighty designed so that the religious normative texts contained in the Qur’an and the Sunnah only explain some things in a detailed form. There are texts (nash) that are (Sharia, 2015) general, and there are texts (nash) that are special in shape. Some nashes are global, and some are detailed. Some are definite and detailed (qath’) that are impossible to develop anymore, but others, some principles are very open to development (Shanna).

The search for answers to new problems that have not been covered in the Qur’an and as-Sunnah through this ijtihad institution requires very strict skills and requirements. The activity of ijtihad without heeding its criteria is an act of making up laws without a clear reason (tahakkum) which is highly reproached by religion as required in the Word of Allah SWT:

"And do not say against what your tongue calls a lie. "This is lawful, and this is haram." To fabricate a lie against Allah is not profitable."

One of the institutions prepared by religion for people who cannot perform ijtihad like this is to ask or ask for an explanation of the legal status (fatwa) of a problem or action with no legal provision. Fatwa is needed by Muslims who cannot extract the law directly from the source because fatwa contains explanations of religious obligations (afraid), restrictions (hudud-hudud, shawabti), and a state about haram or halal something.

Fatwa, in addition to providing solutions to the questions asked, also serves as a tool for responding to contemporary or contemporary developments. In this case, a fatwa can provide certainty in giving legal status to an issue that arises. A problem may be unsolvable without a fatwa, eventually confusing the ummah.

The establishment of fatwa in the field of Sharia economics by DSN was a response to Sharia economic transactions that developed since the 1990s because, at that time, there were no regulations related to Sharia economics run by Sharia financial institutions (LKS). DSN fatwa is necessary to avoid differences in the provisions of certain activities made by the Sharia Supervisory Board (DPS) in each LKS. Because there is no Sharia economic regulation, a DSN fatwa is necessary for the community and uniformity of rules for Sharia economic actors.

The Government, Bank Indonesia, Ministry of Finance, and Capital Market and Financial Institutions Supervisory Agency (Bapepam-LK) often involve DSN-MUI in drafting regulations. For example, the Decree of the Minister of Finance, Bank Indonesia Regulation (PBI), Regulation of the Chairman of Bapepam –LK. DSN is often asked to make a fatwa when the government makes rules. The DSN-MUI fatwa is a guideline or basis for implementing certain Islamic economic activities.

Fatwa is considered a response to actual Islamic legal issues that arise in society, so the MUI issues many fatwas. What concerns the author is the existence of the fatwa itself. Where to position the fatwa? In recent times, legal politics has been colored by discussions about the fatwa's existence in the frame of the Republic of Indonesia. Meanwhile, MUI fatwa are rulings or opinions given by the MUI on legal issues that arise in the lives of Muslims. MUI fatwa is not included in positive law, does not have legal force, enforce, cannot use the State Apparatus such as police and prosecutors, and is not allowed to empower the will. The content and material of the MUI fatwa are only limited or opinions and cannot be applied forcefully, let alone be the only basis for imposing sanctions on criminal acts.

In the constitutional system in Indonesia, the position of the MUI fatwa is only an aspirational part that has morally constructive power for communities that aspire to practice it. However, the fatwa cannot be used as a coercive tool for other groups who disagree with the MUI fatwa because it is not included in positive law. In other words, the position of MUI’s fatwa can only be equated with the position of opinions of experts in law, language, and religion. MUI fatwa for Muslims is not legally binding but religiously binding. Thus, a Muslim cannot oppose them if the fatwa is based on Sharia and valid propositions or nash. While positive law currently includes generally accepted laws and regulations (regelling) or decisions, it seems that fiqh and fatwa have occupied a position similar to conventions in the Sharia convention. The author also concerns the DSN-MUI fatwa and MUI fatwa, which are not included in the hierarchy of laws and regulations in Indonesia. However, the Fatwa issued by DSN-MUI is a binding positive law.
METHODS

Legal research is a process to find legal rules, legal principles, and legal doctrines to answer legal issues faced. In conducting a legal research cannot be separated from the use of research methods. Because any research must use methods to analyze the problems raised. Research is a scientific activity based on certain methods, systematics and thinking that aims to study one or several certain legal phenomena, by analyzing them. In addition, an in-depth examination of the legal facts is also carried out to then seek a solution to the problems that arise in the symptoms concerned. (Rachmawati, 2021) (Marzuki & Sh, 2021)

In this study the author uses the following research methods:

