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The Role Of The National Sharia Council Fatwa In The Development Of The Sharia Financial Industry In Indonesia

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ABSTRACT
Study This aiming For analyze the role of the National Sharia Council (DSN) fatwa in development industry Islamic finance in Indonesia. With use approach descriptive-qualitative, research This to study DSN's contribution in aspect regulation, supervision and innovation product Islamic finance. Data obtained through studies bibliography that includes study regarding the DSN fatwa, literature academic, and regulatory government related Islamic finance. Research results show that the DSN fatwa plays a role strategic in give runway laws and guidelines operational for institution Islamic finance, so that support sustainability and legitimacy industry This. The DSN fatwa also encourages innovation product Sharia compliant finance with need society and sharia principles. Although Thus, the challenge like difference fatwa interpretation and limitations literacy public Still need attention more carry on For increase effectiveness implementation of the DSN fatwa in Indonesia

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INTRODUCTION

Development industry Islamic finance in Indonesia shows significant improvement in a number of decade last. One of the booster main development This is the role of the National Sharia Council (DSN) under The Indonesian Ulema Council (MUI), which is responsible answer For issue related fatwas products and services Islamic finance. As authorized institution give guidelines about practice Islamic finance, DSN ensures that products and services offered by the institution Islamic finance remains in accordance with sharia principles. The fatwas issued by the DSN do not only become reference for perpetrator industry, but also provides a sense of security for public For use products Islamic finance.

DSN-MUI official formed in 1999, along with with increasing need will clear and integrated guidance in management sharia -based finance. At the time that, various product Islamic finance begins emerging, but society and industry Still need clarity about aspects that are considered halal or haram transaction finance. DSN is present as capable authority issued sharia fatwas, which functioned as rule base for institution Islamic finance in offer appropriate products and services with Islamic law. This fatwa own role strategic Because give explicit guidance For avoid usury, gharar (uncertainty), and other practices that are not in accordance with sharia.

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The role of DSN in industry Islamic finance becomes the more important along with growth and complexity industry said. Currently, the industry Islamic finance in Indonesia includes various sector, starting from banking, insurance (takaful), to sharia capital markets. The role of the National Sharia Council (DSN) Fatwa is very important in support implementation Constitution Number 33 of 2014 concerning Guarantee Halal products, especially in development industry Islamic finance in Indonesia. The DSN fatwa provides sharia guide for institution finance For ensure that products and services offered No only in accordance with sharia principles but also fulfill halal standards required by law. With Thus, DSN plays a role in integrate halal principle to in product finance, such as sukuk, Islamic banking, and Islamic insurance, as well as help institution finance fulfil compliance law related halal certification in Indonesia.

The fatwas issued by the DSN not only serve as guidelines for Islamic financial institutions, but also serve as a legal basis recognized by the government in the regulation of the Islamic financial industry in Indonesia. often refer to the DSN fatwa as base For formulate supporting policies and regulations industry this. For example, regulation related Islamic banking and Islamic capital markets in Indonesia are often referring to the DSN fatwa, which provides legitimacy for industry Islamic finance at the same time ensure security and trust public to sharia products.

Islamic finance is system finance based on sharia principles or Islamic law. Principles main in system This is prohibition usury or flowers, as mentioned in the Qur'an:

Allah bless him and give him peace of mind may

" *God has to justify sell buy and forbid usury." (Al-Baqarah: 275)*

According to Tafsir Sheikh Abdul Halim Hasan, verse This confirm that transaction legitimate economy according to sharia it must be based on principle justice and honesty, without There is element exploitation or frequent injustice happen in practice usury. Sheikh Abdul Halim Hasan emphasized that prohibition usury aiming For protect public from gap social and instability economy caused by the system flower.

In addition, the principle prohibition gharar (uncertainty) is also emphasized in hadith of Rasulullah SAW which prohibits sell buy containing speculation or uncertainty excessive. This is functioning For guard clarity and transparency in transaction finance, as delivered in the interpretation that every contract in Islam must clear related objects, prices and agreements between party.

In Islamic finance, any profit or return must be based on real and legitimate business activities according to the Shari'ah, not from interest practices involving unilateral profits. This principle emphasizes fairness in financial transactions and ensures that the profits obtained are the result of active participation in economic activities, not merely from capital control.

Through role strategically, DSN does not only help development industry Islamic finance in Indonesia but also contributes to strengthening literacy Islamic finance among society. With the existence of DSN, society can more easy understand product sharia finance and trust that product the in accordance with principles of Islam. This is become factor important in push inclusion Islamic finance in Indonesia.

