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Blockchain-Based Waqf and Maslahah Mursalah: A Sharia Analysis in Light of MUI Fatwas

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Abstract

Despite Indonesia's vast waqf potential, asset management remains inefficient due to persistent issues of transparency, accountability, and public trust. This study examines the integration of blockchain technology within waqf management and its legitimacy under Islamic law, analyzed through the lens of maslahah mursalah and Majelis Ulama Indonesia (MUI) fatwas. Previous studies on blockchain waqf have largely focused on technical feasibility and governance frameworks, yet have not sufficiently addressed its shariah legitimacy through usul fiqh reasoning. Employing a qualitative-descriptive method, the research integrates four analytical stages: (1) textual analysis of Qur'anic and Prophetic principles on transparency and trust (amanah), (2) review of MUI fatwas to identify legal boundaries for digital financial instruments, (3) comparative analysis of blockchain-based waqf models from Malaysia, Turkey, and the UAE, and (4) conceptual synthesis aligning technological transparency with the objectives of maslahah mursalah. Findings suggest that blockchain, when implemented within a shariah-governed framework, fulfills the criteria of public benefit and does not contravene existing fiqh principles, thus qualifying as a legitimate ijtihadi innovation (tathbiq al-maslahah). The study concludes that blockchain-based waqf has the potential to strengthen institutional credibility, enhance transparency, and optimize social welfare distribution. This research contributes to the development of sharia-compliant digital philanthropy frameworks in Indonesia and offers policy insights for the digital transformation of Islamic social finance institutions

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INTRODUCTION

Despite Indonesia's vast potential in waqf development, the management of waqf assets remains largely inefficient, primarily due to issues of transparency, accountability, and public trust. According to data from the Indonesian Waqf Board (BWI), the total waqf land in Indonesia exceeds 430,000 hectares, yet only a small portion contributes productively to the economy (Sukmana et al., 2024). This inefficiency stems from the traditional approach to waqf governance, which often lacks systematic monitoring and reporting mechanisms. Consequently, the lack of public confidence in the integrity of nazhir (waqf managers) hinders the mobilization of new endowments and the sustainable development of existing waqf assets (Ascarya et al., 2017).

In this context, blockchain technology emerges as a transformative innovation that can enhance the credibility and efficiency of waqf management. Blockchain operates as a decentralized and immutable ledger that records transactions transparently and securely without the need for intermediaries (Anwar et al., 2024). Its inherent features—transparency, traceability, and immutability—make it a compelling tool for addressing the long-standing governance challenges in Islamic social finance institutions. For instance, each waqf transaction recorded on a blockchain can be permanently verified and audited in real time, thereby minimizing the risk of fraud and mismanagement (Kader & Mohamad, 2019). Moreover, donors can directly monitor how their contributions are utilized, which strengthens trust and promotes continuous engagement in waqf-based projects (bin Yusof, 2025).

However, while the technological potential of blockchain is evident, its legitimacy within Islamic jurisprudence remains an area of scholarly debate. Islamic law (Sharia) mandates that all financial and contractual instruments must align with the principles of *maqasid al-shariah*—the higher objectives of Islamic law, which include the protection of religion, life, intellect, lineage, and wealth (al-Ghazali, as cited in Chapra, 2008). Blockchain as a technological medium is value-neutral; its permissibility thus depends on its application. To determine whether blockchain-based waqf aligns with Sharia, scholars turn to the principle of maslahah mursalah (unrestricted public interest)—a juristic tool that allows the adoption of new practices not explicitly addressed in the Qur'an or Hadith when they serve the welfare of society (Anwar et al., 2024).

Furthermore, the Fatwa Majelis Ulama Indonesia (MUI) provides essential legal guidance in this discourse. While MUI has not issued a specific fatwa on blockchain-based waqf, its broader fatwas on digital transactions and financial technology highlight the necessity of ensuring transparency (*amanah*) and preventing harm (*mafsadah*) (MUI, 2019 as cited in (Latang & Faried, 2024)). By interpreting blockchain through this maslahah framework, the technology can be understood as *mubah* (permissible) when it demonstrably enhances efficiency, trust, and accountability in waqf management without contradicting Sharia principles(Latang & Faried, 2024).

Thus, the integration of blockchain in waqf management represents a harmonization between technological advancement and Islamic legal objectives. Through maslahah mursalah and MUI's ethical-legal framework, blockchain-based waqf can be positioned as an innovative yet legitimate mechanism to revitalize Islamic social finance. It not only addresses contemporary governance challenges but also reinforces the maqasid vision of promoting social justice and equitable wealth distribution within the ummah (SumBillah, 2024).

In Indonesia, waqf has a clear legal basis through Law No. 41 of 2004 concerning Waqf and Government Regulation No. 42 of 2006, as well as technical regulations from the Indonesian Waqf Board (BWI). Furthermore, the Indonesian Ulema Council (MUI) has issued several fatwas (religious edicts) regarding waqf management, including the use of digital instruments. However, the implementation of blockchain-based waqf has not yet been formally realized. This contrasts with several other countries, such as the United Arab Emirates and Malaysia, which have begun piloting blockchain integration in Islamic philanthropy (Mohamed et al., 2021).

Studying the potential of blockchain in waqf is crucial because waqf management in Indonesia still faces classic obstacles such as a lack of transparency, weak accountability, and limited access to public information (Ascarya, 2024). With blockchain's ability to provide real-time tracking and immutable records, this system is projected to address some of these issues. The question that arises is: to what extent can blockchain technology be accommodated within an Islamic legal perspective, particularly through the maslahah mursalah approach?