This research is a legal research. The type of research used in this dissertation is normative legal research. Normative legal research examines laws that are conceptualized as applicable norms. Applicable legal norms in the form of written positive legal norms or rules formed by statutory institutions, codifications, laws, government regulations and so on. Written legal normative legal research is studied from various aspects such as aspects of theory, philosophy, comparison, structure / composition, consistency, general explanation and explanation of each article, formality and binding force of a law and the language used is legal language. So we can conclude that normative legal research has a wide scope. Normative legal research has the same definition as doctrinal research, that is, research based on legal materials whose focus is on reading and studying primary and secondary legal materials. (Jonaedi Efendi et al., 2018) (Marzuki & Sh, 2021) The approach used in this writing is:

a. Historical Approach

The historical approach is carried out by examining the background of what was studied and the development of arrangements regarding the issues faced. Such a study is needed by researchers when researchers really want to reveal the philosophy and mindset that gave birth to something learned.

The historical approach is carried out in order to trace the history of legal institutions over time. This approach greatly helps researchers to understand the philosophy of the rule of law over time. In addition, through the development of such approaches, researchers can also understand the changes and developments in the philosophy that underlies the rule of law.

b. Conceptual Approach

The conceptual approach is carried out when researchers do not move from existing legal rules. This is done because there is no legal rule for the problem at hand.

The conceptual approach departs from the views and doctrines that developed in legal science. By studying the views and doctrines in legal science, researchers will find ideas that give birth to legal understandings, legal concepts, and legal principles that are relevant to the issue at hand.

DISCUSSION

Ontological Studies on Fatwa

According to the Big Dictionary Indonesian, the fatwa is (1) answers in the form of decisions or opinions given by mufti/experts on a problem; and (2) the counsel of the pious, good lessons, and admonition. Fatwa, in the classical definition, is optional "ikhtiyariah" (a non-legally binding, though the morally binding option for the mustafti (the party requesting the fatwa). In contrast, those other than mustafti are "ilamiyah" or informative, which is more than just a discourse. They are open to taking the same fatwa or asking the mufti/another member for it. (OK, 2021) Fatwa are official answers to questions and issues involving legal issues. Fatwa comes from the Arabic word al-ifta’, al-fatwa, meaning "decision making." A fatwa is not a legal decision made easily or a so-called law-making without basis. From this, it is understood that a fatwa is essentially a legal answer to problems not found in the Qur'an or hadith or to reaffirm the position of a problem through the lens of Islamic teachings. Fatwa is linked to fiqh, and the two have a complementary relationship. Fiqh contains a systematic description of the substance of Islamic law, which a person only partially requires. Fiqh is seen as a book of law (rechtsboeken), as a normative reference in performing daily actions. If a problem requires a detailed explanation and description, one consults the mufti to obtain advice or a way out of the problem. Fatwa serves to apply the provisions of jurisprudence in certain matters concretely. Fatwa emerged as an answer to various problems faced by the Ummah from century to century. The fatwa began when the Prophet (peace be upon him) was asked about various problems that arise in everyday life.
The Companions asked the Prophet (peace be upon him) a question which meant they asked for a fatwa (istifa'), as expressed in the Qur'an: "Ya staftuunaka, quillahahu yuftikum fi kalaalah..." (They ask you for a fatwa [about kalaalah]..." (An-Nisa: 176) The obligation to deliver da'wah was continued by the companions. Ibn al-Qayyim al-Jauziyah (died 751 AH) distinguished the duties of the Messenger to tablighi and iftar, which requires a knowledge base of what is conveyed and has a true nature (shidq). Therefore it is not appropriate for the degree of tabligh or iftar to be carried but to someone who is knowledgeable (following his scientific maqam) and has the right nature (sidq), in the sense that he must know what is conveyed and fully justify. Ibn al-Qayyim put forward several qualitative requirements for muballigh and mufti. The mufti should have a good way of delivering (hasan al-thariqah), and a history of life that Allah presupposes (mardha al-sirah) is fair in word and deed. Similarly, everyday behavior and things are similar between what is closed in the eyes of the crowd (sir) and what is seen as real ('alaniyah). The salaf (companions and characters) prefer to avoid fatwa easily; if one has fatwaed, it is considered adequate. Fatwa also requires adequate knowledge of what is to be fatwa. The mufti should not decide what problems were asked of him, in which case Ibn Abbas delivered a scathing criticism: (Eurasian Jay et al., 2011) "Inna kulla man afta an-naasa fi kulli maa yas 'aluunahu 'anhu lamajnuun" (Every fatwa for the public about all the problems asked of him its crazy).