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RESEARCH METHODS

Study This use approach descriptive-qualitative For to study the role of the National Sharia Council (DSN) in development industry Islamic finance in Indonesia. Approach descriptive-qualitative chosen Because aiming For give understanding deep about DSN's contribution in escort conformity sharia principles in service finance. In the approach this, researcher focuses on the collection and analysis of data originating from from relevant documents and literature, such as DSN fatwas, research academic previously, and regulation government related Islamic finance.

data collection process is carried out through studies in -depth literature. This study covers assessment to various DSN fatwas that regulate practice Islamic finance, both related to with banking, sharia insurance, and sharia investment. In addition, research This also refers to the literature academics that discuss aspects Islamic finance and DSN's contribution in to form framework regulation. Regulation related government with industry Islamic finance, such as Constitution Sharia Banking, is also reviewed For understand how the DSN fatwa is implemented in formal policies.

Data obtained through studies literature This Then analyzed in a way qualitative with objective For dig role strategic fatwa DSN in guard sustainability and legitimacy industry Islamic finance in Indonesia. Analysis done with to examine conformity between the DSN fatwa and applicable regulations as well as the impact of these fatwas to industry. Analysis this also includes aspect reception society and institutions finance against the DSN fatwa, as well as challenges faced in its implementation. With method this, it is expected study can give description comprehensive about the role of DSN in development industry Islamic finance in Indonesia.

Through approach this, research This expected can give deep understanding about the role of DSN fatwa as the important basics in regulation Islamic finance in Indonesia. In addition, research this is also expected can identify challenges faced by DSN in supervise sharia compliance in industry finance and provide recommendation for improvement effectiveness of fatwa in support innovation and inclusion Islamic finance.

RESULTS AND DISCUSSION

Definition of Fatwa and the Fatwa Determination Process

Fatwa is decision or opinion a law issued by a scholar or competent fatwa institution about a problem certain based on Islamic law. Fatwas are usually given For answer question or finish problem laws faced by individuals, communities, or countries, especially those that are not yet own provision clear law in text of the Qur'an and Hadith. According to the Islamic perspective, a fatwa is not a binding law like a law, but rather a recommendation that can be followed or not, depending on the beliefs and circumstances of the person requesting the fatwa.

Fatwa is guide laws issued by institutions or individuals who have authority in Islamic law, such as ulama or sharia bodies. Fatwas are usually issued For give answer or guide to issues that require explanation law in context certain. In the system Islamic finance, fatwa plays a role role important Because provide clear guidelines about practice appropriate

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finance with sharia principles. In Indonesia, sharia financial fatwas are generally issued by the National Sharia Council (DSN) which is under Indonesian Ulema Council (MUI).

Fatwa also functions as tool supervision in industry Islamic finance. Islamic financial V such as *Ijma'* (consensus of scholars), *Qiyas* (legal analogy), and other methods such as istihsan (legal preference) or maslahat (public interest). This analysis is carried out by considering the principles of sharia and current conditions, so that the fatwa produced is not only in accordance with Islamic law, but also relevant to the situation of society.

If the issues raised are complex, the fatwa institution often holds discussions and deliberations. At this stage, experts in various fields related to the issue can be involved to provide additional views. This process aims to ensure that the fatwa produced has a strong basis, both textually and contextually.

Once the analysis is complete, a fatwa is formulated and determined. This fatwa is usually prepared in the form of a written document that explains the legal basis, the method of analysis, and the legal solution offered. In some cases, the fatwa may be accompanied by practical recommendations that can be followed by the party requesting the fatwa. The final step is the publication of the fatwa through print, electronic, or digital media so that it can be accessed by the wider community. The process of issuing fatwas reflects the principle of caution and responsibility of scholars in maintaining the relevance of Islamic law amidst the dynamics of life. Fatwas are not only legal guidelines, but also practical solutions that prioritize the welfare of the people.

The Role of DSN Fatwa in Development of Islamic Financial Industry

a. Compilation Framework Regulation Islamic Finance

DSN Fatwa has fundamental role in to form framework regulations that guide industry Islamic finance in Indonesia. Through the fatwas issued, DSN determines rules and principles the basics that must be complied with by the institution Islamic finance in operate operational. These fatwas give directions about contracts or permissible contracts, such as contract murabahah, ijarah, and mudharabah, as well prohibition to elements that are not in accordance with sharia principles, such as usury and gharar. With existence clear guidance this, institution Islamic finance has strong foundation For create appropriate products and services with Islamic law.