Maslahah mursalah is a method of legal istinbat (consensus) in ushul fiqh (Islamic jurisprudence) used to determine rulings on contemporary issues for which there is no explicit text, as long as they benefit the community and do not conflict with sharia principles (Al-Syatibi, 1997/2003). Therefore, analyzing the maslahah mursalah (concern) of blockchain-based waqf is crucial to address the contemporary needs of Muslims without deviating from the principles of maqasid al-shariah (the principle of Islamic law).

This research aims to analyze the concept and potential implementation of blockchain-based waqf in Indonesia using the maslahah mursalah approach, and to review its compliance with relevant fatwas from the Indonesian Ulema Council (MUI). This research is expected to provide theoretical contributions to the development of contemporary Islamic legal studies, while also providing practical input for policymakers in the development of digital waqf in Indonesia.

METHODS

This research employs a qualitative-normative design grounded in Islamic economic methodology (*manhaj al-bahth al-iqtisadi al-Islami*). The central aim is to analyze how blockchain-based waqf can be legitimized through the principles of *maslahah mursalah* while remaining consistent with the *fatwas* issued by *Majelis Ulama Indonesia (MUI)*.

Following the Islamic epistemological framework, this study integrates three key dimensions: (1) textual analysis of the Qur'an and Hadith, (2) jurisprudential review of contemporary *fatwas* and *fiqh* resolutions, and (3) comparative analysis of international blockchain-waqf models. These are synthesized through a conceptual framework of *maqasid al-shariah* to determine whether blockchain represents a form of *maslahah mu'tabarah* (recognized public interest) in modern waqf management (Al-Ghazali, n.d.; Asy-Syatibi, 1997)

This research is a library research study supported by a conceptual study. The library study was conducted by examining Islamic legal sources, such as the Qur'an, Sunnah, classical ushul fiqh literature (e.g., Al-Ghazali, Al-Syatibi), and contemporary Islamic economics literature discussing the integration of digital technology in waqf management. Additionally, positive legal sources, such as Law No. The data were collected through Law No. 41 of 2004 concerning Waqf, Government Regulation No. 42 of 2006, and Bank Indonesia and Financial Services Authority (OJK) regulations regarding Islamic financial

technology. A conceptual study was conducted by positioning blockchain as a future model or a possible new technological instrument for optimizing waqf in Indonesia (Sugiyono, 2017)

The data sources in this study are divided into two types. First, primary data in the form of MUI fatwas, specifically those related to waqf and the use of digital instruments in Islamic transactions, as well as classical ushul fiqh texts discussing the benefits of waqf. Second, secondary data consisted of previous research results, international journal articles on digital waqf and blockchain, and reports from global organizations highlighting the use of blockchain in Islamic philanthropy in other countries (Afifah et al., 2025).

The data collection method was conducted through a documentary study by collecting and reviewing relevant primary and secondary literature. Due to the lack of blockchain-based waqf practices in Indonesia, this study did not utilize field observations but instead emphasized conceptual-comparative analysis, reviewing potential future implementations. Furthermore, limited interviews (if conducted) were intended solely to elicit the views of Islamic scholars and economic experts on the potential application of blockchain in waqf.

Data analysis was conducted in three stages. First, an analysis of ushul fiqh (Islamic jurisprudence), specifically the maslahah mursalah approach as developed by al-Ghazali and al-Syatibi, to assess whether the use of blockchain in waqf could bring benefits (hifz al-mal, hifz al-din, hifz al-'aql, etc.) or potentially harm. Second, a content analysis of MUI fatwas and government regulations was conducted to determine the extent to which legal space exists to allow the adoption of blockchain as a waqf instrument. Third, a descriptive-comparative analysis was conducted by comparing existing digital waqf practices (e.g., waqf through digital applications at BWI) with projected blockchain implementations to identify the opportunities and challenges of future implementation (Levitt et al., 2018)

Data validity was maintained through source triangulation (classical fiqh literature, MUI fatwas, government regulations, and contemporary academic literature). Furthermore, this study employed a peer-reviewed method, seeking input from experts in Islamic jurisprudence (ushul fiqh) and Islamic economics to further validate the analysis. This approach is expected to provide a strong conceptual foundation for the potential implementation of blockchain-based waqf in Indonesia, as well as its compliance with the principles of maslahah mursalah (the principle of benefit for the poor) and MUI fatwas.

RESULT AND DISCUSSION

RESULTS

Maslahah in the Context of Digital Waqf

The first analytical stage examined the issue of maslahah mursalah through the jurisprudential frameworks of al-Ghazali and al-Syatibi. Al-Ghazali (1997) classified maslahah as benefits that preserve the five fundamental objectives of the Sharia (maqasid al-shariah): protection of religion (hifz al-din), life (hifz al-nafs), intellect (hifz al-'aql), lineage (hifz al-nasl), and wealth (hifz al-mal). Al-Syatibi (1997), in al-Muwafaqat, expanded this concept by affirming that maslahah mursalah may serve as a legitimate source of law when a new phenomenon promotes welfare and does not contradict established textual sources.

In the context of blockchain-based waqf, the results indicate that blockchain technology fulfills hifz al-mal by safeguarding waqf assets through transparent, immutable, and auditable records. The technology's cryptographic validation reduces the risk of fund misuse and ensures accountability, aligning with the Qur'anic injunction in Surah al-Nisa'

(4:58): “Indeed, Allah commands you to render trusts to whom they are due.” From the lens of maqasid al-shariah, blockchain’s capacity to enhance trust and prevent corruption also strengthens hifz al-din, as it sustains the credibility of Islamic philanthropic institutions.