Fatwa issued by a mufti plays a role in transforming the general meaning of Islamic law into certain cases at hand. To maintain the credibility of a morally binding fatwa for Muslims to obey, it is not arbitrary for people to fatwa but must meet certain qualifications like a mujtahid. The authority of fatwa throughout the history of Islamic law was indeed given to scholars. Some fatwa are individual, and there are also fatwa that are collective, which are the result of the agreement of the scholars. (Salim, 2012)

According to Prof. Quraysh Shihab, in addition to not arbitrarily people can fatwa, fatwa must also pay attention to the sociological situation of the Ummah at that time. The fatwa issued does not result in the division of the Ummah or the destruction of a nation. This should be prioritized because all opinions, although true if they result in a greater mudharat, must be postponed to be announced.

The notion of postponement can be interpreted as the possibility that a fatwa can be promulgated later by sociological circumstances requiring the fatwa's existence. This is based on the awareness that society and science are developing, so postponing a fatwa only sometimes makes it completely void. Procrastination is done more to keep away from more severe losses.

**Fatwa Position**

Is religion (religious law) a source of material law or a source of formal law? Bagir Manan, quoting the opinion of N.E Van Duyvendijk, places it as part of the source of material law in the group of traditions (religious and moral opinions, traditions in the field of law). On the contrary, Utrecht included religion (religious law) as a source of formal law, explaining that in areas (Indonesia) where the people's view of life is strongly bound by religion, the source of law (religion) is very important. (Salim, 2012)

The establishment of fiqh books as a standard of reference for religious court judges was the first step towards legal certainty, which later gave birth to the idea for the establishment of a Compilation of Islamic Law established as part of formal legal sources in Indonesia based on Presidential Instruction Number 1 of 1991. (Abdullah, 1994)

Fiqh and fatwa, although very diverse and may contradict each other, are already part of society's needs in administering sharia. Compared to constitutional conventions, which are written legal rules as referred to in the explanation of the 1945 Constitution (before it was amended). This is the basis of constitutional health as long as these rules arise and are maintained in state administration, even though they are not written. Fiqh and fatwa have occupied a position similar to conventions in the practice of Shari'ah. (Salim, 2012)

Moreover, since Law No. 21 of 2008 concerning Sharia Banking and the fatwa banning bank interest, MUI has not only issued a fatwa related to worship but has further entered the economic realm. MUI is seen as a collection of scholars found in every Islamic organization in Indonesia, and the government expects MUI to cooperate in forming regulations related to the Sharia economy. This resulted in the expansion of MUI's contribution to government and society while remaining on its label as an independent organization. There are several considerations for
passing the Sharia Banking Law into law. First, juridically, the presence of the Sharia Banking Law is based on Pancasila and the Constitution of the Republic of Indonesia. The year 1945 (1945 Constitution). So, applying Sharia economic law in Indonesia has a very strong basis. The provisions of Article 29 paragraph (1) of the 1945 Constitution expressly state that the state based on the One and Only Godhead contains three meanings, namely:
1. The state shall not make laws and regulations or carry out policies that are contrary to the basis of faith in God Almighty;
2. The state is obliged to make laws and regulations or carry out policies for the implementation of the manifestation of a sense of faith in God Almighty from a group of religious believers who need it;
3. The state must make laws and regulations prohibiting anyone from harassing religious teachings (atheism).

Article 29, paragraph (2) of the 1945 Constitution states that the state guarantees each citizen's freedom to profess his religion and worship according to his religion and belief. The word "guarantee," as contained in paragraph (2) of article 29 of the 1945 Constitution, is "imperative," meaning that the state is obliged to actively make efforts so that each citizen can embrace religion and worship according to his religion and belief. In fact, through the provisions of Article 29 paragraph (2) of the 1945 Constitution, all Islamic law, especially those concerning the areas of muamalat law, can be legally and formally implemented by Muslims, either directly or indirectly, through adoption in national positive law. The necessity of the absence of constitutional material and laws and regulations that contradict the values of the Almighty God is a consequence of applying the Almighty Godhead Principle as one of the basic principles of state administration. Therefore, the Sharia economic law does not challenge Pancasila, the 1945 Constitution, and does not interfere with the integrity of the Republic of Indonesia. (Gayo et al., 2011)

The fatwa adopted into positive law is remixed into rules on Sharia activities. Of course, violations of these regulations can lead to legal sanctions. Legal sanctions are given through religious courts as part of Sharia dispute resolution. Article 49 of the Law on Religious Courts No. 3 of 2006 states that: Religious courts aim and are authorized to examine, decide, and settle cases in the first instance between people of Muslim faith in the fields of:
1. Marriage
2. Beneficiary
3. Testament
4. Grant
5. Endowments
6. Zakat
7. Infaq
8. Shadaqah
9. Sharia Economics

The non-participation of a person or community in Sharia activities, even under the auspices of the law, does not necessarily make a person or community leave the religion of Islam. Because it goes back to the basic principle of the fatwa, that fatwa is the opinions of scholars in giving appeals and recommendations. However, suppose a person or group of people contributes to one or many Sharia activities while committing crimes. In that case, that person or community may be subject to punitive sanctions by applicable laws.