Compilation framework regulation This covers various aspects, including mechanism financing and management investment. The DSN fatwa details provisions that must be met complied with by the institution finance in operate function financing, such as financing property and working capital, to keep it in accordance with sharia. In this case investment, DSN also determines rule about permitted and prohibited sectors For invested, for example with forbid investment in the field gambling and industry drink hard. With existence regulation This, DSN also participates guard integrity and compliance institution Islamic finance towards principles of Islam.

b. Assurance of Conformity Product Finance

The role of DSN in ensure conformity product Islamic finance is also very important. Every product new who want issued by the institution Islamic finance must through the DSN approval process for ensure that product the No violate sharia principles. DSN carries out

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study deep to structure products, mechanisms and benefits For avoid prohibited elements, such as usury and gharar. This process No only create standard operational that can relied on by the institution finance, but also provide certainty and sense of security for consumers who want use product Islamic finance.

Agreement from DSN creates standard compliance that must be followed by all institution Islamic finance. With Thus, every products that have been approved by DSN can confirmed its suitability with sharia principles, so that institution Islamic finance can operate its operation without worry violate religious rules. For consumers, the existence of DSN and its role in ensure conformity product give guarantee that the products they use truly in accordance with Islamic principles.

c. Innovation Product Islamic Finance

DSN Fatwa does not only functioning as regulation, but also as Supporter innovation in industry Islamic finance. DSN in general active respond development and needs public with give guide about products new, such as sukuk (sharia bonds), sharia mutual funds, and sharia insurance (takaful). With the existence of a DSN fatwa that allows development product this, institution Islamic finance can more easy present appropriate innovation with sharia principles, so that increase Power compete in national and international markets.

Innovation in product Islamic finance becomes key For interesting investor and customer interest from various circles. The DSN fatwa on sukuk, for example, has open opportunity for government and companies For get sharia funding that can accessible to people who are looking for it alternative halal investment. Innovation this also becomes means for institution Islamic finance for expand portfolio product them and fulfill market needs that continue to grow develop, without leave sharia principles.

d. Increase Public Trust

The existence of DSN with its fatwas participate increase trust public to industry Islamic finance. In the climate increasingly fierce competition strict, trust public is factor important For interesting customers and investors. DSN provides legitimacy for products Islamic finance with ensure that product the in accordance with Islamic law, so that public No need worry about Sharia compliance of their products use. With guarantee from DSN, society feel more comfortable and confident that product is halal and ethical.

The trust built by the DSN through its fatwas also has an impact on growth. industry Islamic finance. With increasing trust society, increasingly Lots individuals and companies that switch use product Islamic finance. This is impact positive on inclusion finance in Indonesia, where increasingly Lots community that accesses service Islamic finance. In addition, trust the public also becomes booster for institution Islamic finance for Keep going increase quality products and services them to fit with hope public.

Challenges and Obstacles in Implementation of DSN Fatwa

Although the DSN fatwa has role important, there is various challenge in its implementation. One of challenge main is existence difference interpretation against the fatwa among practitioner industry. Every institution Islamic finance is possible own different views in implementing the DSN fatwa, so that can cause inconsistency in operational and

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sharia compliance. This is need more coordination Good between DSN and institutions finance so that the interpretation of the fatwa remains in line with the expected principles.

Challenge other is limitations knowledge public about sharia products. Many people have not fully understand concept and benefits from product Islamic finance, so that they tend choose product conventional. In addition, the gap in supervision at the level the area also becomes obstacle in ensure Sharia compliance. Limitations supervision This make a number of institution Islamic finance does not fully comply standards set by the DSN, especially in areas that have not yet been own supervision strict from authority local.

The solution to Challenges and Obstacles in Implementation of DSN Fatwa

The solution to challenges and obstacles in implementation of the National Sharia Council (DSN) fatwa:

a. Fatwa Education and Socialization

Education and socialization of fatwas is step important For increase understanding community and practitioners about the role and importance of DSN fatwas in industry Islamic finance. DSN needs designing educational programs that include various formats, such as seminars, workshops, and discussion forums. In this program, scholars and experts in the field Islamic finance can invited For explain fatwa content, objectives and methods its implementation in practice daily.