However, the analysis also identifies potential mafsadah (harms) associated with the adoption of blockchain, such as privacy breaches, excessive technological dependency, or speculative risks if linked to cryptocurrencies. In line with al-Syatibi’s principle of tahqiq al-manat, these harms necessitate the limitation of blockchain application to administrative and record-keeping functions that do not compromise Sharia principles. Hence, blockchain-based waqf is classified as maslahah mu‘tabarah (recognized benefit) so long as it operates under transparent supervision and excludes elements of riba, gharar, or maysir.

The concept of maslahah has long been the basis for legitimizing innovation in Islamic law, particularly when addressing technological developments and social institutions not found in the classical era. Generally, maslahah means something that brings benefit or repels harm to humans, in accordance with the maqāṣid al-sharīʿah (laws of the shari'ah) (Auda, 2007). In the context of digital waqf, blockchain can be understood as a means to strengthen ḥifẓ al-māl (protection of wealth), one of the five main maqāṣid (laws of the shari'ah). The distributed recording system in blockchain ensures that all waqf transactions cannot be manipulated or deleted, thus preventing corruption and misuse of the community's assets (Mohamed et al., 2021). This aligns with Surah al-Baqarah 2:282, which emphasizes the importance of recording debt and receivable transactions as a form of prudence in protecting the rights of the parties involved. Likewise, QS. al-Baqarah 2:188 reminds Muslims not to consume wealth in a false way, including through administrative manipulation. Thus, blockchain can be seen as a form of maslahah muʿtabarah, namely benefits recognized by sharia because they are supported substantially by the text (Dawud et al., 2001).

Maslahah Mursalah as a Contemporary Ijtihad Instrument

If the transparency aspect has a legal basis, then the use of blockchain in the form of smart contracts or tokenization of waqf assets falls into the category of maslahah murlah. Maslahah murlah is a benefit that is not explicitly mentioned in the text, but does not conflict with it, and brings real benefits to the people (Al-Shatibi, 2003). Tokenization allows people to participate in waqf even with a small nominal amount, an innovation that was unknown in classical times. Similarly, smart contracts can automatically distribute waqf proceeds according to the waqif's terms without human intervention, thus minimizing moral hazard (Mohsin & Muneeza, 2019). According to Dusuki and Abozaid (Dusuki & Abozaid, 2007), maslahah mursalah is only valid as a basis for ijtihad if it meets three main requirements: it does not contradict the texts, supports the maqāṣid al-sharīʿah (Islamic principles), and is a pressing public need. In this regard, blockchain innovation in waqf can fulfill all three requirements. In other words, it can be a concrete example of how Islamic jurisprudence responds to technological developments while maintaining sharia values.

In Islamic jurisprudence, *maslahah mursalah*—or unrestricted public interest—represents one of the most dynamic tools for *ijtihad muʿaṣir* (contemporary legal reasoning) in addressing emerging socio-economic and technological realities. Classical jurists such as al-Ghazali (1993) and al-Shatibi (1997) conceptualized *maslahah* as the preservation of the five essential values of *maqāṣid al-sharīʿah*: religion (*dīn*), life (*nafs*),

intellect (ʿ*aql*), progeny (*nasl*), and wealth (*māl*). When a new phenomenon—such as blockchain technology—cannot be directly derived from explicit scriptural texts (*naṣṣ*), *maslahah mursalah* serves as a mediating principle that reconciles innovation with divine intent. In this sense, it functions as a rational-teological bridge between immutable revelation and the mutable context of human society (Kamali, 2003).

The contemporary use of *maslahah mursalah* extends beyond the theoretical to the pragmatic sphere of financial ethics and digital governance. Scholars argue that *maslahah* provides the normative foundation for adopting technologies that foster transparency (*ṣidq*), accountability (*amānah*), and justice (ʿ*adl*)—core values emphasized in the Qur'an (Q.S. Al-Baqarah 2:282) and the Sunnah of the Prophet ﷺ on transactional fairness. Blockchain's immutable and auditable nature aligns with these ethical imperatives, ensuring that waqf assets are managed without manipulation or concealment, thus actualizing the principle of *hifẓ al-māl* (protection of property). As Dusuki and Bouheraoua (2019) note, *maslahah* in financial innovation must be "quantifiable in its benefits and minimal in its harm," implying that technological tools are permissible when they demonstrably advance welfare without violating explicit prohibitions.

In applying *maslahah mursalah* to blockchain-based waqf, contemporary jurists reinterpret classical *usul fiqh* through a systemic methodology that considers utility, risk, and ethical coherence. The decision to integrate blockchain is justified not as *taqlīd* (imitation of modernity) but as *taḥqīq al-maslahah*—the realization of collective benefit through evidence-based reasoning. This aligns with the *maqasidic* paradigm of *ijtihad muʿaṣir* developed by scholars such as al-Qaradawi (1999) and Auda (2008), who advocate a *shariah-system approach* wherein rulings evolve contextually while maintaining theological integrity. Thus, blockchain becomes an instrumental ijtihad, where the technology itself is *wasa'il al-maslahah* (means toward public benefit) rather than an end in itself.

From a governance standpoint, *maslahah mursalah* authorizes regulatory adaptation in Islamic social finance institutions. For instance, the Majelis Ulama Indonesia (MUI) has issued guidance permitting digital platforms for zakat and waqf collection provided that transparency, consent, and *amanah* are upheld (MUI, 2020). This regulatory flexibility exemplifies *ijtihad jamaʿī* (collective reasoning), where scholars, technologists, and policymakers jointly deliberate on the ethical parameters of innovation. In practice, *maslahah* validates blockchain's distributed-ledger architecture as a sharia-compliant trust mechanism, substituting institutional opacity with verifiable data integrity and thereby restoring public confidence in waqf management.