Fatwa Seen From the Views of Scholars
In researching the concept of fatwa in Islamic law according to the views of scholars, this research is oriented to the views of scholars who make the Qur’an and al-Hadith the basis of law and life guidelines. The study also specialized in Salaf and Khalaf scholars' views on fatwa. Fatwa occupies a strategic position and is very important because the mufti (fatwa-giver), as stated by Imam Ash-Shathibi, is the caliph and heir of the Prophet (PBUH), as the hadith narrated by Abud Daud and Tirmidhi that "ulama are the heirs of the Prophets" in conveying Sharia law, teaching people, and warning them to be aware and careful. Salaf scholars generally do not overdo it in issuing a fatwa, but for prudence, they often state that they need to learn about the problems
that occur. This is an expression from a Salaf scholar to something they do not understand or know for sure. (Directed, 2011)(Yusuf, 1997)(Islam, 1994)

The scholars of salaf have determined that a person who issues a fatwa. At the same time, he does not belong to the category of a person who is an expert in fatwa. The person has committed sins and is sinful to Allah SWT, His Messenger, and sins to the ummat of people. Thus, the fatwa he issued is invalidated, and the person is among those disobedient.

Fatwa in the viewpoint of Islamic law

Fatwa occupies an important position in Islamic law because fatwa are opinions expressed by Islamic jurists (fuqaha) about the legal position of a new problem that arises in society. When a new problem arises for which there is no explicit legal provision, both in the Qur'an, asSunnah, and ijma’ as well as previous fuqaha opinions, then the fatwa is one of the normative institutions that are competent to answer or determine the legal position of the problem. Because of its position that is considered to be able to establish the law on a particular case or issue, Western scholars of Islamic jurists categorize fatwa as Islamic jurisprudence.

Functionally, the fatwa has both tabyîn and tawjîh functions. Tabyîn means to explain the law, which is a practical regulation for society, especially people who expect its existence. Tawjîh, which provides guidance and enlightenment to the wider community about contemporary religious problems. (Rofiq, 2022)

Fatwa from a Positive Legal Point of View

Fatwa is an opinion or advice from a mujtahid or mufti in response to questions and requests made by the fatwa requester (mustafti) on a case that is not binding in nature. In giving a fatwa, the scholars take steps collectively, conduct deliberations to highlight the problems questioned by the fatwa requester (mustafti), and then a law will be established together, not done individually. Based on the legal sources applicable in the national legal system, namely in the formal national legal system, there are five sources of law, as for the sources of law as follows: laws, customs, judges’ decisions (jurisprudence), treaties, and doctrines (expert opinions of experts / legal experts). To be able to find out the order of laws and regulations in force in Indonesia, laws and regulations in Indonesia also recognize hierarchy. The provisions of Article 7 paragraph (1) of Law 12/2011 explain that the types and hierarchy of laws and regulations in Indonesia consist of:(Muhammad, 2016)

a. Constitution of the Republic of Indonesia Year 1945;
b. Decrees of the People’s Consultative Assembly;
c. Government Laws/Regulations in Lieu of Law;
d. Government Regulations;
e. Presidential Regulation;
f. Provincial Regional Regulations; and
g. District/City Regional Regulations.

The source of positive law in the national legal system above and the order of laws and regulations, as mentioned in Law No. 12 of 2011 concerning the hierarchy of laws and regulations, does not mention fatwa as part of the legal basis in this country, so fatwa cannot be used as a legal basis. Fatwa is only an opinion or advice delivered by Islamic jurists who are members of an organization, such as MUI, Muhammadiyah, NU, Persis, and other institutions. So that fatwa can be correlated with formal legal sources in the national legal system, the position of fatwa is the same as doctrine, which is the opinion of experts or experts in the field of positive law. In practice, doctrine (expert opinion of jurists) greatly influences the conduct of State administration and court proceedings. A judge is allowed to use expert opinions as a judge's consideration in deciding a case, for a lawyer/defense defending himself in a civil case, often citing expert opinions as reinforcement of his defense.

