Indonesian Journal of Innovation Studies
Vol. 27 No. 4 (2026): October
DOI: 10.21070/ijins.v27i4.2321

ISSN (ONLINE) 2598-9936

INDONESIAN JOURNAL OF INNOVATION STUDIES

PUBLISHED BY

UNIVERSITAS MUHAMMADIYAH SIDOARJO

ISSN 2598-9936 (online), https://ijins.umsida.ac.id, published by Universitas Muhammadiyah Sidoarjo

Indonesian Journal of Innovation Studies
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Indonesian Journal of Innovation Studies
Vol. 27 No. 4 (2026): October
DOI: 10.21070/ijins.v27i4.2321

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Indonesian Journal of Innovation Studies

Vol. 27 No. 4 (2026): October
DOI: 10.21070/ijins.v27i4.2321

Article information

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ISSN 2598-9936 (online), https://ijins.umsida.ac.id, published by Universitas Muhammadiyah Sidoarjo

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Substantive Digital Fiqh Reframes Blockchain as Multidimensional Nazilah: Fiqh Digital Substansial Memandang Ulang Blockchain sebagai Nazilah Multidimensi

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Abstract

General Background: Blockchain is reshaping transactions, ownership, verification, smart contracts, tokenization, and digital governance, creating new legal objects for Islamic jurisprudence. **Specific Background:** In fiqh al-nawāzil, these configurations cannotbe reduced to cryptocurrencies or productcompliancebecause their legal character varies with architecture, functions, actors, rights, risks, and governance. **Knowledge Gap:** Empirical integration between technical knowledge, taḥqīq al-manāṭ, uṣūl al-fiqh, maqāṣid, and maʾālāt remains limited, while product-centred reasoning does not adequately capture system-level characteristics and consequences. **Aims:** This qualitative multi-stakeholder case study examined 28 informants through semi-structured interviews, legal vignettes, and documentary analysis to reconstruct digital ijtihād for blockchain-related cases. **Results:** Blockchain emerged as a multidimensional nāzilah; taḥqīq al-manāṭ functioned as the epistemic gateway linking technical reality with legal characterization; reasoning shifted from product-based classification toward systemic analysis and from post-hoc maqāṣid justification toward maṣlaḥah–mafsadah and consequenceassessment. **Novelty:** Thestudy formulates Substantive Digital Fiqh al-Nawāzil Theory, sequencing taṣawwur al-nāzilah, taḥqīq al-manāṭ, taʿyīn al-waṣf al-muʾaṡṡir, uṣūlī reasoning, maqāṣid evaluation, maṣlaḥah–mafsadah, maʾālāt al-afʿāl, legal determination, Shariah governance, and continuous monitoring. **Implications:** The framework supports object-first, systemic, consequence-sensitive, and multidisciplinary digital ijtihād for fatwas and Shariah governance.

Highlights:

- Taḥqīq al-manāṭ linked technical facts with istinbāṭ al-ḥukm.
- Systemic legal characterization replaced product-centred classification across complex
- cases. Maqāṣid shifted toward maṣlaḥah–mafsadah and consequence-sensitive evaluation.

Keywords: Fiqh Al-Nawāzil, Blockchain, Taḥqīq Al-Manāṭ, Substantive Digital Fiqh

Published date: 2026-09-24

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DOI: 10.21070/ijins.v27i4.2321

Introduction

Blockchain has moved beyond its status as a digital infrastructure innovation and entered the realm of transactions, ownership, contracts, payments, and governance. Distributed ledger technology (DLT) allows different parties to maintain shared records and validate transactions through consensus without a central coordinator; on programmable architectures, smart contracts execute actions based on coded rules.[1], [2], [3], [4] Tokenization, decentralized finance (DeFi), and crypto-assets extend this transformation to economic and institutional structures. The Financial Stability Board in 2025 still assesses that the crypto-assets ecosystem is growing rapidly with gaps in the implementation of regulations across jurisdictions, while the Basel Committee highlights the operational risks, security, governance, legal, compliance, and settlement finality of permissionless DLT.[5] Blockchain does not just present new digital products, but changes the way trust, authority, verification, and execution of transactions are formed.[6]

In Islamic law, these changes present a more fundamental issue than the halal or haram of cryptocurrencies. Blockchain can serve as an asset recorder infrastructure, a contract execution engine, a tokenization medium, a payment system, or a governance foundation; each function carries different configurations of actors, rights, risks, and consequences.[7], [8], [9] Smart contracts are also not automatically identical to fiqh contracts because code can execute provisions automatically, while the validity of real-world data still faces the problem of oracles and external sources of truth.[10]The Islamic finance literature has identified challenges of coding Sharia principles and algorithmic validation of smart contracts, while the 2025 study begins to integrate maqāṣid al-syarīʿah in the evaluation of crypto-assets.[11] The dominant focus is still on instruments, investment risk, and product compliance. A more fundamental methodological problem is how heterogeneous technological realities are constructed first as legal objects before the istinbāṭ apparatus is applied.