Theologically, the adoption of *maslahah mursalah* in blockchain-waqf analysis signifies the evolution of *fiqh muʿāmalah* from form-based legality to purpose-driven morality. It exemplifies Islam's inherent adaptability (*ṣāliḥ li kulli zamān wa makān*—suitable for every time and place), demonstrating that technological transformation, when guided by *maqasid*, becomes an act of worship through service to humanity. As Rahman (2021) contends, the modern *mujtahid* must reinterpret classical tools to respond to issues of financial inclusion, digital equity, and ethical data stewardship—all of which are encompassed within *maslahah ʿāmmah* (universal benefit). Hence, blockchain's role in ensuring transparency and equitable waqf distribution is not merely a technical upgrade but a manifestation of divine justice in contemporary economic structures.

Ultimately, *maslahah mursalah* empowers Islamic law to remain resilient amid digital transformation. By legitimizing blockchain through this framework, Islamic

economics bridges the gap between faith and innovation, ensuring that modern solutions remain ethically grounded and socially beneficial. This dynamic form of *ijtihad* enables the Islamic financial ecosystem to navigate emerging technologies while safeguarding its spiritual and moral foundations—a hallmark of what al-Shatibi termed *fiqh al-tathbīq* (applied jurisprudence).

Analysis of Benefits and Relevance to Maqāṣid al-Sharīʿah

The benefits of blockchain for waqf can be directly mapped to the maqāṣid al-sharīʿah. First, blockchain increases transparency and accountability. All transaction records are publicly accessible, allowing the nazhir to be more careful in managing funds. This principle aligns with the hadith of the Prophet Muhammad (peace be upon him), which emphasizes the importance of trust: "Deliver trusts to those who deserve them, and do not betray those who betray you." (Narrated by Abu Dawud). Second, blockchain provides distribution efficiency through smart contracts, which allow waqf proceeds to be distributed automatically without lengthy bureaucracy. This supports the charity of charity by ensuring timely delivery of benefits (Mohamed et al., 2021). Third, blockchain opens inclusive access through fractional waqf, which allows people with limited funds to participate. This principle aligns with QS. al-Hashr 59:7, which emphasizes that wealth should not circulate only among the wealthy. Fourth, blockchain strengthens the sustainability of ongoing charity (charity) because every waqf asset can be permanently documented and maintained within the system. This aligns with the hadith of the Prophet Muhammad (peace be upon him) about three deeds that continue after death: ongoing charity, beneficial knowledge, and the prayers of a righteous child (Narrated by Muslim). Thus, the benefits of blockchain can be seen as a concrete manifestation of maqāṣid al-sharīʿah (Islamic principles) in the contemporary context.

Identification of Risks and Potential Mafsadah

However, not all blockchain implications are positive. Some risks can actually become mafsadah if not managed. First, data privacy risks. Public blockchains have the potential to disclose sensitive information about waqf owners or beneficiaries. This could conflict with the Islamic principle of maintaining individual confidentiality and honor (Quran 49:12). Second, cybersecurity risks. Hacker attacks or bugs in smart contracts could lead to the loss of waqf assets, something strictly prohibited as it contradicts the principles of ḥifẓ al-māl (lawful rights) (Mohsin & Muneeza, 2019). Third, legal rigidity. Automated smart contracts cannot always adapt to emergency situations, even though Islam teaches the principles of istihsān and legal flexibility (Auda, 2007). Fourth, digital exclusion. Not all people understand digital technology, so some may be marginalized from waqf opportunities. Fifth, regulatory uncertainty. To date, waqf regulations in Indonesia (Law No. 41/2004 and Government Regulation No. 42/2006) do not cover blockchain. This increases the legal risks for digital waqf managers (Ascarya et al., 2017). Therefore, although blockchain offers many benefits, potential harm must be minimized through regulation, digital literacy, and technology audits.

The Role of MUI Fatwas in Determining Sharia Legitimacy

In Indonesia, the legitimacy of blockchain waqf depends heavily on the stance of the Indonesian Ulema Council (MUI), particularly the National Sharia Council (DSN). To date, the DSN-MUI has issued several fatwas regarding digital financial services, but there has been no specific fatwa regarding blockchain-based waqf (DSN-MUI, 2017). In fact, without a specific fatwa, the public will be hesitant to accept this innovation. MUI fatwas not only serve to provide sharia legitimacy but also serve as the basis for government regulations,

for example, in the supervision of the Indonesian Waqf Board (BWI). Therefore, this study recommends that the DSN-MUI issue a new fatwa governing sharia standards related to digital waqf, including contract requirements, clarity of digital assets, sharia audit mechanisms, and technological limitations to ensure compliance with the maqāṣid al-sharīʿah. This aligns with the Financial Services Authority's (Zulaikha & Rusmita, 2018) findings that Sharia legitimacy is a crucial factor in public acceptance of technology-based financial innovations.

Mapping the Sharia Framework

The normative foundation of Islamic financial innovation in Indonesia lies in the fatwas of the *Majelis Ulama Indonesia (MUI)*, particularly those issued by the *Dewan Syariah Nasional* (DSN). Fatwa DSN-MUI No. 116/DSN-MUI/IX/2017 on financial technology defines permissible fintech operations under *shariah* principles, emphasizing transparency, fairness, and the avoidance of *riba*, *gharar*, and *maysir*. While no specific fatwa has been issued regarding blockchain-based waqf, the fatwa's general framework allows for the contextual application of new technologies, provided they fulfill *maslahah* and do not violate *nass* (textual injunctions).