Similarly, in the history of Religious Courts in Indonesia, Religious Courts can examine, handle, and decide civil cases (family matters, inheritance, divorce, and so on). The Religious Court uses fatwa as a legal basis. Namely, the fatwa agreed upon by the Supreme Court with the Religious Court. Then, for example, judges have also used fatwa as a consideration in deciding civil cases, namely in law no. 3 of 2006 concerning Religious Courts, it is stated that Religious Courts are authorized to resolve shari’ah economic disputes, therefore MUI fatwa products are used as a basis for deciding before there is a law on shari’ah economy, for example, MUI fatwa no. 21 of
2001 concerning general guidelines for *shari’ah* insurance, MUI fatwa no. 3 of 2003 concerning zakat income and another fatwa on the economy based on *shari’ah*. A judge also uses INPRES No. 1 of 1991, which is often referred to as KHI (Compilation of Islamic Law) as a legal basis, even though in history it is said that KHI is the result of *ijtihâd ulama* *imam mahzab*, namely *mahzab Syafi’i*, this states that *ijtihâd ulama* as a fatwa has colored the existence of law in Indonesia.

Fatwa as expert opinions in Islamic law and doctrines as expert opinions in positive law can be used as judges' considerations in deciding civil cases, but not all fatwa products or doctrines are used by judges, but only a small part of the fatwa of scholars and doctrines (positive jurist opinions). In addition, fatwa also has some fundamental differences with doctrine. The difference between fatwa and doctrines is first seen from the object that is the focus of discussion, the fatwa that is the focus of discussion is related to religious issues, especially Islamic legal issues. At the same time, the doctrine that is the focus of discussion is the problem in positive law. Second, in terms of time, fatwa takes effect now since they are issued by the institution concerned, while doctrines take effect later after experts issue them and sometimes must also be tested first to be used and enforced. Third, fatwa can be delivered individually and collectively, but for now, they are often delivered collectively, whereas an expert or a jurist usually issues doctrines. Concerning the position of the fatwa, it can be equated with doctrine, and of course, the power of the fatwa is not absolute and not binding as applicable to the provisions of a law or a judge's decision that is binding, so the fatwa does not have to be followed either by individuals, institutions, or community groups, because fatwa does not have absolute binding. This is also true of doctrine, and doctrine has no binding force. The enactment of a doctrine depends on the authority of the doctrine. When the doctrine is by the values and beliefs that exist in society, then the community will implement the content of the doctrine and vice versa. If the doctrine follows the values and beliefs of the community, then the community will continue implementing the doctrine. The new doctrine will be binding if it has been regulated in laws and regulations, such as the example of the doctrine of Pancasila. (Ardiansyah et al., 2018)

CONCLUSION
The existence of fatwa in Islamic law fatwa occupies an important position in Islamic law because fatwas are opinions expressed by Islamic jurists (fuqaha) about the legal position of a new problem that arises in society. When a new problem arises for which there is no explicit legal provision, both in the Qur'an, as-Sunnah, and *ijma* as well as previous fuqaha opinions, the fatwa is one of the normative institutions that is competent to answer or determine the legal position of the problem. Because of its position that is considered to be able to establish the law on a particular case or issue, Western scholars of Islamic jurists categorize fatwa as Islamic jurisprudence.

The existence of Fatwa in the Indonesian positive legal system is based on legal sources in national legal sources, consisting of laws, customs, court decisions (jurisprudence), treaties (agreements between countries), doctrines (expert opinions/legal experts), to be able to find out the order of laws and regulations in force in Indonesia, laws and regulations in Indonesia also recognize hierarchy. The provisions of Article 7 paragraph (1) of Law 12/2011 explain that the types and hierarchy of laws and regulations in Indonesia consist of:

a. Constitution of the Republic of Indonesia Year 1945;

b. Decrees of the People's Consultative Assembly;

c. Government Laws/Regulations in Lieu of Law;

d. Government Regulations;

e. Presidential Regulation;

f. Provincial Regional Regulations; and

g. District/City Regional Regulations.

Fatwa are only opinions and non-binding advice from scholars, and to be binding, a fatwa must first pass legislation which then becomes law.

In practice, in Indonesia, Islamic Financial Institutions must comply with the provisions of Islamic Law. This Islamic law is determined by a fatwa decree issued by the Indonesian Ulema Council (MUI) through the National Sharia Council (DSN). Suppose DSN has yet to issue its fatwa on a
matter. In that case, the Sharia Supervisory Board (DPS), as an extension of DSN, can issue a provisional opinion until the issuance of the fatwa. The characteristics of the fatwa that are not binding on anyone then become binding on Sharia economic practitioners because the fatwa is strengthened and determined to be Sharia compliance standards (sharia compliance) by laws and regulations.

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