This question places blockchain in the realm of fiqh al-nawāzil, which is legal reasoning when a new reality demands categorization and normative judgment. The novelty of a nāzilah lies not only in the absence of classical nomenclature, but in the change in the structure of the facts in which the law operates.[12], [13], [14] Decentralization can shift authority, immutability affects data correction, programmability moves the execution of part of an agreement to code, and tokenization changes the representation of ownership.[4], [15], [16] Fiqh al-nawāzil requires precise taṣawwur al-mas'alah before istinbāṭ al-ḥukm. Without it, qiyās can erroneously define manāṭ, taʿlīl can make technical characteristics as ʿillah that is not muʾaththir, while maqāṣid risks becoming a post-decision justification.[17], [18], [19] This is where taḥqīq al-manāṭ acquires an epistemological function: bridging technological facts with legal characterizations. The development of contemporary nawāzil studies itself increasingly places the response to the new reality as a methodological problem, not just the application of the law that is available.

The gap is seen in the tendency of product- and contract-oriented legal responses through the "product → contract → legal" pattern, while blockchain risk is also shaped by consensus mechanisms, incentive design, governance, data quality, third-party dependency, and maʾālāt. The maqāṣid approach that stops at ḥifẓ al-māl, transparency, or prevention of harm does not explain how maslahat and mafsadah are identified, prioritized, and tested for consequences.[20], [21], [22] Studies on blockchain–Islamic finance have addressed trust and computational Shariah compliance,[7], [23] while fiqh al-nawāzil and maqāṣid research have developed methodologically, but empirical integration between technical knowledge, taḥqīq al-manāṭ, uṣūl al-fiqh, maqāṣid, and maʾālāt still limited.[11]

This research fills the space through field studies of fuqahāʾ, uṣūl al-fiqh experts, Islamic finance practitioners, technologists, and regulators to trace their reasoning patterns and reconstruct a digital ijtihād framework that is empirically grounded, maqāṣid-based, and relevant to fatwas and Shariah governance. Specifically, this study asks how blockchain is epistemicly constructed as nāzilah, how taḥqīq al-manāṭ, uṣūl al-fiqh, maqāṣid, and maʾālāt are used in legal reasoning, as well as what methodological frameworks can guide ijtihād and fatwa. The contribution of the research lies in the reconstruction of fiqh al-nawāzil from a ruling-oriented approach towards object-first, systemic, and consequence-sensitive reasoning, with collaborative digital ijtihād as an institutional implication. The framework places maqāṣid as an evaluative methodology, not just a tool of operational normative legitimacy

Method

This study uses an empirical-reconstructive qualitative design with a multi-stakeholder case study[24], [25] approach to analyze the process of Islamic law construction of blockchain technology. The research was carried out in Magelang and Yogyakarta by involving 28 informants who were selected by purposive and maximum-variation sampling. The composition of the informants includes 8 experts in uṣūl al-fiqh, maqāṣid, and sharia/sharia council members; 6 practitioners of Islamic finance and Shariah compliance; 8 experts in blockchain, smart contracts, cybersecurity, and digital technology; and 6 regulators or experts in digital and financial policy. The number is set as an initial target and evaluated based on information power and thematic saturation; interviews are stopped when no new substantive themes emerge. This design places the legal reasoning process as a unit of analysis, not just the attitude or perception of the informant.

Primary data was collected through in-depth interviews with semi-structured and case-based legal reasoning using vignettes[26] representing asset tokenization, smart contracts in Islamic finance, blockchain for waqf/zakat, sukuk tokenization, and speculative crypto assets. Secondary data includes fatwas, sharia standards, regulations, policy documents, blockchain technical documentation, and academic literature. Vignette is used to identify how the informant understands the object, determine the legal characteristics, use the uṣūlī device, and evaluate the consequences.

Data were analyzed through thematic analysis, framework analysis, and[27], [28], [29] uṣūlī content analysis with

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comparisons between groups and between cases. The analysis follows eight stages: taṣawwur al-nāzilah; taḥqīq al-manāṭ; ta'yīn al-waṣf al-muʾaṡṡir; uṣūlī reasoning; maqāṣid evaluation; maṣlaḥah–mafsadah analysis; Ma'ālāt al-Afʿāl; as well as legal and governance determination. Credibility is strengthened through triangulation, member checking, peer debriefing, trail audits, and reflexivity.[30] The research applies informed consent, anonymization, and confidentiality protection of all informants

Results and Discussion

A. Results

1. Blockchain as a Multidimensional Nāzilah

The results of the study of 28 informants show that blockchain is not understood as a homogeneous legal object, but as a multidimensional nāzilah whose legal character depends on its function, architecture, actors, and context of use. Eight scholars of uṣūl al-fiqh and sharia tend to begin with the characterization of maḥall al-ḥukm, the structure of legal relations, and the possibility of taʿlīl, while six Islamic finance practitioners place more emphasis on economic functions, contract structures, ownership, and risk distribution. Eight blockchain experts placed system architecture, consensus mechanisms, smart contracts, oracles, and distribution of control as key elements, while six regulators and policy experts highlighted legal certainty, user protection, accountability, stability, and governance. These differences show that blockchain cannot be reduced to a category of digital assets or mere transaction tools.