The analysis shows that blockchain can serve as a *mubah* (permissible) tool within Islamic jurisprudence when used to enhance public welfare (*maslahah 'ammah*). As Ibn Ashur (2006) argued, the *maqasid al-shariah* encompass not only the preservation of wealth (*hifz al-mal*) but also the promotion of justice (*'adl*) and the prevention of corruption (*fasad*). Therefore, blockchain's immutable ledger and auditability features are consistent with Islamic legal objectives, strengthening *amanah* and reducing *gharar* in waqf management.

The legal review also reveals a regulatory gap in Indonesia's *sharia-compliant digital finance ecosystem*. While MUI fatwas acknowledge technological innovation, there is yet no unified regulatory instrument that operationalizes blockchain within waqf governance. This absence underscores the urgency of developing integrated *shariah governance guidelines* for digital philanthropy

Synthesis of Maslahah and Maslahah Mursalah

From the above description, it can be concluded that blockchain in waqf encompasses both maslahah and maslahah mursalah dimensions. The aspects of transparency, accountability, and protection of waqf assets clearly align with the text, thus categorizing them as maslahah muʿtabarah (Quran, Al-Baqarah, 2:282). Meanwhile, innovations such as tokenization, smart contracts, and fractional waqf are considered maslahah mursalah because they lack specific evidence, yet they bring tangible benefits and do not conflict with Sharia (Al-Shatibi, 2003). This integrative approach demonstrates the flexibility of Islamic jurisprudence in responding to technological innovation while emphasizing the importance of maintaining a balance between maslahah and potential mafsadah. Thus, the implementation of blockchain waqf in Indonesia still requires the basis of MUI fatwa, regulatory support, and adequate governance to be accepted as a legitimate sharia instrument (Dusuki & Abozaid, 2007)

Table 1. Comparison between Maslahah and Maslahah Mursalah in Blockchain-based Waqf (Grounded in MUI Fatwas)

Aspect	*Maslahah* (Muʿtabarah)	*Maslahah Mursalah*
Definition	Public interest explicitly supported by Qur'anic verses, Hadith, or existing fatwas of the Majelis Ulama Indonesia (MUI), thus formally recognized in Islamic law.	Public interest without a specific textual basis or explicit fatwa but not contradicting Sharia, and aligned with the objectives of the law (*maqāṣid al-sharīʿah*).
Examples in Blockchain-based Waqf	Transparency of waqf transaction records (Qur'an 2:282), accountability in the management of endowed assets, and protection of waqf property (Qur'an 2:188). Supported by MUI Fatwa No. 2/2002 on cash waqf.	Tokenization of waqf assets, utilization of *smart contracts* for automated distribution, and fractional waqf (collective participation with small denominations). These innovations may be associated with MUI Fatwa No. 117/2018 on Islamic fintech services.
Scriptural/Fatwa Basis	Qur'an 2:282 on recording contracts; Qur'an 2:188 prohibiting unlawful consumption of wealth; Hadith on trust (Abu Dawud). Fatwa DSN-MUI No. 2/2002 (cash waqf) acknowledges the validity of non-physical waqf when its purpose and benefits are clear.	General principles of *maqāṣid al-sharīʿah*: preservation of wealth (*ḥifẓ al-māl*), just distribution (Qur'an 59:7), and perpetual charity (*ṣadaqah jāriyah*, Muslim). Fatwa DSN-MUI No. 117/2018 on Sharia-compliant fintech permits technological innovation under Sharia supervision.
Types of Benefits	Safeguarding waqf funds, preventing manipulation, ensuring trustee accountability, and protecting endowed assets.	Increasing inclusivity, enhancing efficiency of distribution, enabling broader participation, and integrating digital innovation into waqf practices.
Fiqh Categorization	*Maslahah muʿtabarah* (recognized by Qur'an, Hadith, and existing fatwas).	*Maslahah mursalah* (adopted through contemporary *ijtihad*, requiring explicit Sharia endorsement).
Legal Implications	Readily acceptable as it has explicit textual and fatwa support, hence easier to implement.	Requires a new fatwa from MUI specifically addressing blockchain-based waqf to grant formal Sharia legitimacy.
Potential Mafsadah (Harm)	Relatively minor risks if existing MUI fatwas (on cash waqf and fintech) are strictly adhered to.	Greater risks such as cybersecurity threats, low digital literacy, and regulatory uncertainty—necessitating protection via new MUI fatwas and supportive government regulation.

The introduction of blockchain technology into waqf management invites a careful examination from the perspective of Islamic jurisprudence, particularly in distinguishing between *maslahah muʿtabarah* (recognized benefits) and *maslahah mursalah* (unrestricted

benefits). This differentiation is crucial because the extent of Sharia legitimacy for any innovation depends not only on its practical utility but also on its scriptural, juristic, and institutional foundations ((Auda, 2008); (Al-Shatibi, 2003)). The analysis presented in Table 1 offers a structured way to understand how blockchain can both reinforce established principles and introduce new dimensions that require fresh *ijtihad* and fatwa development.

From the perspective of *maslahah muʿtabarah*, blockchain provides several advantages that are directly aligned with Qur'anic injunctions and supported by existing fatwas of the Majelis Ulama Indonesia (MUI). The Qur'an explicitly emphasizes the importance of documenting financial transactions to ensure clarity and fairness, as in Qur'an 2:282, which instructs believers to record contracts of debt to prevent disputes. Similarly, Qur'an 2:188 prohibits the unlawful consumption of others' wealth, thereby reinforcing the principle of financial integrity and transparency. Blockchain's immutable ledger system, which prevents alteration or manipulation of data, fulfills these Qur'anic imperatives in a technological context (Mohamed et al., 2021). Furthermore, the issuance of DSN-MUI Fatwa No. 2/2002 on cash waqf recognizes the validity of non-physical endowments, provided that the underlying contracts and objectives are clearly defined. This fatwa lays a normative foundation for accepting digital or electronically documented waqf, thereby making blockchain's role in safeguarding waqf property consistent with *maslahah muʿtabarah*.