In addition, the material education must arranged with easy language understood by all layer society, including non- experts. Involving mass media and digital platforms is also an effective strategy. For reach a wider audience wide. With improvement understanding, expected public will more believe in the product Sharia compliant finance with the DSN fatwa.

b. Strengthening Communication and Cooperation

Strengthening communication and cooperation between DSN, institutions Islamic finance, and other stakeholders are very important in overcome challenge implementation of the fatwa. DSN can form a discussion forum or regular meeting with institution Islamic finance for to discuss challenges faced in implementing the fatwa. This forum No only become place exchange information, but also a means For get bait come back from institution finance about difficulty in implementation of fatwa.

In addition, DSN needs to weave cooperation with government and financial regulators For ensure that policies implemented support implementation of the fatwa. With build good partnership, will created conducive ecosystem for development industry Islamic finance, as well as make it easier implementation of fatwas in the field.

c. Compilation Guidelines Implementation

Compilation guidelines implementation For Every fatwa issued by the DSN is step strategic in make it easier institution Islamic finance. Guidelines This must containing steps clear practical example implementation, and relevant cases for each fatwa. With existence detailed guidelines, institutions Islamic finance can more easy understand and apply internal fatwas operational daily they.

Guidelines implementation must also be updated in a way periodically to keep it relevant with development industry Islamic finance and market needs. With provide tool practical and

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easy help accessed, expected institution Islamic finance can comply with the fatwa with more effective, reduce confusion, and increase compliance to sharia principles.

d. Monitoring and Evaluation Periodic

Supervision and evaluation periodic to the implementation of the fatwa is step important For ensure that institution Islamic finance complies with the fatwa that has been issued set. DSN needs to be conduct audits and assessments independent regularly for evaluate level compliance institutions the against the fatwa. Through the evaluation process this, DSN can identify areas that need repair and provide recommendation For increase implementation of fatwa.

Evaluation this can also involving input from customers and the community, so that give more perspective comprehensive about effectiveness implementation of the fatwa. With strict supervision, it is expected institution Islamic finance can more discipline in apply sharia principles, as well as increase accountability and transparency in operational they.

e. Innovation in Product Islamic Finance

Push innovation in product Islamic finance is key For answer challenge market needs that continue to grow changed. DSN needs give support for institution Islamic finance in to design suitable product with fatwa but also fulfill need community. Through brainstorming forums or incubator product, DSN can give input and guidance for institution finance in develop product new innovative and appropriate with sharia principles.

Innovation products must also be consider trends and technology latest, such as fintech, which can increase accessibility and efficiency service Islamic finance. With create interesting and relevant products, it is hoped more Lots interested community For use service Islamic finance, so that industry This can develop rapidly.

f. Improvement Human Resources Capacity

Improvement capacity source Power human resources (HR) in institutions Islamic finance is aspect important in implementation of the fatwa. DSN needs conduct a designed training program special For increase knowledge and skills staff in understand and implement DSN fatwa. Training This Can covering various aspects, starting from principle base Islamic finance to implementation of fatwa in product specific finances.

In addition to formal training, institutions finance can also adopt a mentoring program or learning based on project, where staff can Study direct from experience more practitioners experienced. With improvement human resource capacity, expected institution Islamic finance can operate operational they with more effective and appropriate with sharia provisions that have been set.

g. Collaboration with International Institutions

Build collaboration with institution international in industry Islamic finance can give profit big for DSN and institutions finance in Indonesia. Through cooperation this, DSN can Study from practice best practices implemented in other countries and adapt successful strategies For Indonesian context. In addition, collaboration with institution international can also help in development capacity, research and innovation in product Islamic finance.

Participation in conference international and global discussion forum on Islamic finance is also important For strengthen Indonesia's position in the global market. With to weave

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good relationship with institution international, Indonesia can contribute in development global standard for industry Islamic finance, at the same time strengthen reputation and power competition product Indonesian Islamic finance on the scene international.

DSN Position

The National Sharia Council (DSN) is functioning institution For issuing fatwas and guidelines in practice Islamic finance in Indonesia. As part from Indonesian Ulema Council (MUI), DSN has strong authority and legitimacy in determine the relevant fatwa with products and services Islamic finance. Position This is very important, considering that Indonesia is a country with the world's largest Muslim population, which requires clear and appropriate regulations with sharia principles.

As connector between sharia law and practice finance, DSN plays role crucial in ensure that all activities in the industry Islamic finance in line with Islamic teachings. The fatwa issued by the DSN becomes reference for institutions Islamic finance in design and implement product them. With Thus, DSN does not only functioning as institution legislative, but also as supervisor who keeps the institution in order Islamic finance operates in sharia corridor that has been set.