The construction of nāzilah becomes more complex when blockchain is used for different purposes. In asset tokenization, the main issue is related to the representation of rights, ownership, and the relationship between the token and the underlying asset.[31], [32], [33] In smart contracts, attention shifts to the relationship between the will of the parties, the code that can execute the instructions automatically, and the possibility of errors or unpredictable conditions.[34], [35] On blockchain for waqf or zakat, the issue shifts towards data integrity, managing authority, transparency, and accountability.[36], [37] Meanwhile, in speculative crypto assets, volatility, uncertainty, economic function, and potential for capital have become more dominant.[38], [39] These variations show that the real legal object is not the blockchain in the abstract, but rather a specific configuration of technology, functions, legal relationships, and the consequences of its use.

This finding changes the position of taṣawwur al-mas'alah from a descriptive preliminary stage to a decisive epistemic level. Mistakes in identifying objects will result in errors at a later stage because the same technology can give birth to different legal consequences when its functions and architecture change. Fiqh al-nawāzil in the context of blockchain requires the ability to distinguish between technology as infrastructure, technology as a medium of transactions, and technology as a mechanism for the formation and enforcement of rights

2. Taḥqīq al-Manāṭ as the Critical Epistemic Challenge

The second finding suggests that the most significant gap in blockchain legal reasoning arises in the relationship between technological reality and legal characterization. Most sharia experts recognize that technical terms cannot be directly treated as waṣf which has legal consequences.[40] On the contrary, technology experts point out that terms such as decentralization, [41], [42] immutability[43], [44], [45], transparency,[43], [46] and trustless systems[47], [48] have considerable variation in implementation. A network can be decentralized at one layer but still have a concentration of power at another layer. Data can be difficult to change on the ledger, but the validity of the data that is first entered still depends on external mechanisms. Smart contracts can be automatic in execution, but that doesn't mean the whole substance of their legal relationship is in code.[34], [49], [50]

This pattern shows the importance of distinguishing technical attributes[51] from legally operative attributes.[52], [53] Technical characteristics acquire uṣūlī significance only after their causal or normative relationship with legal issues has been determined. Decentralization, for example, does not automatically generate benefits, its relevance depends on whether it increases transparency, reduces single-point failure,[54] eliminates needed authority, or instead creates difficulties in accountability. Similarly, immutability can support the integrity of records, but it can cause problems when incorrect, invalid, or sensitive data cannot be adequately corrected.

The results of the interviews also show that the process of taḥqīq al-manāṭ becomes more accurate when it involves cross-disciplinary knowledge. Technologists function to explain how the system works in actuality, jurisprudence experts determine which characteristics have normative relevance, financial practitioners identify the consequences of transactions; and regulators clarify the institutional dimension as well as public protection. Taḥqīq al-manāṭ emerged as an epistemic gateway that connected the facts of technology with istinbāṭ al-ḥukm. This position shifts taḥqīq al-manāṭ from simply verifying the application of the law to a specific case to an important mechanism in building digital legal objects.

3. From Product-Based Ruling to Systemic Legal Characterization

The third finding shows the existence of two main patterns in blockchain legal reasoning. The first pattern is product-based, which is moving from product to contract and then to law.[55], [56] This pattern is still dominant when informants are dealing with tokens, cryptocurrencies, or digital financial instruments that already have a certain form of economy. The second pattern is systemic, which is to start an analysis of the technological architecture, functions, actors, contract mechanisms, risk distribution, and consequences before determining the legal character.[57] The second pattern is more

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common when informants are faced with cases of smart contracts, asset tokenization, blockchain governance, and applications that do not have a direct equivalent in classic transactions.

These differences result in two different ways of determining maḥall al-ḥukm. The product-based approach tends to look for the category of fiqh that is closest to the product being analyzed, then test whether or not the conditions and harmonies of the category are met. The systemic approach does not reject the category of classical fiqh, but places it after the structure of technology and economic relations has been mapped. The sequence of analysis is as follows:

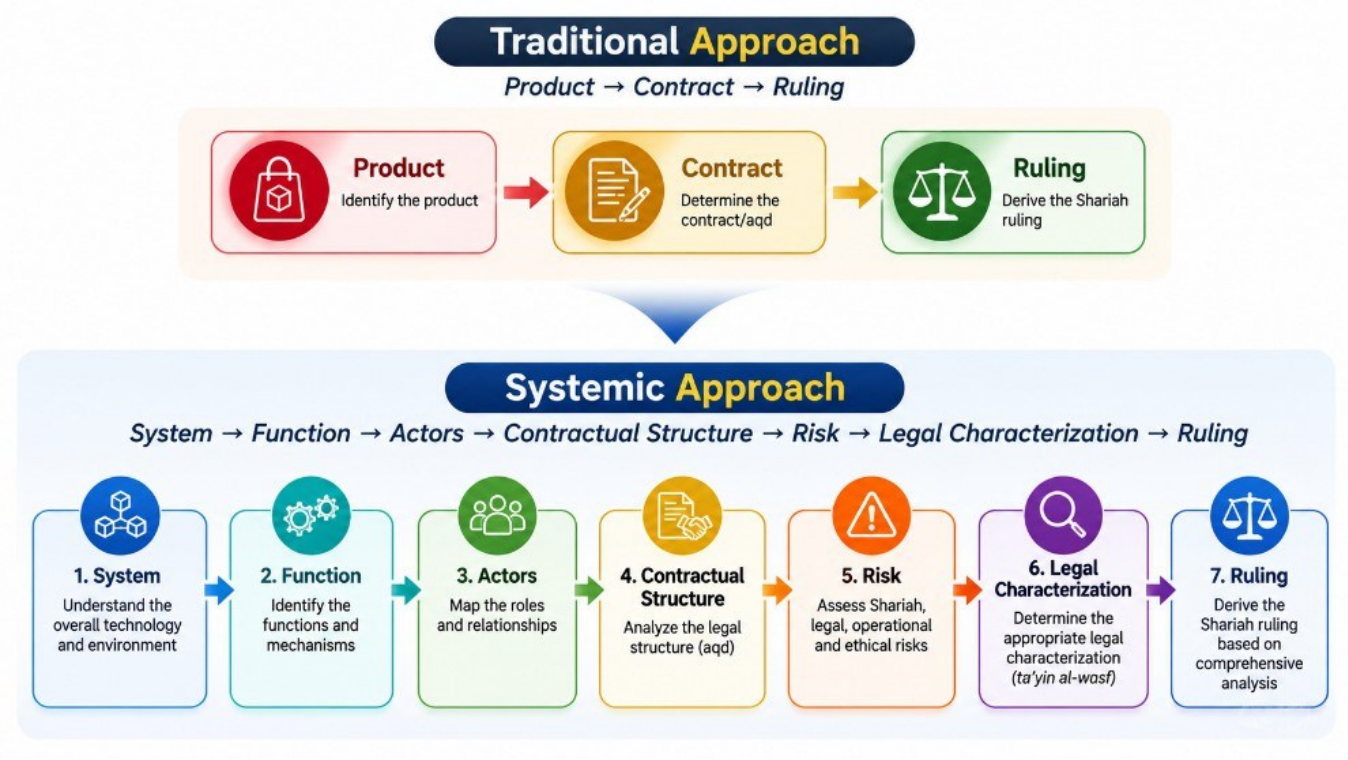

Figure 1. Sequence of analysis

The findings also show that formal Shariah compliance[58] does not always reflect substantive conformity. The fulfillment of the form of the contract can occur simultaneously with problems at the system level, such as information inequality, concentration of control, data manipulation, unclear responsibility, or disproportionate distribution of risks. On the other hand, the use of new technology does not automatically result in sharia non-compliance when the structure of its rights, obligations, risks, and objectives can be explained transparently and meets legal principles. This pattern shows the emergence of systemic legal characterization[59] as a new methodological need in digital fiqh al-nawāzil.

4. Maqāṣid and Ma'ālāt in Contemporary Blockchain Legal Reasoning

The fourth finding shows that maqāṣid al-syarīʿah is used by informants on three levels. The first level places maqāṣid as a general principle that supports legal decisions. The second level uses it to assess the benefits and benefits of a blockchain application. The third, most substantive level, uses maqāṣid from the stage of problem identification, alternative evaluation, prioritization, risk analysis, and consequence assessment. These differences show that the use of maqāṣid is not yet uniform and there is still a shift from maqāṣid as a language of legitimacy to maqāṣid as a methodology for legal decision-making.

In the case of asset tokenization, ḥifẓ al-māl appears in relation to the certainty of ownership, the security of the asset, and the integrity of the record. In the use of blockchain for waqf and zakat, greater attention is paid to transparency, accountability, distribution integrity, and protection of recipients' rights. In smart contracts, the assessment of maqāṣid is related to the certainty of implementation, protection of the parties, the ability to handle extraordinary conditions, and the mechanism for resolving errors.[60], [61] In speculative crypto assets, valuations are more directed towards uncertainty, volatility, potential manipulation, and the possibility of disproportionate losses.[62], [63]

The analysis of maṣlaḥah-mafsadah shows that it is not enough to use the binary categories of benefits or losses. Informants consider the level of risk, probability, distribution of impacts, vulnerability of certain parties, recovery capabilities, and long-term consequences. Maʾālāt al-afʿāl becomes important when the initial benefits of a technology can have a different impact on a wider stage of use.[64] Transparency, for example, can increase accountability but also raise privacy concerns, automation can reduce human error but increase risk when code contains errors, decentralization can reduce dependence

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on a single authority but make it difficult to determine who is responsible. The assessment of maqāṣid eventually moved from purpose-based assessment to consequence-sensitive evaluation.

5 . Emergence of an Empirically Grounded Fiqh al-Nawāzil Framework

The synthesis of the research results resulted in a framework of fiqh al-nawāzil that combines technical, uṣūlī, maqāṣid, and institutional dimensions. The first stage is taṣawwur al-nāzilah, in the form of mapping technology, functions, actors, objects, transaction mechanisms, and context of use. The second stage is taḥqīq al-manāṭ, which is the verification of the factual characteristics of technology and the identification of the relationship between these characteristics and legal issues. The third stage is ta'yīn al-waṣf al-mu'aṡṡir, which is the selection of characteristics that really have normative relevance. The fourth stage uses uṣūl al-fiqh tools, including qiyās, istiṣlāḥ, istiḥsān, and sadd al-żarā'i' according to the character of the problem[65].