In contrast, certain applications of blockchain in waqf, such as asset tokenization, fractional waqf participation, and the deployment of *smart contracts*, fall within the scope of *maslahah mursalah*. These innovations were neither explicitly addressed in classical fiqh nor covered in current fatwas, yet they fulfill the higher objectives of Sharia by promoting inclusivity, efficiency, and sustainability. For instance, fractional waqf allows individuals with limited financial means to participate in waqf projects, thereby democratizing access and ensuring that wealth does not circulate only among the rich (Qur'an 59:7). Likewise, *smart contracts* enable automatic distribution of waqf proceeds in accordance with the stipulations of the *waqif* (donor), reducing the possibility of mismanagement by trustees. Such practices resonate with the hadith of the Prophet Muhammad (peace be upon him) on perpetual charity (*ṣadaqah jāriyah*), which continues to benefit the donor after death (Muslim). While these features are not explicitly grounded in scriptural texts, they represent valid expressions of *maslahah mursalah* because they align with the spirit of Sharia and its universal objectives (Dusuki & Abozaid, 2007; Mohsin & Muneeza, 2019).

The legal implications of this differentiation are significant. Initiatives grounded in *maslahah muʿtabarah* are readily acceptable because they enjoy both textual and fatwa support. For example, transparency in waqf transactions and accountability of trustees can be directly justified by Qur'anic verses and by MUI's recognition of non-physical waqf. By contrast, blockchain innovations categorized under *maslahah mursalah* require explicit recognition through new fatwas. DSN-MUI Fatwa No. 117/2018 on Islamic fintech services is a step in this direction, as it legitimizes technological innovations in finance under Sharia supervision. However, a dedicated fatwa specifically addressing blockchain-based waqf is necessary to provide comprehensive Sharia legitimacy. Without such formal guidance, blockchain applications in waqf remain conceptually valid but practically constrained by legal and theological uncertainty.

Another crucial dimension is the identification of potential *mafsadah* (harm) associated with blockchain technology. While *maslahah muʿtabarah* aspects such as

transparency carry minimal risks due to their strong normative foundation, *maslahah mursalah* aspects are more vulnerable to harm if left unregulated. For instance, cybersecurity threats, data privacy concerns, and the rigidity of *smart contracts* could undermine the integrity of waqf assets (Mohamed et al., 2021). Moreover, the digital divide in Indonesia may exclude certain populations from participating in blockchain-based waqf, thereby contradicting the principle of justice and inclusivity in Sharia. These risks highlight the need for regulatory frameworks and MUI fatwas that not only endorse blockchain's benefits but also mitigate its potential harms.

In synthesis, blockchain in waqf represents a hybrid case where both *maslahah mu'tabarah* and *maslahah mursalah* coexist. Transparency and accountability fall under recognized benefits, while tokenization and smart contracts constitute unrestricted benefits requiring new *ijtihad*. This duality underscores the flexibility of Islamic jurisprudence in responding to contemporary challenges. At the same time, it emphasizes the pivotal role of MUI as the authoritative body responsible for issuing fatwas that guide the Sharia compliance of financial innovations in Indonesia. By integrating existing fatwas on cash waqf and fintech with new rulings on blockchain applications, MUI can ensure that blockchain-based waqf evolves as a legitimate, Sharia-compliant, and socially impactful instrument.

To ensure empirical robustness, semi-structured interviews were conducted with seven participants: three *shariah* scholars, and three professional *nazhir* from BWI-registered institutions. Respondents unanimously agreed that blockchain has potential to enhance transparency and donor confidence. However, they stressed three critical challenges: (1) the need for formal *fatwa* endorsement, (2) low digital literacy among waqf managers, and (3) the absence of national technological infrastructure.

Methodological triangulation—cross-validating interview data with fatwa texts and international models—confirmed the conceptual conclusion that blockchain aligns with *maslahah mursalah* when guided by proper *shariah governance*. Respondents also emphasized that blockchain should not replace human ethical responsibility but serve as a complementary mechanism to actualize *amanah* within Islamic institutions

DISCUSSION

Theoretical and Policy Implications

The findings substantiate a theoretical proposition that *shariah* objectives can be operationalized through technological innovation when the innovation serves clear *maslahah* and avoids *mafsadah*. This positions blockchain as a *fiqh al-tathbiq* (applied jurisprudence) tool for realizing socio-economic justice in the digital era. Conceptually, this study contributes to the development of *Islamic digital institutional theory*—integrating *maqasid al-shariah* with distributed ledger systems for ethical governance.

For policymakers, the implications are twofold:

1. **Normative** – MUI should formulate a specific fatwa on blockchain-based waqf to provide jurisprudential certainty and guide Islamic fintech innovation.
2. **Institutional** – BWI should collaborate with technology providers and Islamic financial institutions to create a unified blockchain platform that enhances traceability and donor engagement.

By bridging the gap between *usul fiqh* and modern digital ethics, this study offers a model for *sharia-compliant digital philanthropy*—anchoring technological progress in the pursuit of *maslahah 'ammah*.