In addition, the position of DSN as part from MUI to strengthen position and influence in Muslim community in Indonesia. MUI as authority highest in affairs religious in Indonesia provides moral and institutional support for DSN, so that the resulting fatwa can accepted and recognized by society. This is important in build trust public to industry Islamic finance, because public will more tend use products Islamic finance which has get legitimacy from recognized institution.

In general Overall, the position of DSN in structure religious and financial in Indonesia is very strategic. With authority For issuing fatwas and roles as connector between sharia law and practice finance, DSN contributes significant to development industry transparent, accountable and compliant sharia finance with principles of Islam. This is No only support growth sector Islamic finance, but also ensure that industry This give more benefits wide for public.

Position of DSN in Regulations in Indonesia

The National Sharia Council (DSN) is part of the Indonesian Ulema Council (MUI) which has the authority to issue fatwas regarding sharia financial practices. The position of the DSN is officially recognized in various regulations that support the development of the sharia financial industry in Indonesia.

a. Legal Basis of DSN

   DSN was established in 1999 by MUI to answer the need for sharia guidance in the financial sector. Its position is strengthened by various regulations, such as:

   1) Law Number 21 of 2008 concerning Sharia Banking, which requires all sharia banking products and services to comply with DSN fatwas.
   2) The DSN-MUI fatwa is used as a reference by regulators, such as Bank Indonesia (BI) and the Financial Services Authority (OJK), in preparing operational regulations for the sharia financial industry.

b. The Role of DSN in Sharia Financial Regulation

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1) Preparation of Sharia Standards
2) DSN fatwas are the basis for the preparation of regulations by financial authorities. For example, fatwas on murabahah, mudharabah, and ijarah contracts are used by OJK to regulate sharia banking and capital market products.
3) Sharia Supervision
4) DSN plays a role in ensuring that Islamic financial institutions comply with sharia principles through audits and certification by the Sharia Supervisory Board (DPS) in each institution.

c. Legal Recognition of DSN Fatwa
DSN fatwas have formal legal force because they are often adopted into state regulations. For example:
1) Regulations on Sukuk (Islamic bonds) in the Islamic capital market referring to the DSN fatwa.
2) DSN fatwa on sharia insurance which is the operational legal basis for the takaful industry.

d. Relationship with Government and Financial Institutions
DSN works closely with regulators such as OJK, BI, and the Ministry of Finance in developing a sharia-compliant sharia financial ecosystem. DSN also functions as a mediator between sharia financial institutions and the community in providing sharia legitimacy to financial products.

e. Contribution to the Development of the Islamic Financial Industry
The existence of DSN ensures that the Islamic financial industry develops with a solid legal foundation and Islamic principles. This not only supports the growth of the industry but also increases public trust in the Islamic financial system,

CONCLUSION

The role of the National Sharia Council (DSN) fatwa in development industry Islamic finance in Indonesia is very important. The fatwa issued by DSN functions as a guide that regulates and determines standard operational for institution Islamic finance. Standard This covers various aspects, starting from product to the transaction process, so that can confirmed that practices carried out in accordance with sharia principles. The existence of the DSN fatwa becomes a foundation recognized by society, which in turn increase trust to system Islamic finance and encourage its development as alternative more finances in accordance with Islamic values. Development industry Islamic finance in Indonesia also provides contribution significant to growth economy national. With follow guide from DSN, an institution Islamic finance can create innovative, competitive products, and in accordance with principles of sharia. This is make product Islamic finance becomes more interesting for public wide, including those who were previously hesitant to participate in industry finance conventional. Impact positive, industry Islamic finance does not only functioning as means investment and savings, but also as booster main in support a better economy inclusive and stable. However, behind its big role, there is challenges that must be faced by DSN for reach development industry optimal Islamic finance. Challenges These, among others, are difference fatwa

interpretation, limitations literacy public about product Islamic finance, as well as supervision that has not been evenly distributed throughout Indonesia. The differences interpretation of fatwa can cause non-uniformity in implementation, while low literacy public hinder understanding they to benefits and how to Work product Islamic finance. For overcome challenge this, DSN needs strengthen Work The same with various parties, including government, institution finance, as well as institution education. Collaboration This aiming For increase education and literacy society, so that understanding about Islamic finance can more even and deep. Apart from that, supervision is also necessary reinforced through synergy with authority related For ensure that all institution Islamic finance complies with the principles that have been set. With steps this, DSN will the more capable maintain his role as the main pillar in development industry Islamic finance in Indonesia, supporting stability and trust public to products appropriate finance with Islamic values.

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