The next stage places maqāṣid al-syarī'ah as a framework for evaluating maslahat and mafsadah, not just a justification for the established law. The analysis is followed by ma'ālāt al-af'āl, which considers immediate and long-term consequences, including risk distribution, impact on vulnerable groups, reversibility of losses, and governance implications. The legal determination is placed after all of these dimensions have been examined. The final results of the research resulted in a methodological flow:

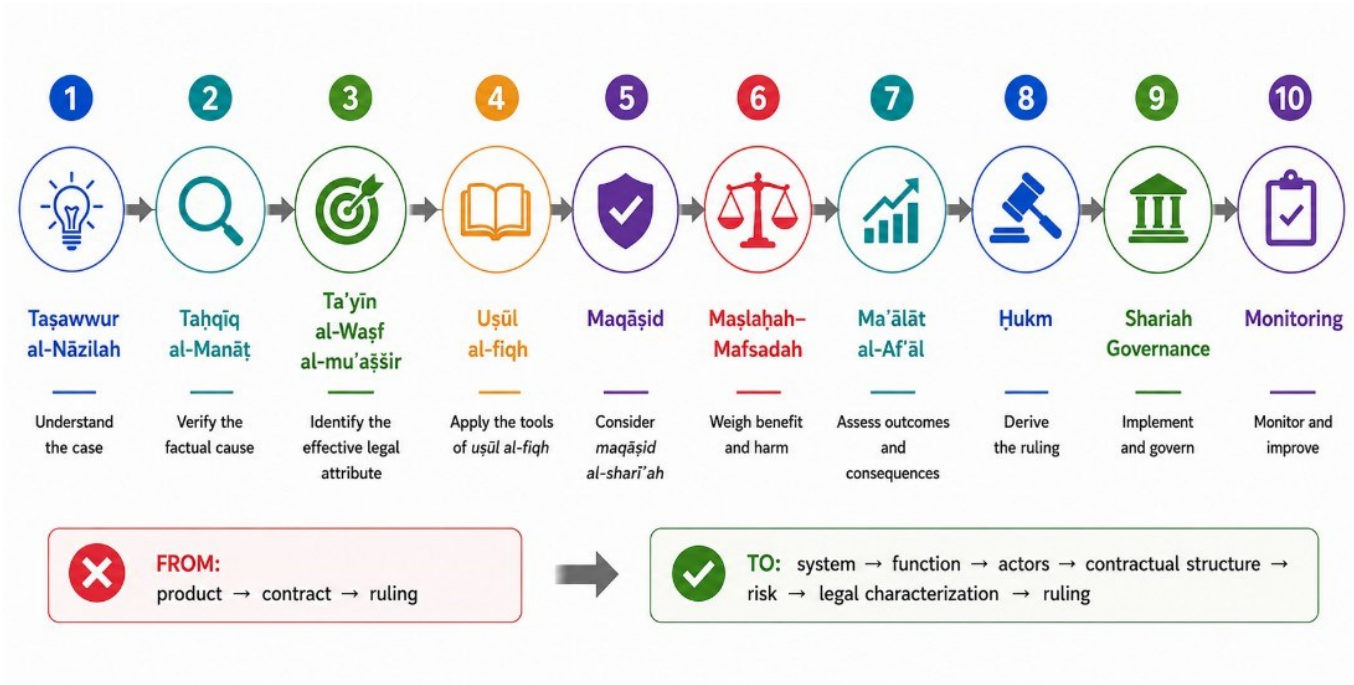

Figure 2. Methodological flow

This framework also produces a collaborative digital model of ijtihād. Fuqahā' and uṣūl experts maintain the primary function in normative construction and istinbāṭ; technologists ensure the accuracy of taṣawwur and taḥqīq al-manāṭ; Islamic finance practitioners provide mapping of economic and transaction structures; while regulators provide perspectives on legal certainty, public protection, and governance. The collaboration did not remove the authority of fiqh, but expanded the knowledge base necessary for istinbāṭ to work against technologically complex legal objects.

The findings ultimately point to a paradigm shift from ruling-first reasoning to object-first reasoning, from product classification to system characterization, and from static benefit assessment to consequence-sensitive evaluation. Fiqh al-nawāzil in the context of blockchain is no longer enough to stop at the question of the status of a product, but moves towards an assessment of the technological structure, purpose, function, risk, impact distribution, and governance. The empirical framework forms the methodological basis for digital ijtihād that links factual accuracy, uṣūlī reasoning, maqāṣid orientation, and post-verdict supervision in a single continuous legal process

B. Discussion

1. Reconstructing Fiqh al-Nawāzil from Empirical Legal Reasoning

The findings of the study show that the main problem with blockchain in Islamic law does not lie in the absence of a naṣṣ regarding the technology, but in the ability of Islamic legal methodology to construct a new reality as maḥall al-ḥukm. The

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findings regarding the various constructions of blockchain among uṣūl al-fiqh experts, Islamic finance practitioners, technologists, and regulators show that digital nāzilah is not synonymous with just cases that have never been mentioned in the book of fiqh. Blockchain is a socio-technical reality that combines code, networks, assets, contracts, actors, validation mechanisms, economic incentives, and governance.[13] This multidimensional character demands a change in the way fiqh al-nawāzil works: from simply searching for laws for new objects to methodological reconstruction of how they are first known, classified, assessed, and linked to the normative structure of sharia.