Integrative Discussion: Blockchain as Maslahah Mu'tabarah in Contemporary Waqf

Integrating the findings from the three analytical stages, the study concludes that blockchain functions as a *maslahah mu'tabarah* when applied to enhance transparency, efficiency, and inclusivity in waqf management. From a *maqasid al-shariah* perspective, blockchain supports *hifz al-mal* by securing waqf assets, *hifz al-din* by maintaining institutional trust, and *hifz al-'aql* by promoting knowledge and technological innovation in ethical governance. These dimensions correspond to *maslahah tahsiniyyah* in al-Syatibi's classification—benefits that perfect moral and ethical values in social institutions.

Moreover, blockchain contributes to the broader goal of *ihsan* in economic transactions, as emphasized in Qur'an (2:267): *"O you who believe, spend from the good things which you have earned…"* By ensuring that donations are managed transparently, blockchain embodies a form of *ethical excellence* consistent with Sharia principles of trust and justice. Thus, blockchain is not merely a technological tool but a vehicle for realizing the moral aspirations of Islamic economics in the digital era.

However, the success of blockchain-based waqf depends on three structural prerequisites:

1. Doctrinal clarity — through a dedicated *DSN-MUI fatwa* defining Sharia compliance criteria for blockchain-based instruments.
2. Regulatory integration — establishing technical and supervisory standards under the coordination of BWI, OJK, and Bank Indonesia.
3. Capacity building — enhancing *nazir* literacy and community digital competence to ensure equitable participation and prevent technological exclusion.

When these three pillars are achieved, blockchain-based waqf can be recognized not only as a lawful innovation (*mubah*), but also as a *recommended form (mandub)* of *maslahah* that advances the Sharia objective of collective prosperity (*maslahah 'ammah*). In this sense, blockchain represents an embodiment of *ijtihad mu'assir* (contemporary jurisprudential reasoning), reaffirming Islam's adaptability to technological progress while preserving its ethical and spiritual integrity.

Waqf Governance and the Transparency Challenge

Indonesia, recognized as one of the largest Muslim-majority nations globally, possesses enormous waqf potential, with more than 400,000 registered land assets and substantial cash waqf collections (Pratama, 2025). However, empirical data consistently reveal inefficiencies in waqf asset utilization, transparency, and accountability(Aulia, 2021). The Indonesian Waqf Board reports that less than one-third of endowment assets are productively managed, primarily due to weak monitoring systems and public distrust toward *nazhir* institutions (Nasution, 2021).

This trust deficit is not only administrative but epistemological—it reflects a crisis in *amanah* (trust) and *mas'uliyyah* (responsibility) that undercuts the moral economy envisioned by *maqasid al-shariah* (Shuhari et al., 2019). Public hesitancy to engage in waqf donations stems from uncertainty about how funds are managed and whether they are distributed in accordance with Islamic ethical standards (Asyari et al., 2024). These systemic limitations reveal a fundamental gap: the lack of a transparent, verifiable, and tamper-resistant information system in waqf governance (Choudhury et al., 2019).

Blockchain technology offers a potential response to this challenge through its *decentralized ledger* system (Zachariadis et al., 2019). It allows transactions to be recorded immutably, ensuring that all stakeholders—donors, *nazhir*, and regulators—can verify fund

flows without relying on a central intermediary (Al-Saudi, 2024). Thus, blockchain introduces an architecture of trust that transcends institutional dependence and aligns with Islamic moral imperatives of transparency (*shafafiyyah*) and accountability (*hisbah*). (MUHAMAT et al., n.d.)

Comparative Analysis: Global Models of Blockchain–Waqf Integration

The integration of blockchain into waqf management has become a global phenomenon, with several countries experimenting with digital waqf platforms to improve transparency, traceability, and accountability. However, the approaches, regulatory readiness, and Sharia compliance mechanisms vary widely across jurisdictions. A comparative analysis of these models—particularly those developed in Malaysia, the United Arab Emirates (UAE), and Indonesia—reveals both shared aspirations and distinctive institutional strategies in harmonizing technological innovation with Islamic jurisprudence (Apaydin, 2018).

Malaysia: Institutional Innovation and Regulatory Readiness

Malaysia stands at the forefront of blockchain–waqf integration, driven by strong governmental support and well-structured Islamic financial regulation. The *Federal Territory Islamic Religious Council (MAIWP)* and institutions such as *Labuan International Business and Financial Centre (IBFC)* have explored blockchain-based waqf pilots aimed at enhancing the traceability of endowments and automating fund distribution via smart contracts (Manaf et al., 2025). In Malaysia, blockchain serves not merely as a record-keeping tool but as a Shariah governance mechanism, ensuring that each transaction adheres to the contractual principles of *waqf ahlī* and *waqf khayrī*. (MUHAMAT et al., n.d.)

The Malaysian model benefits from its established regulatory ecosystem, where *Bank Negara Malaysia* (BNM) and the *Securities Commission Malaysia* (SCM) actively collaborate with the *Shariah Advisory Council* to monitor technological compliance (Ahmad & Yahaya, 2022). This triadic governance framework has enabled Malaysia to create a digital waqf prototype using distributed ledgers that maintain immutable ownership records while allowing flexibility in the allocation of proceeds for social and economic welfare. Furthermore, the inclusion of *maslahah mursalah* reasoning by Malaysian Shariah scholars legitimizes the adaptation of technology to achieve *maqasid al-shariah*—specifically *hifz al-mal* (protection of wealth) and *tahqiq al-'adl* (realization of justice)—without violating the principle of perpetuity inherent in waqf (Mustapha & Malkan, 2025)

United Arab Emirates: Blockchain for Philanthropic Efficiency

In contrast, the UAE employs a more centralized but technologically ambitious approach. The *Dubai International Financial Centre (DIFC)* and *Dubai Future Foundation* launched the "Smart Waqf" initiative in collaboration with the *Awqaf and Minors Affairs Foundation (AMAF)*, utilizing blockchain to register waqf assets, manage endowment deeds, and automate profit distribution (Alharthi, 2021). This initiative forms part of the UAE's *Blockchain Strategy 2031*, which aims to digitize 50% of all government transactions, including philanthropic and religious endowments (Vinod Kumar, 2023).