In the Islamic legal tradition, the relationship between text and reality is never completely linear. Naṣṣ provides normative sources, while fiqh al-wāqiʿ ensures that the application of norms is inseparable from factual conditions.Ahmad Yani Anshori and Landy Trisna Abdurrahman, "History of the Development of Mażhab, Fiqh and Uṣūl Al-Fiqh: Reasoning Methodology in Islamic Law," Samarah: Journal of Family Law and Islamic Law Volume 9, no. 1 (2025): 273–98, https://doi.org/10.22373/sjhk.v9i1.25355. Fiqh al-nawāzil arises when a change in reality gives birth to a problem that demands a legal response.[66] In the context of blockchain, the relationship between the three is becoming increasingly complex. The text does not change, but the object of its application undergoes a structural transformation. Contracts still have normative principles and limits, but the way rights are formed, verified, transferred, and executed can change due to technology. This is where the empirical findings of this study show that fiqh al-nawāzil needs to be understood as a methodology for responding to change, not just a catalog of fatwas on new cases.

The findings resulted in the first theoretical proposition of the study: digital fiqh al-nawāzil should move from ruling-oriented reasoning to object-oriented reasoning. In the first pattern, the question begins with what is the law of this product?. The second pattern, the question begins with what exactly are the objects, functions, structures, and consequences of this system?. This shift is not a weakening of the normative orientation, but rather a strengthening of the accuracy of the application of norms. Law does not become more substantive because more and more categories of fiqh are mentioned, but because the relationship between norm and reality can be accounted for epistemicly. Blockchain is a critical case that clearly shows this need because one technology can produce several different maḥall al-ḥukm.

2. Taḥqīq al-Manāṭ as the Epistemic Infrastructure of Digital Ijtihād

The findings regarding the gap between technical reality and legal characterization lead this research to a more fundamental problem in the epistemology of ijtihād. In the tradition of uṣūl al-fiqh, taḥqīq al-manāṭ is related to the effort to ensure the existence and application of manāṭ of law in concrete cases.Abdoul-Hamid Ouedraogo, Wan Mohd Yusof Wan Chik, and Ahmad Iqbal Mohd Fadzli, "'Alāqah Al-Musyābahah baina al-Ijtihād wa al-Qiyās wa al-Ta'līl 'inda al-Uṣūliyyīn: Dirāsah Ta'ṣīliyyah fī Ḍau' Maqāṣid al-Syarī'ah," Journal of Fatwa Management and Research 31, no. 1 (January 30, 2026): 261–88, https://doi.org/10.33102/jfatwa.vol31no1.755. In the context of blockchain, the function acquires a new dimension because the fact that must be verified is not just ordinary social conditions, but technological architectures that can change at the level of protocols, codes, consensus mechanisms, and governance. The legal determination of something that has not been technically adequately understood creates a risk of epistemic error before legal errors even occur.

The findings of the study show that technical terms cannot be directly transformed into legal categories. Decentralization, for example, is not synonymous with the loss of authority; immutability is not synonymous with the truth of data; Transparency is not always synonymous with benefits; and smart contracts are not automatically synonymous with legitimate contracts. Each characteristic requires an examination of its actual function, the degree of its application, the actors involved, and the consequences it causes. This is where taḥqīq al-manāṭ functions as the epistemic infrastructure of digital ijtihād.

The theoretical contribution of these two studies lies in the repositioning of taḥqīq al-manāṭ. In conventional reading, it is easily perceived as the stage of applying the law to a known case. The blockchain's findings point to a more fundamental function: taḥqīq al-manāṭ should be a mechanism that connects technical facts, factual attributes, legally relevant attributes, and legal ruling. The formula can be expressed as:

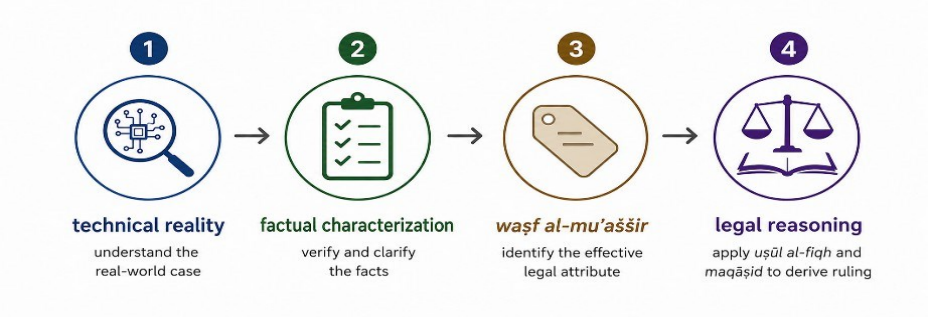

Figure 3. Formula

This change is important because 'illah should not be built on characteristics that are only technically apparent but not proven to have legal relevance.

The implications for digital ijtihād are quite significant. Technological expertise is not a substitute for the authority of fuqahā', but is part of the epistemic prerequisites that allow fuqahā' to work accurately. Taḥqīq al-manāṭ also cannot be considered permanently completed on rapidly evolving technology. Changes to protocols, governance mechanisms, ownership structures, or uses can change previously verified manāṭ. The framework of digital fiqh al-nawāzil therefore

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requires the ability to perform iterative taḥqīq al-manāṭ, i.e. verification that can be updated when the factual structure changes[67].

3. Repositioning Maqāṣid from Justification to Methodology

The findings of the study show an important difference between mentioning maqāṣid and using maqāṣid as a methodology. The mention of ḥifẓ al-māl, justice, transparency, or prevention of harm has not in itself resulted in substantive maqāṣid reasoning.[68] The problem lies in how those values are translated into evaluation procedures. Blockchain shows this need because one technological feature can produce benefits and benefits simultaneously. Transparency can strengthen accountability while increasing privacy risks, automation can increase efficiency while magnifying the impact of code errors, and decentralization can reduce reliance on a single authority while complicating accountability mechanisms.

This research offers a repositioning of maqāṣid from post-hoc justification to an evaluative decision framework. The maqāṣid is placed not after the law has been determined, but throughout the process of reasoning: identifying the value at stake, comparing the benefits and the mafsadah, determining priorities, measuring the risks, assessing the most vulnerable parties, and considering the consequences. This framework avoids two extremes. The first extreme is formalism that only checks the suitability of the contract structure. The second extreme is normative utilitarianism, which assumes that any social benefit can justify technology without regard to the limits of naṣṣ and the principle of uṣūl.

The integration of maṣlaḥah-mafsadah with maʾālāt al-afʿāl is an important mechanism in maintaining this balance. The assessment is not enough to ask whether a technology produces benefits, but also how much it benefits, for whom, with what kind of risk probability, who bears the losses, whether the losses are recoverable, and what the consequences are when the technology is used on a large scale. Here there is a shift from immediate benefit to consequence-sensitive reasoning. Maqāṣid no longer merely states that an innovation brings benefits, but tests the structure of the benefits differentially and contextually.

This finding results in a third theoretical proposition: maqāṣid al-syarīʿah functions substantively when it operationalizes legal evaluation through the relationship between objectives, risks, impact distribution, priority benefits, and consequences. This position strengthens the maqāṣid approach without detaching it from the discipline of uṣūl al-fiqh. Maqāṣid becomes an evaluative orientation; The taḥqīq al-manāṭ ensures the accuracy of the object; the uṣūlī device determines the path of reasoning; and the maʾālāt tests the sustainability of the results of the law.

4. From Individual Fatwa to Collaborative Digital Ijtihād

The complexity of blockchain also shows the epistemic limits of the fatwa model that is entirely based on one scientific discipline. The problem is not the lack of the normative authority of fuqahā', but the change in the type of knowledge needed to understand maḥall al-ḥukm. When the object of law is a digital system involving code, networks, assets, regulations, and market behavior, normative competencies and technical competencies are in different domains. The findings of the study show the need for the division of epistemic authority without changing the division of normative authority.

In the resulting model, fuqahāʾ and uṣūl al-fiqh scholars maintain the main function in normative reasoning and istinbāṭ.[69], [70] Blockchain experts help ensure the accuracy of taṣawwur and taḥqīq al-manāṭ. Islamic finance practitioners provide an understanding of economic structure, contracts, incentives, and risk distribution. The regulator extends the analysis to aspects of public protection, stability, accountability, and governance. The four groups do not have the same function, but rather the differences in functions form the collaborative structure of ijtihād.

This model differs from the idea that legal decisions should be "decided together" in an egalitarian manner by all experts. Fixed expertise authority is differentiated by domain. Technologists don't set laws; fuqahā' does not claim technical expertise that he does not possess; The regulator does not replace the function of istinbāṭ. Collaboration takes place at the point of exchange of knowledge needed to produce accurate taṣawwur and taḥqīq al-manāṭ, then passes on to the process of uṣūlī and maqāṣid reasoning. This structure offers a new form of epistemic collaboration without normative displacement.

For fatwa institutions and Shariah boards, the implication is a change from an ad hoc consulting model to an institutionalized multidisciplinary assessment. Any complex technology issue can go through technical assessment, uṣūlī assessment, maqāṣid assessment, risk assessment, and governance assessment before a decision is made. This mechanism also allows fatwas to have a dimensional of conditionality: a technology can be assessed according to sharia not only based on its object, but also based on the fulfillment of certain design requirements, transparency, risk mitigation, and governance.

5. Toward an Empirically Grounded Paradigm of Digital Islamic Legal Reasoning

The integration of all findings resulted in a paradigm that went beyond technical modifications to fiqh al-nawāzil. The first change is an epistemological shift.

Indonesian Journal of Innovation Studies
Vol. 27 No. 4 (2026): October
DOI: 10.21070/ijins.v27i4.2321

Figure 4. Epistemological shift

Law is no longer the starting point of the search, but the result of the precise process of object construction. The initial question is not "what is the most similar classical contract?", but "what is the factual structure and legal function of the system being assessed?" Qiyās remain relevant, but analogies are placed after manāṭ and waṣf are verified. This generates a new relationship between tradition and innovation: classical treasures provide a tool for categorization and reasoning, while contemporary reality provides objects to be verified.

The second change is the methodological shift: isolated analogy towards integrated uṣūlī–maqāṣid reasoning. There is no single uṣūlī method that is automatically adequate for all forms of blockchain. Qiyās, istiṣlāḥ, istiḥsān, sadd al-dharā'i', ta'līl, and taḥqīq al-manāṭ work contextually.[67], [71] Such integration does not mean mixing all methods without discipline, but placing each one on its epistemic function. Taḥqīq al-manāṭ verifies the facts and relevance of characteristics, [72] [73] ta'līl examines the causal basis of law, [74] [75] maqāṣid evaluates goals and values, [76] [77]. ma'ālāt examines consequences, [78] [79]. and istinbāṭ produces legal classifications. [80] The third change is the evaluative shift: immediate benefit towards consequence-sensitive reasoning. The findings show that digital technology cannot be judged solely from its initial design purpose. The legal assessment should take into account side effects, scale of use, distribution of benefits and harms, user vulnerabilities, and possible changes in function. Consequences are not external factors that are added after the law is established, but part of the substantive evaluation process. This formula makes the maqāṣid work closer to reality without turning into utilitarianism.