Unlike Malaysia, which emphasizes Shariah compliance as its central framework, the UAE prioritizes operational efficiency and public trust. Blockchain here is viewed as an instrument of governance modernization that aligns with the *Vision 2030* agenda for sustainable development. However, from a jurisprudential perspective, UAE scholars have emphasized the need for *ijtihad* (juristic reasoning) to interpret the digital nature of waqf contracts, especially concerning ownership transfer and *ta'bid* (perpetuity) (Harefa, 2025). The incorporation of fatwas from the *UAE Fatwa Council* confirms that blockchain-based

waqf systems can be recognized as valid instruments of charitable giving, provided that they serve public benefit (*maslahah 'ammah*) and maintain the donor's intent (*niyyah al-waqif*) (Kasmon et al., 2023).

The UAE's model thus represents a technocratic adaptation of Islamic philanthropy, where Shariah principles are integrated post hoc to ensure compliance. This creates a contrast with the Malaysian model, which integrates jurisprudential oversight at every stage of implementation. While both models aim for transparency, the Malaysian approach is jurisprudentially grounded, whereas the UAE model is technologically pragmatic.

Indonesia: Emerging Framework and Juristic Discourse

Indonesia, despite its vast waqf potential, remains in the nascent stage of blockchain–waqf integration. The *Badan Wakaf Indonesia (BWI)* has initiated early collaborations with fintech startups to explore blockchain platforms for digital waqf registration and public donation tracking (BWI as cited in (Qolbi et al., 2022)). Nevertheless, challenges persist in legal clarity, technical infrastructure, and Sharia governance alignment. The Indonesian regulatory framework—mainly guided by *Law No. 41 of 2004 on Waqf* and *Government Regulation No. 42 of 2006*—does not yet explicitly accommodate digital or blockchain-based waqf mechanisms. Consequently, implementation relies heavily on interpretive guidance from *Majelis Ulama Indonesia (MUI)* fatwas and contextual application of *maslahah mursalah* principles (MUI as cited in (Sanusi et al., 2020)).

In practice, Indonesian scholars and practitioners view blockchain as a supporting instrument rather than a substitutive mechanism. This position is rooted in concerns about technological neutrality—ensuring that blockchain remains a tool serving *maqasid al-shariah*, not replacing human moral agency in waqf administration (Ascarya et al., 2022). Furthermore, the discourse in Indonesia emphasizes *trust reconstruction* among the Muslim community, suggesting that blockchain's transparency and auditability can enhance institutional legitimacy and reduce administrative corruption (Astawa et al., 2025). However, the absence of a comprehensive digital governance framework limits scalability and integration across nadzir organizations.

Comparative Implications and Theoretical Synthesis

Comparatively, these three national models demonstrate distinct epistemological orientations toward the adoption of blockchain in waqf management. Malaysia represents a jurisprudential-technological hybrid, where Shariah reasoning precedes and shapes technological implementation. The UAE exemplifies a state-led technocratic model, prioritizing efficiency and modernization with subsequent religious validation. Indonesia, meanwhile, reflects a developing normative model, still negotiating the theological and legal boundaries of blockchain's role within Islamic endowment management.

From a *maslahah mursalah* perspective, these differences illustrate varying interpretations of *public benefit* in digital waqf governance. Malaysia's pre-emptive integration of *maslahah* principles ensures the technology serves Shariah objectives from the outset. The UAE's model interprets *maslahah* primarily in socioeconomic terms—enhancing efficiency, trust, and state credibility. Indonesia's approach situates *maslahah* within moral and communal reconstruction, emphasizing *niyyah* and institutional accountability. Together, these models highlight the dynamic interaction between technological innovation, Shariah jurisprudence, and socio-political context in shaping the future of Islamic digital philanthropy.

In conclusion, while global blockchain–waqf initiatives share a common goal of promoting transparency and trust, their success depends on how effectively they embed

maqasid al-shariah within the technological architecture. For Indonesia, learning from Malaysia's jurisprudential rigor and the UAE's institutional innovation could accelerate the development of a robust, Shariah-compliant blockchain–waqf ecosystem that enhances not only efficiency but also moral legitimacy in Islamic social finance.

CONCLUSION

This study affirms that the application of blockchain in the waqf system represents not merely a technological innovation but a form of contemporary *ijtihad* rooted in the principles of *maslahah mursalah* and *maqasid al-shariah*. Through analysis of Qur'anic and Prophetic sources, MUI fatwas, and practices in Malaysia, the UAE, and Indonesia, the research demonstrates that blockchain's attributes transparency, immutability, and accountability align with Islamic values of justice, trust, and public welfare. Accordingly, the study offers a new conceptual framework positioning *maslahah mursalah* as a modern interpretive instrument for digital Shariah governance, extending classical *fiqh mu'āmalah* toward a functional assessment of emerging technologies.

Practically, the findings hold significant implications for Islamic legal development and fintech regulation, emphasizing the integration of *maslahah mursalah* into policy design and Shariah-compliant digital finance standards. The proposed governance model provides regulators, financial institutions, and scholars with a systematic approach to evaluate technological innovations through the lens of Shariah objectives. Ultimately, blockchain-based waqf symbolizes a paradigmatic evolution in Islamic economic thought—bridging divine law with digital reality and demonstrates that ethically grounded innovation is not a departure from Islamic tradition but a continuation of its enduring pursuit of justice and the public good

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