The fourth change is the institutional shift: individual fatwa towards collaborative ijtihād. The complexity of technology creates a need for a scientific structure that is able to combine normative authority and factual competence. This model makes ijtihād jamā'ī not just a collective decision-making mechanism, but an epistemic architecture to produce accurate taṣawwur and accountable istinbāṭ.

The fifth change is the governance shift: Shariah compliance towards Shariah-compatible system design. The focus of the law does not stop at checking whether the final product meets sharia requirements. The assessment extends to how the system is designed so that sharia principles can be realized in its actual operation. Consequently, Shariah governance must enter early in technology design, not just present as an audit mechanism after the product is completed. This concept shifts sharia from the position of ex post compliance mechanism to the ex ante normative design principle.

6. Substantive Digital Fiqh al-Nawāzil Theory

Based on the integration of these empirical findings, this study proposes a new theory called substantive digital fiqh al-nawāzil theory. This theory departs from the proposition that the legal determination of new technologies is not enough to be carried out through the search for analogies to known products or contracts, but requires a reasoning architecture that starts from the construction of objects, verification of manāṭ, identification of influential legal characters, evaluation of maqāṣid, consequence testing, and supervision of the implementation of the law. This theory is built on five interconnected propositions: (1) object-first construction; (2) taḥqīq al-manāṭ as epistemic gateway; (3) maqāṣid as evaluative methodology; (4) ma'ālāt as a consequence-sensitive test; and (5) collaborative ijtihād as epistemic architecture.

The novelty of his theory lies not in the recognition of each of these elements separately, since all elements have their roots

in the treasures of uṣūl al-fiqh and maqāṣid, but in the reconstruction of functional relationships and their epistemic sequence in a single digital legal reasoning architecture. Taḥqīq al-manāṭ is placed before the characterization of the law; maqāṣid is placed as an evaluation mechanism; maʾālāt is placed as a test of consequences; and governance is placed as part of the sustainability of the law after a decision.

The theoretical implication is the expansion of the meaning of fiqh al-nawāzil from fiqh about new cases to a methodology of legal construction of new realities. The methodological implication is the change in the order of istinbāṭ from ruling-first to object-first, from isolated analogy to integrated uṣūlī–maqāṣid reasoning, and from direct benefit assessment to consequence-sensitive reasoning. The institutional implication is the strengthening of ijtihād jamāʿī through the sharing of epistemic authority between fuqahāʾ, technologists, practitioners, and regulators without shifting normative authority in istinbāṭ. The practical implication is that the design of the fatwa is changed from a decision that only classifies products to a decision that also establishes conditions, safeguards, governance requirements, and monitoring mechanisms.

With this construction, fiqh al-nawāzil acquires a new paradigm that does not position technology as a force to be accepted or rejected binarily, but as a reality that must be accurately understood, characterized uṣūlī, evaluated maqāṣidī, tested through maʾālāt, and directed through governance. Blockchain in this study serves as a critical case that shows this need, while the resulting theory has a wider range of exploration to be applied to artificial intelligence, fintech, digital identity, smart contracts, metaverse, digital assets, and various nawāzil technology that will emerge. This position makes the research contribution not stop at blockchain law, but offers a methodological architecture for the development of Substantive Uṣūl al-fiqh in the face of digital transformation.

Conclusion

This research shows that blockchain is not precisely positioned as a single legal object, but rather as a multidimensional nāzilah that includes infrastructure, economic functions, contract structures, tokenization, data, actors, risks, and governance. Empirical findings show that the fundamental problem in contemporary jurisprudence response is not merely the limitation of legal categories, but the gap between technological reality and legal characterization. In this context, taḥqīq al-manāṭ occupies a central epistemic position because it determines whether certain technical characteristics can really be constructed as waṣf al-mu'aṡṡir in legal reasoning.

This research produced Substantive Digital Fiqh al-Nawāzil Theory as a theoretical reconstruction of digital legal reasoning. The framework works sequentially and integratively, starting with taṣawwur al-nāzilah to understand objects and contexts, followed by taḥqīq al-manāṭ to verify reality, taʿyīn al-waṣf al-mu'aṡṡir to determine the relevant legal character, then using uṣūl al-fiqh as a reasoning tool, maqāṣid as a substantive orientation, and maṣlaḥah-mafsadah and maʾālāt al-afʿāl to test the benefits, risks, and consequences. The process culminates in ḥukm, translated into Shariah governance, and continued through monitoring to ensure the sustainability of substantive conformity. This framework shifts ruling-first towards object-first reasoning, isolated analogies towards integrated uṣūlī–maqāṣid reasoning, and Shariah compliance towards Shariah-compatible system design

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ISSN 2598-9936 (online), https://ijins.umsida.ac.id, published by Universitas Muhammadiyah Sidoarjo